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THE

Statutes at Large,

From the Twentieth Year of the Reign of

KING *GEORGE* the SECOND

To the Thirtieth Year of the Reign of

KING *GEORGE* the SECOND.

To which is prefixed,

A TABLE of the TITLES of all the Publick and Private Statutes during that Time.

VOLUME the SEVENTH.

A NEW EDITION.

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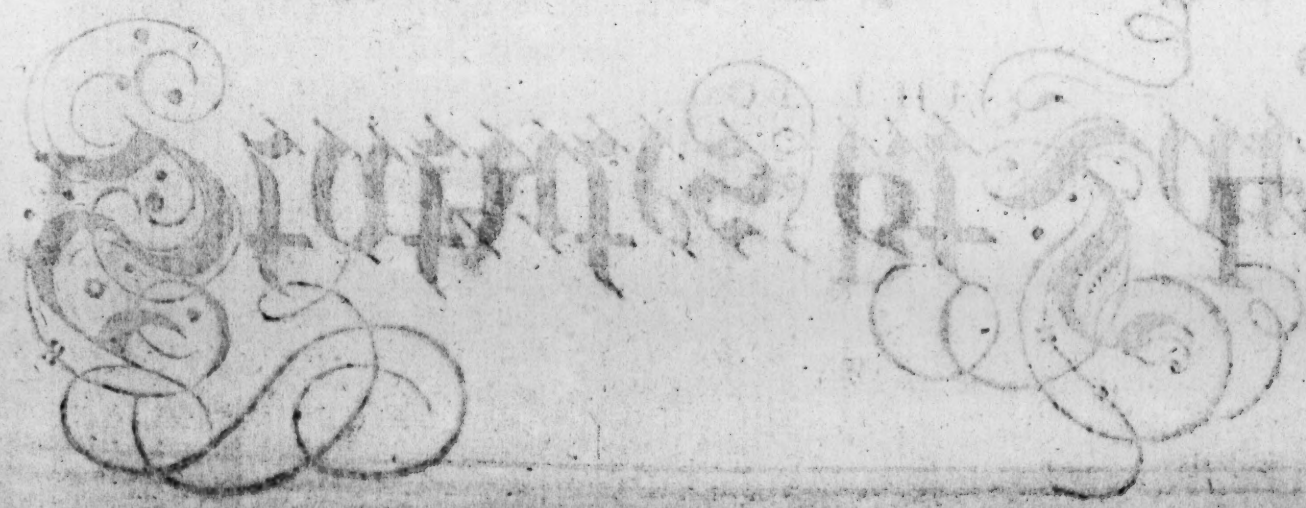

A

TABLE

OF THE

Publick and Private Statutes,

CONTAINING,

The TITLES of the ACTS from the Twentieth Year of the Reign of GEORGE II. to the Thirty-first Year of the Reign of GEORGE II.

PUBLICK ACTS.

Anno 20 *Georgii* II.

1. AN Act for the further continuing an Act made in the laſt Seſſion of Parliament, intituled, *An Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government.*
2. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-ſeven.
3. An Act for repealing the ſeveral Rates and Duties upon Houſes, Windows and Lights; and for granting to his Majeſty other Rates and Duties upon Houſes, Windows or Lights; and for raiſing the Sum of four Millions four hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates or Duties.
4. An Act to continue, explain and amend an Act made in the laſt Seſſion of Parliament, intituled, *An Act to enable his Majeſty to make Rules, Orders and Regulations, more effectually to prevent the ſpreading of the Diſtemper which now rages among ſt the Horned Cattle in this Kingdom.*
5. An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*; and for applying a certain Sum of Money therein mentioned, towards the Supply for the Service of the Year one thouſand ſeven hundred and forty-ſeven.
6. An Act to continue and make more effectual two Acts of Parliament; one paſſed in the twelfth Year of the Reign of her late Majeſty Queen *Anne*, and the other in the firſt Year of the Reign of his preſent Majeſty, for repairing the Highways between the *Bear Inn* in *Reading* and *Puntfield* in the County of *Berks*; and for amending other Roads in the laſt Act mentioned.
7. An Act for enlarging the Term and Powers granted by an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for repairing the Roads leading from the Weſtern Part of the Pariſh of* Shenfield, *to* Harwich, *in the County of* Eſſex, *and the Road leading from* Chelmsford *in the ſaid County, to* Sudbury *in the County of* Suffolk; *and from* Margretting *to* Malden *in the County of* Eſſex, *and from* Colcheſter *to* Langham *in the ſame County*; and for repairing other Roads adjoining to the ſame Roads.
8. An Act for enlarging the Term and Powers granted by an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing, widening and amending the Road leading from *Warrington* to *Wigan* in the County of *Lancaſter*; and alſo for amending and repairing the Road leading from a Place called *Earl's Kill*, in *Warrington* aforeſaid, to the Toll-bars in *Wallgate*, in *Wigan* aforeſaid.
9. An Act for repairing the High Road leading from the North End of the *Cow Cawſey*, near the Town of *Newcaſtle upon Tyne*, to the Town of *Belford*, and from thence to *Buckton Burn*, in the County of *Northumberland*.
10. An Act for granting to his Majeſty ſeveral Rates and Duties upon Coaches, and other Carriages therein mentioned; and for raiſing the Sum of one Million, by way of Lottery, to be charged upon the ſaid Rates and Duties.
11. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
12. An Act for repairing the High Road leading from the City of *Durham* in the County of *Durham*, to *Tyne Bridge* in the ſaid County.
13. An Act for repairing the Road from *Sunderland near the Sea*, to the City of *Durham* in the County of *Durham*.
14. An Act for opening, cleanſing, repairing and improving the Haven of *Southwould* in the County of *Suffolk*.
15. An Act for repairing, improving and maintaining the publick Conduits and other Water-works, belonging to the Town of *Southampton*.
16. An Act for enlarging the Term and Powers granted by

ſeveral Acts of Parliament paſſed for repairing the Highways between *Wymondham* and *Attleborough*, and from *Wymondham* to *Hetherſet*, and from the Mouth of *Wigmore Lane* to *Hall Walk Gate* in *Attleborough*, in the County of *Norfolk*; and for amending the other Roads adjoining to the Highways directed to be repaired by the ſaid former Acts, and making the ſaid Acts more effectual.

17. An Act for enlarging the Term and Powers granted by two Acts of Parliament for laying a Duty of two Pennies *Scots* upon every Pint of Ale and Beer brewed and vended within the Town of *Dundee*, and the Liberties and Suburbs thereof, for the Purpoſes in the ſaid Acts and this preſent Act mentioned.

18. An Act for the better Preſervation and Improvement of the River *Wear*, and Port and Haven of *Sunderland*, in the County of *Durham*.

19. An Act for the better adjuſting and more eaſy Recovery of the Wages of certain Servants; and for the better Regulation of ſuch Servants, and of certain Apprentices.

20. An Act for Relief of ſuch of his Majeſty's loyal Subjects, in that Part of *Great Britain* called *Scotland*, whoſe Title Deeds and Writings were deſtroyed or carried off by the Rebels, in the late Rebellion.

21. An Act for holding the Summer Aſſizes and Seſſions of the Peace, for the County of *Norfolk*, in the City and County of *Norwich*, until a new Shire Houſe can be built for the ſaid County of *Norfolk*; and for building a new Shire Houſe on the Caſtle Hill in the ſame County; and for raiſing Money on the ſaid County for that Purpoſe.

22. An Act for building a Bridge croſs the River *Thames*, from the Pariſh of *Waltham* upon *Thames* in the County of *Surrey*, to *Shepperton* in the County of *Middleſex*.

23. An Act for repairing the Road leading from *Cirenceſter* in the County of *Glouceſter*, to *Birdlip's Hill* in the ſaid County.

24. An Act for the better ſecuring the Payment of Shares of Prizes taken from the Enemy, to the Royal Hoſpital at *Greenwich*; and for preventing the Embezzlement of Goods and Stores belonging to the ſaid Hoſpital.

25. An Act for repairing the High Road leading from the Town of *Stockton* upon *Tees*, to *Darlington*, and from thence through *Winſton* to *Barnard Caſtle*, in the ſame County.

26. An Act for reviving and continuing an Act paſſed in the ſixth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for laying a Duty of two Penny* Scots, *or one ſixth Part of a Penny* Sterling, *upon every* Scots *Pint of Beer or Ale vended or ſold within the Town of* Bruntiſland, *and Liberties thereof, for increaſing the publick Revenue of the ſaid Town, and for other Purpoſes therein mentioned.*

27. An Act for founding and building a Chapel in *Wedneſfield*, in the Pariſh of *Wolverhampton*, in the County of *Stafford*.

28. An Act for repairing the Road leading from *Catherick Bridge*, in the County of *York*, to *Yarm* in the ſaid County; and from thence to *Stockton* in the County of *Durham*; and from thence through *Sedgefield*, in the ſaid County of *Durham*, to the City of *Durham*.

29. An Act to confirm an Agreement made by the Rector and Veſtry-men of the Pariſh of Saint *James*, within the Liberty of *Weſtminſter*, for enlarging the Churchyard of the ſaid Pariſh; and for other Purpoſes therein mentioned.

30. An Act for allowing Perſons impeached of High Treaſon, whereby any Corruption of Blood may be made, or for Miſpriſion of ſuch Treaſon, to make their full Defence by Council.

31. An Act for continuing the Term, and enlarging the Powers granted by an Act paſſed in the twelfth Year of his late Majeſty's Reign, intituled, *An Act for repairing and widening the Roads from the City of* Glouceſter *to the City of* Hereford; and for repairing other Roads in the County of *Glouceſter*.

32. An Act for uniting the two Colleges of Saint *Salvator* and Saint *Leonard*, in the Univerſity of Saint *Andrews*, purſuant to an Agreement for that Purpoſe.

33. An Act to enable the Pariſhioners of the Pariſh of Saint *Andrew Holborn*, in the City of *London* and County of *Middleſex*, to purchaſe a convenient Piece of Ground, for an additional Burying-ground, for the Uſe of the ſaid Pariſh; and to enable the ſaid Pariſhioners to raiſe ſuch Sum and Sums of Money, as ſhall be neceſſary for that Purpoſe.

34. An Act to enable his Majeſty to allow to the Reſiduary Legatees of Sir *Joſeph Jekyll* Knight, late Maſter of the Rolls, deceaſed, Part of the Legacy given by his Will to the Uſe of the *Sinking Fund*.

35. An Act to indemnify Perſons who have omitted to regiſter their Letters or Attorney, appointing them Agents for Prizes, within the Time limited by Law; and for allowing further Time for that Purpoſe.

36. An Act for granting to his Majeſty a certain Sum of Money out of the *Sinking Fund*, for the Service of the Year one thouſand ſeven hundred and forty-ſeven; and alſo for enabling his Majeſty to raiſe a further Sum of Money for the Uſes and Purpoſes therein mentioned; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for applying a certain Sum of Money, for defraying the Charge of the Allowances to ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and three Regiments of Horſe, lately reduced, for the Year one thouſand ſeven hundred and forty-ſeven; and for continuing the Bounties on the Exportation of *Britiſh* and *Iriſh* coarſe Linens.

37. An Act for the Eaſe of Sheriffs with regard to the Return of Proceſs.

38. An Act for the Relief and Support of maimed and diſabled Seamen, and the Widows and Children of ſuch as ſhall be killed, ſlain or drowned, in the Merchants Service.

39. An Act for granting a Duty to his Majeſty to be paid by Diſtillers, upon Licences taken out by them for retailing Spirituous Liquors.

40. An Act to revive, continue and amend an Act made in the ninth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for clearing, depthening, repairing, extending, maintaining and improving the Haven and Piers of* Great Yarmouth; *and for depthening and making more navigable the ſeveral Rivers emptying themſelves at the ſaid Town; and alſo for preſerving Ships wintering in the ſaid Haven, from Accidents by Fire.*

41. An Act for veſting in his Majeſty the Eſtates of certain Traitors, and for more effectually diſcovering the ſame, and applying the Produce thereof to the Uſe of his Majeſty, and for aſcertaining and ſatisfying the lawful Debts and Claims thereupon.

42. An Act to enforce the Execution of an Act of this Seſſion of Parliament, for granting to his Majeſty ſeveral Rates and Duties upon Houſes, Windows or Lights.

43. An Act for taking away and aboliſhing the Heretable Juriſdictions in that Part of *Great Britain* called *Scotland*; and for making Satisfaction to the Proprietors thereof; and for reſtoring ſuch Juriſdictions to the Crown; and for making more effectual Proviſion for the Adminiſtration of Juſtice throughout that Part of the United Kingdom, by the King's Courts and Judges there; and for obliging all Perſons acting as Procurators, Writers,

ters, or Agents in the Law in *Scotland* to take the Oaths; and for rendering the Union of the two Kingdoms more complete.

44. An Act to extend the Provisions of an Act made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act for naturalizing such Foreign Protestants, and others therein mentioned, as are settled, or shall settle in any of his Majesty's Colonies in* America, to other Foreign Protestants who conscientiously scruple the taking of an Oath.

45. An Act to continue several Laws relating to the Manufactures of Sail-cloth and Silk; to give further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices, and for better securing the Payment of the said Duties; and declaring that Prize Ships lawfully condemned shall be deemed *British* built Ships; and for allowing Prize Goods to be landed and secured in proper Warehouses, without Payment of any Duty, until it can be determined whether they are fit for Exportation or Home Consumption.

46. An Act to prevent the Return of such Rebels and Traitors concerned in the late Rebellion, as have been, or shall be pardoned on Condition of Transportation; and also to hinder their going into the Enemies Country.

47. An Act to continue several Laws for prohibiting the Importation of Books reprinted Abroad, and first composed or written and printed in *Great Britain*; for preventing Exactions of the Occupiers of Locks and Wears upon the River of *Thames* Westward, and for ascertaining the Rates of Water Carriage upon the said River; and for better securing the lawful Trade of his Majesty's Subjects to and from the *East-Indies*; and for the more effectual preventing all his Majesty's Subjects trading thither under Foreign Commissions; and relating to Rice, to Frauds in the Customs, to the clandestine Running of Goods, and to Copper Ore of the *British* Plantations; and for the free Importation of Cochineal and Indico; and for Punishment of Persons destroying Turnpikes, or Locks or other Works erected by Authority of Parliament.

48. An Act to indemnify Persons who have omitted to qualify themselves for Offices and Promotions within the Time limited by Law, and for allowing further Time for that Purpose.

49. An Act for declaring valid such Acts as have been done by *Thomas Paulin*, as one of the Principal Land Coal-meters of the City and Liberty of *Westminster*, between the twenty-ninth Day of *September* last, and the eighth Day of *November* following.

50. An Act for taking away the Tenure of Ward Holding in *Scotland*, and for converting the same into Blanch and Feu Holdings; and for regulating the Casualty of Non-entry in certain Cases; and for taking away the Casualties of Single and Life-rent Escheats, incurred there by Horning and Denunciation of Civil Causes; and for giving to Heirs and Successors there a summary Process against Superiors; and for discharging the Attendance of Vassals at Head Courts there; and for ascertaining the Services of Tenants there; and for allowing Heirs of Tailzie there to sell Lands to the Crown for erecting Buildings, and making Settlements in the Highlands.

51. An Act to enlarge the Time limited by an Act of the last Session of Parliament for restraining the Use of the Highland Dress, and to enable Heirs of Tailzie, Guardians, Tutors, Curators, and Trustees in *Scotland* to sell Lands to the Crown.

52. An Act for the King's most Gracious, General and Free Pardon.

PRIVATE ACTS.

Anno 20 *Georgii* II.

1. AN Act to enable *Richard Waynhouse*, and his Heirs Male, to take and use the Surname of *Emmott*, and no other, pursuant to the Will of *Christopher Emmott* Esquire, deceased.

2. An Act for Sale of Part of the settled Estate of *Harry* Earl of *Stamford*, in order to discharge several Incumbrances affecting the same.

3. An Act for settling the Estates of *Thomas* Earl of *Leicester*, and *Edward Coke* Esquire, commonly called Lord *Coke*, his only Son, in the County of *Norfolk*, on the Marriage of the said *Edward* Lord *Coke* with the Lady *Mary Campbell*, one of the Daughters of *John* late Duke of *Argyll*, deceased.

4. An Act for settling the Estates of *William* Lord *Byron* and *Elizabeth Shaw* Spinster, an Infant, on their Intermarriage.

5. An Act to enable Sir *Thomas Parkyns* Baronet, and *Jane Parkyns* (with the Consent of their Guardians and Trustees) to make a Conveyance by way of Settlement, on their Intermarriage, notwithstanding their Minority.

6. An Act for raising Money by Leasing or Sale of the Estates late of *Thomas Taylor* Esquire the Father, and *Thomas Taylor* Esquire the Son, deceased, to discharge the Debts and Incumbrances affecting the same, and for making a Partition of such Estates, or so much thereof as shall not be sold for the Purposes aforesaid.

7. An Act to enable *Lillie Smith*, and his Heirs by *Valentina* his Wife (formerly *Valentina Aynscombe*) to take and use the Surname of *Aynscombe*, pursuant to the Will of *Thomas Aynscombe* Esquire, deceased.

8. An Act to enable *Edmund Garforth*, formerly called *Edmund Dring*, and his Heirs, to take, use, and bear the Surname and Arms of *Garforth*.

9. An Act to confirm a Decree of the Court of the Dutchy of *Lancaster*, concerning certain Marsh Lands, called *Sutton Marsh*, in the County of *Lincoln*, and a Conveyance from *Lascells Metcalfe* Esquire, of the same to the Corporation of the President and Governors of the Hospital founded at the sole Costs and Charges of *Thomas Guy* Esquire.

10. An Act for the Sale of the Rectory of Saint *Botolph without Aldgate*, *London*, the Estate of *Thomas Kynaston* Clerk, comprized in his Marriage Settlement, and for purchasing another Estate, to be settled to the Uses of the said Settlement.

11. An Act for vesting the Estates of Doctor *Simon Burton* deceased, in the Counties of *Wilts* and *Southampton*, in Trustees, to raise Money for the Payment of several Debts and Incumbrances, and for other Purposes therein mentioned.

12. An Act for confirming and establishing certain Articles of Agreement between the Heirs at Law and Devisees of *Joceline* late Earl of *Leicester*, deceased, for the Settlement and Disposition of the Real Estate of the said Earl, and for rendering the said Agreement more effectual for the Purposes thereby intended.

13. An Act for raising Money out of the settled Estates of *Richard Oakely* Esquire, in the Counties of *Salop* and *Oxford*, for the Payment of several Debts and Incumbrances, and for providing a Recompence for the same, in such Manner as is therein mentioned.

14. An Act for vesting Part of the settled Estate of *Henry Talbot* Esquire, in the County of *Warwick*, in him, in

Fee

Fee Simple, discharged of the Uses of his Marriage Settlement, upon his settling other Lands, of greater Value, to the same Uses.

15. An Act for Sale of the Estates of *William Moore* Esquire, in the Counties of *Sussex*, *Surrey*, and *Stafford*, for Payment of Debts and Legacies.

16. An Act to impower *Anne Colemore* Widow, and her Assigns, during the Life of *Thomas Colemore* Merchant, to make Building Leases of Lands in and near *Birmingham*, in the County of *Warwick*.

17. An Act to enable the Guardian of *Elizabeth Sambrooke* and *Diana Sambrooke*, Infants, to join with *Mary Sambrooke* their Sister in making Building Leases of divers Houses and Tenements in the County of *Middlesex*.

18. An Act to impower the Guardians of *William Mitchell*, and other Infants, to make Leases of their Estates in the several Counties of *Huntingdon*, *Surrey*, *Middlesex*, *Cambridge*, *Leicester*, *Kent*, *Somerset*, and *Norfolk*, during their Minorities.

19. An Act for making a Settlement of the Real and Personal Estate of *Thomas Garrard* Esquire, deceased, pursuant to his Intention declared in his Life-time, and at the Desire, and with the Consent of his six Sons.

20. An Act for vesting several Estates of *Thomas Rolt* Esquire, in Trustees, to be sold for raising Money, to discharge Incumbrances affecting the same, and other Debts; and for securing an Equivalent, in respect of the settled Part of such Estates, for the Benefit of his Wife and Infant Son; and for the providing Portions for his Daughters, and for other Purposes.

21. An Act for Sale of the Real Estate of *Richard Powys* Esquire, deceased, for Payment of his Debts, and Daughters Portions, and for other Purposes therein expressed.

22. An Act for Sale of certain Estates in *Tewin* and *Datchworth*, in the County of *Hertford*, belonging to *Jane*, *Anne*, *Mary*, and *Susanna Awdrey*, *Kemeys*, Infants, pursuant to an Agreement entered into by their Trustees for that Purpose.

23. An Act for Sale of the settled and other Estate of *John Curtis*, in the County of *Norfolk*, and applying Part of the Money arising thereby in Payment of Legacies and Debts, and applying other Part of such Money in the Purchase of other Estates, to be settled to the like Uses, and for other Purposes therein mentioned.

24. An Act for vesting the capital Messuage, called *Great Frogmore*, with the Lands and Grounds thereunto belonging, devised by the Will of *Mary*, late Dutchess of *Northumberland*, in Trustees, to be sold for the Purposes therein mentioned.

25. An Act for Sale of certain Estates in the Counties of *Hereford*, *Monmouth*, and *Gloucester*, of *Robert Gwillym* Esquire, and *Robert Gwillym* his Son, for discharging Incumbrances affecting the same, and for settling, in lieu thereof, other Lands and Hereditaments in the County of *Lancaster*, and for other Purposes therein mentioned.

26. An Act for vesting a Farm and Lands in *Callumpton*, in the County of *Devon*, late the Estate of *Robert Drew* Gentleman, deceased, in Trustees, in order to convey the same to *Henry Cruwys* Gentleman, pursuant to an Agreement with *Mary Drew* Widow, and for discharging a Mortgage on the said Estate.

27. An Act for Sale of the Estate of *Edward Masters* deceased, for Payment of his Debts, and for other Purposes therein mentioned.

28. An Act to dissolve the Marriage of *Corbyn Morris* Esquire, with *Elizabeth Fanshawe* his now Wife, and to enable him to marry again, and for other Purposes therein mentioned.

29. An Act to impower *Mary Stillington* Widow, to execute a Power vested in *Joseph Stillington* Esquire, her late Husband, deceased, for raising Money to complete the Inclosure of the Common Fields and Common Grounds in the Manor of *Kelfield*, in the County of *York*.

30. An Act to enable *Thomas Bushell* Esquire, and his Descendants, to take and use the Surname and Arms of *Fettiplace*.

31. An Act for naturalizing *Mark Liotard*, *Henry Uhthoff*, and *John David Ziegell*.

32. An Act for naturalizing *Albert Vandenvelde* Merchant.

PUBLICK ACTS.

Anno 21 *Georgii* II.

1. AN Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*, and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thousand seven hundred and forty-eight.

2. An Act for granting to his Majesty a Subsidy of Poundage upon all Goods and Merchandizes to be imported into this Kingdom; and for raising a certain Sum of Money by Annuities and a Lottery, to be charged on the said Subsidy; and for repealing so much of an Act made in the twentieth Year of his present Majesty's Reign, as enacts, *That Prize Goods and Merchandize may be exported without paying any Duty of Custom or Excise for the same.*

3. An Act to revive and make perpetual two Acts of Parliament; one made in the twelfth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act to prevent frivolous and vexatious Arrests*; and the other made in the fifth Year of his present Majesty's Reign, to explain, amend, and render more effectual the said Act.

4. An Act to prohibit Assurance on Ships belonging to *France*, and on Merchandizes or Effects laden thereon, during the present War with *France*.

5. An Act for repairing the High Road from the Town of *Bowes* in the County of *York*, to *Barnard Castle* in the County of *Durham*, and from thence through *Staindrop* to *Newgate* in *Bishop Auckland*, and from *Newgate* along *Gibb Chair* to *Gaundless Bridge*, and from thence by *Melderston Gill*, otherwise *Coundon Gill*, to the Turnpike Road near *Sunderland Bridge*, in the County of *Durham*.

6. An Act to punish Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

7. An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and forty-eight.

8. An Act for impowering *George Montgomerie*, and *Thomas Byrd*, Esquires, and *Ezra Patching*, to complete an Undertaking, for furnishing the Inhabitants of the several Parishes and Places of *Stratford*, *Westham*, *Bow*, *Bromley*, *Mile-end*, *Stepney*, and other Parishes and Places adjacent, with Water; and for better securing their Property in such Undertaking.

9. An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments, within the Time limited by Law, and for allowing further Time for that Purpose.

10. An Act for explaining, amending and further enforcing the Execution of an Act passed in the last Session of Parliament, intituled, *An Act for repealing the several Rates and Duties upon Houses, Windows and Lights; and for granting to his Majesty other Rates and Duties upon Houses, Windows*

Windows or Lights; and for raiſing the Sum of four millions four hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates or Duties.

11. An Act for further regulating the Proceedings upon Courts-martial in the Sea Service; and for extending the Diſcipline of the Navy to the Crews of his Majeſty's Ships, wrecked, loſt or taken; and for continuing to them their Wages upon certain Conditions.

12. An Act for holding the Summer Aſſizes for the County of *Buckingham* at the County Town of *Buckingham*.

13. An Act to rectify a Miſtake in an Act made this Seſſion of Parliament, intituled, *An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.*

14. An Act for permitting Tea to be exported to *Ireland*, and his Majeſty's Plantations in *America*, without paying the Inland Duties charged thereupon by an Act of the eighteenth Year of his preſent Majeſty's Reign; and for enlarging the Time for ſome of the Payments to be made on the Subſcription of ſix millions three hundred thouſand Pounds, by virtue of an Act of this Seſſion of Parliament.

15. An Act for enlarging the Term and Powers granted by an Act paſſed in the eighth Year of the Reign of his preſent Majeſty, for repairing the Roads from the Town of *Manchester*, leading through *Newton*, *Failſworth* and *Oldham*, in the County Palatine of *Lancaſter*, to *Auſterlands*, in the Pariſh of *Saddleworth*, in the County of *York*; and for making the ſame more effectual.

16. An Act for enlarging the Term and Powers granted by an Act paſſed in the tenth Year of the Reign of his preſent Majeſty, *for repairing the Road from* Hertford-Bridge Hill, *to the Town of* Baſingſtoke; *and alſo the Road from* Hertford-Bridge Hill *aforeſaid, to the Town of* Odiham, *in the County of* Southampton; and for making the ſaid Act more effectual.

17. An Act to render more effectual an Act made in the twentieth Year of his Majeſty's Reign, intituled, *An Act for Relief of ſuch of his Majeſty's loyal Subjects in that Part of* Great Britain *called* Scotland, *whoſe Title Deeds and Writings were deſtroyed or carried off by the Rebels in the late Rebellion.*

18. An Act for draining and preſerving certain Fen Lands in the ſeveral Pariſhes of *Maney*, *Upwell*, *Welney*, *Downham*, *Witcham*, and in a certain extraparochial Place in *Byal Fen*, within the Iſle of *Ely* and County of *Cambridge*.

19. An Act for the more effectual Trial and Puniſhment of High Treaſon and Miſpriſion of High Treaſon, in the Highlands of *Scotland*; and for abrogating the Practice of taking down the Evidence in Writing in certain Criminal Proſecutions; and for making ſome further Regulations relating to Sheriffs Depute, and Stewarts Depute, and their Subſtitutes; and for other Purpoſes therein mentioned.

20. An Act for enlarging the Term and Powers granted by an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, for repairing the ſeveral Roads leading from *Birmingham*, through the Town of *Wedneſbury*, to a Place called *High Bullen*, and to *Great Bridge*; and from thence to the End of *Gibbet Lane*, next adjoining to the Townſhip of *Bilſon*; and from *Great Bridge*, through *Dudley* to *King-Swinford*, and to the further End of *Brittel Lane*, in the Counties of *Warwick*, *Stafford* and *Worceſter*.

21. An Act for erecting Workhouſes, for the better employing and maintaining the Poor within the Burgh of *Bury Saint Edmunds*, in the County of *Suffolk*; and for the better repairing and paving the Streets and Highways there.

22. An Act for enlarging the Term and Powers granted by an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King George the Firſt, intituled, *An Act for repairing the Roads leading from the Town of* Bromſgrove *to the Town of* Dudley, *in the County of* Worceſter; *and from the ſaid Town of* Bromſgrove *to the Town of* Birmingham, *in the County of* Warwick; ſo far as the ſaid Act relates to repairing the Roads leading from the Town of *Birmingham* to the Town of *Bromſgrove*, in the County of *Worceſter*; and for making the ſame more effectual.

23. An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and forty-eight; and for applying a Sum of Money remaining in the Exchequer, ariſen by the Rates and Duties on Houſes which determined at *Lady Day* one thouſand ſeven hundred and forty-ſeven; and for the further appropriating the Supplies granted in this Seſſion of Parliament, and for applying a certain Sum of Money for defraying the Charge of the Allowances for the Year one thouſand ſeven hundred and forty-eight, to ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and three Regiments of Horſe lately reduced.

24. An Act for building a Church in the Town of *Liverpool*, in the County Palatine of *Lancaſter*, and for enlightening and cleanſing the Streets of the ſaid Town, and for keeping and maintaining a Nightly Watch there.

25. An Act for repairing the Roads leading from *Sutton Coldfield* Common to the Town of *Walſall*, and from *Sneals Green* to *Walſall*, and from *Walſall* to *Park Brook*, which divides the Pariſhes of *Wolverhampton* and *Walſall*, and from *Gibbet Lane* to *Wolverhampton*, and from *Compton* to the End of the County of *Stafford*, and from *Wolverhampton* to the *Wergs*, and from thence to *Shiffnall*, and from the *Wergs* to *Holes Heath*, and from *Wolverhampton* to *Cannock Wood* in the Road to *Litchfield*.

26. An Act for explaining, amending and enforcing an Act made in the eighteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for prohibiting the Wearing and Importation of Cambricks and* French *Lawns.*

27. An Act for repairing the High Road from *Pierſbridge* to *Kirkmerrington* in the County of *Durham*, and from thence to the Turnpike Road at *Tudhoe Lane* End in the ſaid County.

28. An Act to explain and amend an Act paſſed in the fourteenth Year of his Majeſty's Reign, intituled, *An Act for the Preſervation of the Publick Roads in that Part of* Great Britain *called* England; and ſo much of an Act paſſed in the third Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the better repairing and amending the Highways, and for ſettling the Rates of the Carriage of Goods*, as relates to the ſettling of the Rates of the Carriage of Goods.

29. An Act for the further Relief of the Orphans and other Creditors of the City of *London*; and for other Purpoſes therein mentioned.

30. An Act for encouraging the making of Indico in the *Britiſh* Plantations in *America*.

31. An Act for Relief of Inſolvent Debtors.

32. An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Myſtery of *Mercers* of the City of *London*.

33. An Act to continue and amend ſeveral Laws for the Relief of Debtors with reſpect to the Impriſonment of their Perſons; and to rectify a Miſtake in an Act paſſed in the laſt Seſſion of Parliament for continuing ſeveral Laws

Laws therein mentioned; and to continue two Acts, the one paſſed in the nineteenth Year, the other in the twentieth Year of his preſent Majeſty's Reign, to prevent the ſpreading of the Diſtemper amongſt the Horned Cattle.

34. An Act to amend and enforce ſo much of an Act made in the nineteenth Year of his Majeſty's Reign, as relates to the more effectual diſarming the Highlands in *Scotland*, and reſtraining the Uſe of the Highland Dreſs; and to Maſters and Teachers of private Schools and Chaplains; and to explain a Clauſe in another Act made in the ſame Year, relating to Letters of Orders of Epiſcopal Miniſters in *Scotland*; and to oblige Perſons allowed to carry Arms, and the Directors of the Banks there, and certain Perſons belonging to, or practiſing in the Courts of Seſſion and Juſticiary, to take the Oaths; and to repeal ſome Clauſes in an Act made in the firſt Year of the Reign of his late Majeſty King *George* the Firſt, whereby certain Encouragements are given to Landlords and Tenants in *Scotland*, who ſhould continue in their Duty and Loyalty to his ſaid late Majeſty; and for other Purpoſes therein mentioned.

PRIVATE ACTS.

Anno 21 Georgii 2.

1. AN Act for naturalizing *Cæſar de Miſſy* and *Charles de Miſſy*.
2. An Act for veſting the ſettled Eſtate of the Right Honourable *Francis* Earl *Brooke*, in the County of *Southampton*, in Truſtees, to be ſold, and for laying out the Money ariſing thereby, in the Purchaſe of other Hereditaments of equal or greater Value, to be ſettled in lieu thereof, and for other Purpoſes therein mentioned.
3. An Act for impowering *Granville Leveſon Gower*, commonly called Lord *Trentham*, to raiſe Portions for younger Children; and alſo to explain and amend certain Powers for making Jointures in the Settlement made on his Marriage with *Elizabeth* his late Wife.
4. An Act to enable *James Stanley* Eſquire, commonly called Lord *Strange*, eldeſt Son and Heir Apparent of *Edward* Earl of *Derby*, and his Iſſue by *Lucy* his Wife (late *Lucy Smith*) to take and uſe the Sirname of *Smith*, and bear the Arms of *Smith* and *Heriz*.
5. An Act for veſting the ſettled Eſtate late of the Honourable *Robert Byng* Eſquire, deceaſed, and *Elizabeth* his Wife, in the County of *Hertford*, in Truſtees, to be ſold; and for applying the Money ariſing by ſuch Sale, for the Purpoſes therein mentioned.
6. An Act for inrolling the Will of *George* late Viſcount *Laneſborough* in the Kingdom of *Ireland*, and making the Exemplification thereof Evidence in all Courts in *Great Britain* and *Ireland*.
7. An Act to confirm and eſtabliſh an Agreement for incloſing and dividing certain common Fields in the Hamlet of *Badbury* in the County of *Wilts*.
8. An Act to enable *Robert Burton*, lately called *Robert Lingen*, and the Heirs Male of his Body, to take and uſe the Surname of *Burton* only, purſuant to the Will of *Thomas Burton* Eſquire, deceaſed.
9. An Act to enable his Majeſty to grant the Inheritance of the Manors of *Wooking*, *Chabham* and *Bagſhott*, and other Lands and Hereditaments in the County of *Surrey*, to *Abel Walter* Eſquire and his Heirs.
10. An Act for naturalizing *Anthony Andre*, *David Andre*, and others.
11. An Act for veſting a Moiety of the late Sir *George Strode*'s Eſtates, in the Counties of *Dorſet* and *Somerſet*, in the Right Honourable *Francis* Earl *Brooke*, as the ſame is now held and enjoyed by him, purſuant to Sir *George Strode*'s Will, and the Partition of the ſaid Eſtates made by virtue of a Decree of the Court of *Chancery*.
12. An Act for the Sale of certain Lands in the Pariſhes of *Barking* and *Dagenham*, in the County of *Eſſex*, Part of the Eſtate of the late Sir *Orlando Humfreys* Baronet, deceaſed, for the Purpoſes therein mentioned.
13. An Act for veſting divers Manors, Lands and Hereditaments in the County of *Suffolk*, late the Eſtate of *Thomas Carthew* Eſquire, deceaſed, in his Executors, to enable them to convey the ſame, purſuant to Articles entered into for the Purchaſe thereof.
14. An Act for Sale of the Eſtate late of *Henry Fleetwood* Eſquire, deceaſed, in the County of *Lancaſter*, for raiſing Money to diſcharge the Incumbrances affecting the ſame, and for laying out the Surplus of the Money ariſing by ſuch Sale, in the Purchaſe of other Lands and Hereditaments, to be ſettled to the Uſes of a former Settlement.
15. An Act for veſting certain Eſtates of *Thomas Lloyd* Eſquire, and *Anne* his Wife, in Truſtees, to be ſold for diſcharging Incumbrances affecting the ſame, and for ſettling other Eſtates to the Uſes in their Marriage Settlement.
16. An Act for veſting the Equity of Redemption of divers Meſſuages, Lands and Hereditaments in *Kingſton upon Hull*, and the County of *York*, late the Eſtate of *George Dawſon* Eſquire, deceaſed, in *Roper Dawſon*, his eldeſt Son and Heir, upon his undertaking to diſcharge the ſeveral Incumbrances affecting the ſame, and to make a Proviſion for his Brothers and Siſters.
17. An Act for confirming an Agreement between *James Fox* and *John Bridges* Eſquires, for exchanging certain Lands in the Pariſh of *Cobham*, in the County of *Surry*, and for rendering the ſaid Agreement more effectual for the Purpoſes thereby intended.
18. An Act for Sale of the ſettled Eſtate of *George Chaſin* Eſquire, in the Counties of *Southampton* and *Surrey*, for paying off and diſcharging ſeveral Debts and Incumbrances, and for ſettling Lands in the County of *Somerſet*, in lieu thereof, to the like Uſes.
19. An Act for veſting the ſettled Eſtate late of *Joſeph Banks* the Elder Eſquire, deceaſed, in the Pariſh of *Saint James*, within the Liberty of *Weſtminſter*, in Truſtees, in order to make Sale thereof, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of Lands to be ſettled to the ſame Uſes.
20. An A[illegible] for confirming certain Articles of Agreement between the Creditors of *Hugh Naiſh* Eſquire, and the Truſtees named in an Act of Parliament of the eleventh Year of his preſent Majeſty, for veſting the Real and Perſonal Eſtates of the ſaid *Hugh Naiſh* in Truſtees, for the Benefit of his Creditors, and for other Purpoſes therein mentioned.
21. An Act for repealing of Part, and for explaining and amending other Parts of an Act paſſed in the eighteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for charging, ſelling and applying Part of the ſettled Eſtate of* Anthony Keck *Eſquire, for raiſing Money towards the Purchaſe of the Manors of* Dalby *and* Broughton *in the County of* Leiceſter, *contracted for purſuant to the Will of* Anthony Keck *his Grandfather*, and for other Purpoſes therein mentioned.
22. An Act for Sale of Part of the Eſtate late of *Corbet Kynaſton* Eſquire, deceaſed, for the Payment of Debts affecting the ſame, and for other Purpoſes therein mentioned.
23. An Act for raiſing Money out of an Eſtate in the County

County of *Middleſex*, given by *Lawrence Sheriff*, for the founding and maintaining a School and Alms-houſes at *Rugby* in the County of *Warwick*, to be applied in re-building the ſaid School, or purchaſing one or more Meſſuage or Meſſuages, together with ſome Ground adjoining thereto, and for the better Support of the ſaid Charity.

24. An Act for veſting the Eſtates of *Richard Williams* a Bankrupt (which were ſettled on his Marriage with *Sarah Williams* his preſent Wife) in the Aſſignees under the Commiſſion of Bankruptcy awarded againſt him, to be ſold for Payment of his Debts, and for making a Proviſion for the ſaid *Sarah Williams*, and her Iſſue, in ſuch Manner as therein is mentioned.

25. An Act for incloſing, dividing and exchanging the Common Fields, Common Paſtures, Common Meadows, and other Grounds, in the Manor and Townſhip of *Faceby* in *Cleveland*, in the North Riding of the County of *York*, and for providing certain Recompences to the Impropriators and Vicar of *Faceby*, in lieu of Tythes.

26. An Act to confirm and eſtabliſh an Agreement, for incloſing and dividing a large open Common Paſture Ground called *Somergangs*, otherwiſe *Somergams*, in the Pariſh of *Drypool*, in the County of *York*.

27. An Act for confirming and eſtabliſhing Agreements, for incloſing and exchanging Lands in *Holton*, in the County of *Lincoln*, and for rendering the ſame more effectual for the Purpoſes thereby intended.

28. An Act for incloſing certain Common Paſture Grounds, within the Manors and Pariſhes of *Langwith* and *Pleſley*, and the Hamlets of *Stoney Houghton* and *Shirbrook*, in the ſaid Pariſhes, in the County of *Derby*.

29. An Act to enable *Richard Weddell* Eſquire (lately called *Richard Elcock)* and his Iſſue, to take and bear the Sirname and Arms of *Weddell*, purſuant to the Will of *Thomas Weddell* Eſquire, deceaſed; and for impowering the ſaid *Richard Weddell*, and thoſe in Remainder after him, to make Leaſes of the Eſtates deviſed to him and them by the ſaid Will.

30. An Act for naturalizing *John Thorbeeke*.

31. An Act for naturalizing *Peter Neau*.

PUBLICK ACTS.

Anno 22 Georgii II.

1. AN Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and forty-nine.

2. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-nine.

3. An Act declaring the Authority of the Commiſſioners appointed by his Majeſty under the Great Seal of *Great Britain*, for receiving, hearing and determining Appeals in Cauſes of Prizes.

4. An Act for repairing and widening the Road leading from the Well at the North-weſt End of the Town or Village of *Farnborough* in the County of *Kent*, to a Place called *Riverhill*, in the Pariſh of *Sevenoaks*, in the ſaid County.

5. An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters.

6. An Act for repairing, enlarging and preſerving the Harbour of *Ellenfoot*, in the County of *Cumberland*.

7. An Act for repairing the Road from the *Weſt Cowgate* near the Town of *Newcaſtle upon Tyne*, through the Weſt End of *Kenton*, *Pont Eland*, *Higham Dykes*, *Newham Edge*, *Belſay Mill* and *South Middleton*, to the North Side of the River *Wanſpeck*, in the County of *Northumberland*.

8. An Act to continue two Acts of Parliament, one of the firſt and the other of the ninth Year of the Reign of his preſent Majeſty, for repairing and enlarging the Road leading from the Houſe called *The Sign of the Bells*, in the Pariſh of *Saint Margaret* in *Rocheſter*, to *Maidſtone*, and other Roads therein mentioned in the County of *Kent*; and for rendering the ſame more effectual.

9. An Act for repairing the Road from *North Shields* in the County of *Northumberland*, to the Town of *Newcaſtle upon Tyne*.

10. An Act for laying a Duty of two Pennies *Scots*, upon every *Scots* Pint of Beer and Ale which ſhall be ſold or vended, brewed, brought in or tapped for Sale, within the Town of *Anſtruther Eaſter*, and Liberties thereof.

11. An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of *Sutton*, *Mepall*, *Witcham*, *Chatteris*, *Dodington*, and a Place called *Byal Fen*, in the *Iſle of Ely*, and County of *Cambridge*; and alſo in the Pariſhes of *Somerſham* and *Pidley* with *Fenton* in the County of *Huntingdon*.

12. An Act for continuing and making more effectual two Acts of Parliament, the one paſſed in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, and the other in the third Year of the Reign of his preſent Majeſty, for repairing the Road leading from *Sherbrooke Hill* near *Buxton* and *Chapel in the Frith* in the County of *Derby*, through the Town of *Stockport* in the County of *Cheſter*, to *Mancheſter* in the County of *Lancaſter*; and for amending other Roads adjoining to the Road directed to be repaired by the firſt mentioned Act.

13. An Act for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer, which ſhall be brewed for Sale, brought into, tapped or ſold, within the Town of *Kinghorn*, and Liberties thereof.

14. An Act for continuing and making more effectual two Acts of Parliament, for repairing the Highway between a certain Place called *Kilburn Bridge* in the County of *Middleſex*, and *Sparrows Herne* in the County of *Hertford*.

15. An Act for enlarging the Term and Powers granted by an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty, for repairing the ſeveral Roads therein mentioned, leading into the Town of *Leominſter* in the County of *Hereford*; and for making the ſaid Act more effectual.

16. An Act for draining and improving certain Fen Lands within the Manors and Pariſhes of *Upwell* and *Outwell*, and the Pariſhes of *Denver* and *Welney*, in the *Iſle of Ely*, and Counties of *Cambridge* and *Norfolk*.

17. An Act for effectually amending and repairing the Road leading from *Wansford Bridge* in the County of *Northampton*, to the Town of *Stamford* in the County of *Lincoln*.

18. An Act for enlarging the Term and Powers granted by an Act paſſed in the third Year of the Reign of his preſent Majeſty, for repairing the ſeveral Roads leading into the City of *Hereford*.

19. An Act for the more effectual draining and preſerving of ſeveral Fen Lands and Field Lands, in the Bounds and Precincts of *Whittleſea* in the *Iſle of Ely*, in the County of *Cambridge*.

20. An Act for making more effectual an Act paſſed in the eleventh and twelfth Years of the Reign of King *William* the Third, for the better preſerving the Navigation of the Rivers *Avon* and *Froome*; and for cleanſing, paving and enlightening the Streets of the City of *Briſtol*, ſo far as the ſame Act relates to the paving and enlightening the ſaid Streets; and for the regulating Hackney Coachmen, Halliers, Draymen and Carters, and the Markets, and

Sellers of Hay and Straw, within the ſaid City and Liberties thereof.

21. An Act for explaining and amending an Act paſſed in the ſeventeenth Year of his preſent Majeſty's Reign, intituled, *An Act for raiſing and eſtabliſhing a Fund for a Proviſion for the Widows and Children of the Miniſters of the Church of* Scotland, *and of the Heads, Principals and Maſters of the Univerſities of* Saint Andrews, Glaſgow *and* Edinburgh.

22. An Act for the better aſcertaining, recovering and collecting certain Duties commonly called Petty Cuſtoms or Wharfage, payable upon the Importation and Exportation of Goods and Merchandizes into, or out of the Harbour of the Borough and Town of *Waymouth* and *Melcombe Regis* in the County of *Dorſet*; and alſo of Ballaſt and Harbour-duties payable in reſpect of Ships and Veſſels coming into, and going out of the ſaid Harbour, and for the better repairing and keeping in Repair the ſaid Harbour and the Wharfs, and other publick Buildings and Works within the ſaid Borough and Town.

23. An Act to charge the Sinking Fund with the Payment of Annuities, in Diſcharge of Navy, Victualling and Tranſport Bills, and Ordnance Debentures, to the Amount therein mentioned.

24. An Act for remedying Inconveniencies which may happen by Proceedings in Actions on the Statutes of *Hue and Cry*.

25. An Act to explain and amend ſo much of an Act made in the ninth Year of the Reign of Queen *Anne*, intituled, *An Act for eſtabliſhing a General Poſt Office for all her Majeſty's Dominions; and for ſettling a Weekly Sum out of the Revenues thereof for the Service of the War, and other her Majeſty's Occaſions*; as relates to Horſes or Furniture to be let to Perſons riding Poſt.

26. An Act for repairing and widening the ſeveral Roads leading into the Town of *Roſs* in the County of *Hereford*.

27. An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linnen, Fuſtian, Cotton, Iron, Leather, Furr, Hemp, Flax, Mohair and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures, and for the better Payment of their Wages.

28. An Act for continuing two Acts of Parliament, the one paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, for amending the ſeveral Roads leading from the City of *Briſtol*; and the other paſſed in the fourth Year of the Reign of his preſent Majeſty, to explain and amend the ſaid Act; and for making the ſaid Acts more effectual; and alſo for repairing other Roads therein mentioned.

29. An Act for making an authentick Roll of Valuation for the Shire of *Argyll*.

30. An Act for encouraging the People known by the Name of *Unitas Fratrum*, or *United Brethren*, to ſettle in his Majeſty's Colonies in *America*.

31. An Act for opening and making a new Road from the Eaſt End of *New Street* in the Pariſh of Saint *John, Southwark*, to and through the ſeveral Places therein mentioned; and for keeping the ſaid Road in Repair for the future.

32. An Act for enlarging the Term and Powers granted by an Act paſſed in the eighteenth Year of the Reign of his preſent Majeſty, for repairing the High Road leading from *Borough Bridge* in the County of *York*, through *North Allerton* in the ſame County, to *Croft Bridge* on the River *Tees*; and from thence through *Darlington* in the County of *Durham*, to the City of *Durham*; and for making the ſame more effectual.

33. An Act for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majeſty's Ships, Veſſels and Forces by Sea.

34. An Act for enlarging the Term and Powers granted by an Act made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for making a new Road, and for repairing and amending the ancient Road between the Towns of* Wiſbech *and* March, *in the* Iſle of Ely *and County of* Cambridge.

35. An Act for repairing and widening the Road leading from the Town of *Kingſton upon Thames* in the County of *Surry*, to a Place called *Sheetbridge*, near *Petersfield* in the County of *Southampton*; and alſo the Road from *Hindhead Heath*, through *Fenhurſt Lane* and *Midhurſt*, to the City of *Chicheſter* in the County of *Suſſex*.

36. An Act for the more effectual preventing the Importation and Wear of Foreign Embroidery and Brocade, and of Gold and Silver Thread, Lace or other Work, made of Gold or Silver Wire manufactured in foreign Parts.

37. An Act for the better ſecuring his Majeſty's Duties ariſing upon Coal, Culm and Cinders, exported beyond Sea.

38. An Act to prevent the Miſchiefs which may happen by keeping too great Quantities of Gunpowder in any one Place, or carrying too great Quantities of Gunpowder together from one Place to another.

39. An Act for enlarging the Powers granted by an Act paſſed in the ſixteenth Year of the Reign of his preſent Majeſty, for repairing the Road from *Boroughbridge*, in the County of *York*, to *Catherick* in the ſame County, and from thence to *Pierſebridge* on the River *Tees*.

40. An Act for enlarging and maintaining the Harbour of *Ramſgate*, and for cleanſing, amending and preſerving the Haven of *Sandwich*.

41. An Act for rectifying Miſtakes in the Names of ſeveral of the Commiſſioners appointed to put in Execution the Act for granting a Land Tax for the Year one thouſand ſeven hundred and forty-eight, and for appointing other Commiſſioners, together with thoſe named in the ſaid Act, to put in Execution an Act for granting a Land Tax for the Year one thouſand ſeven hundred and forty-nine, and for directing the Names of Collectors of the ſaid Tax to be certified to the Receivers General; and for the Relief of the Borough of *Honiton* as to Arrears of the Land Tax, and the Houſe and Window Taxes, for the Years one thouſand ſeven hundred and forty-ſeven, and one thouſand ſeven hundred and forty-eight.

42. An Act for granting to his Majeſty the Sum of one million out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and forty-nine; and enabling his Majeſty to raiſe a further Sum of one million for the Uſes and Purpoſes therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament; and for applying a certain Sum for defraying certain Charges and Allowances to the Officers and private Gentlemen of the reduced Troops of Horſe Guards; and for continuing the Bounties on the Exportation of *Britiſh* and *Iriſh* Linens; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Receipts, Annuity Orders, or other Orders loſt, burnt or otherwiſe deſtroyed.

43. An Act for the further enlarging the Term and Powers granted and continued by two Acts of Parliament, the one paſſed in the twelfth Year of the Reign of her late Majeſty Queen *Anne*, and the other in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt,

For

For repairing the Roads from the City of Worceſter, *through the Borough of* Droitwitch *to* Dyers Bridge *near* Bromſgrove, *in the County of* Worceſter; *and alſo for repairing the Roads from* Dyers Bridge *through the Town of* Bromſgrove *to* Spadeſbourn Bridge, *and from* Droitwitch *to* Bradley Brook, *in the ſame County.*

44. An Act to enable ſuch Officers, Mariners and Soldiers, as have been in his Majeſty's Service ſince his Acceſſion to the Throne, to exerciſe Trades.

45. An Act for the further Encouragement and Enlargement of the Whale Fiſhery, and for continuing ſuch Laws as are therein mentioned relating thereto; and for the Naturalization of ſuch Foreign Proteſtants as ſhall ſerve, for the Time therein mentioned, on Board ſuch Ships as ſhall be fitted out for the ſaid Fiſhery.

46. An Act to continue ſeveral Laws for preventing Exactions of the Occupiers of Locks and Wears upon the River *Thames* Weſtward, and for aſcertaining the Rates of Water Carriage upon the ſaid River; and for continuing, explaining and amending the ſeveral Laws for the better Regulation of Attornies and Solicitors; and for regulating the Price and Aſſize of Bread; and for preventing the ſpreading of the Diſtemper amongſt the Horned Cattle; and alſo for making further Regulations with reſpect to Attornies and Solicitors; and for further preventing the ſpreading of the Diſtemper amongſt the Horned Cattle; and for the more frequent Return of Writs in the Counties Palatine of *Cheſter* and *Lancaſter*; and for aſcertaining the Method of levying Writs of Execution againſt the Inhabitants of Hundreds; and for allowing *Quakers* to make Affirmation in Caſes where an Oath is or ſhall be required.

47. An Act for the more eaſy and ſpeedy Recovery of Small Debts, within the Town and Borough of *Southwark*, and the ſeveral Pariſhes of *Saint Saviour*, *Saint Mary* at *Newington*, *Saint Mary Magdalen Bermondſey*, *Chriſt Church*, *Saint Mary Lambeth*, and *Saint Mary* at *Rotherhithe*, in the County of *Surrey*, and the ſeveral Precincts and Liberties of the ſame.

48. An Act to aſcertain and eſtabliſh the Method of Proceeding to and upon Outlawries for High Treaſon, and Miſpriſion of High Treaſon, in *Scotland*.

49. An Act for making a Free Market for the Sale of Fiſh in the City of *Weſtminſter*; and for preventing the Foreſtalling and Monopolizing of Fiſh; and for allowing the Sale of Fiſh, under the Dimenſions mentioned in a Clauſe contained in an Act of the Firſt Year of his late Majeſty's Reign, in caſe the ſame are taken with a Hook.

50. An Act for the better repairing the Highways, and cleanſing the Streets, within the Pariſh of *Saint Leonard Shoreditch*, in the County of *Middleſex*; and for better enlightening the open Places, Streets, Lanes, Paſſages and Courts there; and regulating the Nightly Watch, and Bedels, within the ſaid Pariſh.

51. An Act for enlarging the Terms and Powers granted by an Act paſſed in the twentieth Year of the Reign of his preſent Majeſty, for repairing the High Road leading from the Town of *Stockton upon Tees* to *Darlington*, and from thence through *Winſton* to *Barnard Caſtle* in the ſame County, and for the effectual amending of the ſame.

52. An Act for veſting the ſeveral Eſtates of *James* late Earl of *Derwentwater* and *Charles Radcliffe* deceaſed, compriſed in ſeveral Settlements therein mentioned, in Truſtees, for an abſolute Eſtate of Inheritance, for the Benefit of the Royal Hoſpital at *Greenwich*, and for raiſing certain Sums of Money out of Part of the ſaid Eſtates, for the Relief of the Children of the ſaid *Charles Radcliffe*.

PRIVATE ACTS.

Anno 22 *Geo.* II.

1. An Act for incloſing and dividing *Eaſt Woodhey Down*, and the open and common Fields of *Eaſt Woodhey*, and *Hollington* in the County of *Southampton*, purſuant to an Agreement entered into for that Purpoſe.

2. An Act for enabling *John Griffin Whitwell* Eſquire, and his Iſſue, to take and uſe the Surname and Arms of *Griffin*.

3. An Act to enable *Samuel Grundy* (now called *Samuel Swinfen*) and the Heirs Male of his Body, to take and uſe the Surname and Arms of *Swinfen*.

4. An Act for naturalizing *Martin Klencke*, *John James Grand*, and *Anthony Colombies*.

5. An Act for naturalizing *Gabriel Guillon*.

6. An Act for confirming an Order and Rule of the Court of *Common Pleas*, for aſſeſſing certain Lands and Tenements in the Manor of *Betlow*, to the Parochial Rates and Levies of and in the Pariſh of *Tring*, in the County of *Hertford*.

7. An Act for confirming and eſtabliſhing an Agreement for dividing and incloſing certain open Fields and Lands in the Manors of *Wakerley* and *Wittering*, in the County of *Northampton*.

8. An Act for confirming Articles of Agreement and an Award for incloſing and dividing the Heaths, Waſtes, Fields and Common Grounds in the Townſhip of *Norton juxta Twicroſs*, in the County of *Leiceſter*.

9. An Act for ſettling a certain yearly Payment to the Rector of *Broughton* in the County of *Bucks*, for the time being, in lieu of Tythes, and for other Purpoſes therein mentioned.

10. An Act for explaining and amending a Power given by the Marriage Settlement of *Richard Luther* Eſquire, and *Charlotte* his Wife, and for making the ſame more effectual for the Benefit of the Children of that Marriage.

11. An Act for impowering the Committee of the Eſtate of *John Rogers* Eſquire, a Lunatick, to make Surrenders and Leaſes of the Freehold and Leaſehold Eſtates of the ſaid Lunatick, during his Lunacy.

12. An Act to enable and oblige *Charles Fitz Roy* Eſquire, and *Frances* his Wife, and the Iſſue of her Body, to take and uſe the additional Surname, and bear the Arms of *Scudamore*.

13. An Act for authorizing and impowering *Thomas Harriſon* to take and uſe the Surname of *Kimpſon*, in Performance of a Condition contained in the Will of *Thomas Kimpſon* Clerk, deceaſed.

14. An Act to enable *Joſeph Foſter Barham* Eſquire, and his Iſſue, to take and uſe the Surname of *Barham*, purſuant to the Will of *Henry Barham* Eſquire, deceaſed.

15. An Act to diſſolve the Marriage of *Samuel Raſh* Gentleman, with *Dorothy Fuller*, his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

16. An Act for naturalizing *George William Renner*, and *Frederick Chriſtopher Pritzler*.

17. An Act for naturalizing *Magdalen Aldworth*.

18. An Act for naturalizing *Charles Louis Courant*.

19. An Act for diveſting the Crown of the Reverſion in Fee Simple of and in the Manors of *Spalding* and *Holbech*, and of ſeveral Lands, Tenements and Hereditaments to the ſame belonging, in the County of *Lincoln*, and of and in a Piece or Parcel of Ground in the Pariſh of *Saint Martin in the Fields*, in the County of *Middleſex*, and the Buildings thereon, expectant on certain

Eſtates Tail, and for veſting the ſame in certain other Perſons therein named, to the Intent the ſame may be barred by proper Methods in Law, for the Purpoſe therein mentioned.

20. An Act to enable *Charles* Earl of *Peterborow*, or the other Heirs of Entail, to ſell Lands in the Counties of *Kincarden* and *Aberdeen*, for Payment of Debts charged thereupon, and other Purpoſes therein mentioned.

21. An Act to enable the Biſhop of *London*, or his Succeſſors, to demiſe or ſell the Capital Meſſuage or Manſion Houſe called *London Houſe*, for the Benefit of the Biſhoprick of *London*.

22. An Act for applying Part of the Perſonal Eſtate of *Gilbert* late Lord Biſhop of *Saliſbury*, for the purchaſing of Lands or Rents in Perpetuity in *Scotland*, to be ſettled to ſeveral charitable Uſes and Purpoſes in his Will mentioned.

23. An Act for confirming and eſtabliſhing an Agreement between *Henry* Lord *Teynham* and Sir *Francis Curſon* Baronet, for a Partition of the Eſtate of *John Powell* Eſquire, deceaſed, and for rendering the ſaid Agreement more effectual for the Purpoſes thereby intended, and for other Purpoſes therein mentioned.

24. An Act for raiſing Money upon the ſettled Eſtate of *William* Lord Viſcount *Vane*, for the Payment of his Debts.

25. An Act for Sale of the Inheritance of Part of the ſettled Eſtate of *Charles* Lord Viſcount *Fane*, in the County of *Devon*, and in the County of *Limerick*, in the Kingdom of *Ireland*, for diſcharging Debts and Incumbrances; and alſo for ſettling another Eſtate in the County of *Berks*, in lieu thereof; and for ſecuring a Rent Charge to *Mary* Viſcounteſs *Fane*, as a Compenſation for her Eſtate for Life, in the Premiſſes in the County of *Devon*.

26. An Act to enable the making of Leaſes and Setts of Mines of the Eſtates of Sir *Richard Vyvyan* Baronet, an Infant, in the Counties of *Cornwall* and *Devon*, during his Minority.

27. An Act for ſelling the Manors, Advowſon, Rectory, Woods, Lands and Hereditaments deviſed by the Will of Sir *John Williams* Knight, deceaſed, for the Purpoſes therein mentioned; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled in lieu thereof.

28. An Act for diſcharging the Eſtate of *William Levinz* Eſquire, in *Bilby*, *Ranby* and *Stirrop*, in the County of *Nottingham*, from a yearly Payment of thirty Pounds given by Sir *Creſwell Levinz* Knight, for charitable Uſes, and for charging the ſame on his Eſtate at *Grove* in the ſame County.

29. An Act for veſting the undivided fifth Part of divers Lands and Hereditaments in the County of *Suſſex*, the Eſtate of *Ebenezar Marlow*, and *William Marlow* his Son, an Infant, in Truſtees, in Truſt, to ſell the ſame for the Purpoſes therein mentioned.

30. An Act for veſting Part of the ſettled Eſtate of *Nathaniel Cotton* Doctor in Phyſick, lying in the County of *Hertford*, in Truſtees, in Truſt, to ſell the ſame, and to lay out the Money ariſing by ſuch Sale in the Purchaſe of another Eſtate to be ſettled to the Uſes of his Marriage Settlement.

31. An Act for veſting the Inheritance of the Real Eſtate late of *John Lockwood* Gentleman, deceaſed, in Truſtees, for the Payment of the Incumbrances charged upon the ſame, by virtue of and under his Will.

32. An Act for Sale of Part of the ſettled Eſtate of *Nicholas Glynn* Eſquire, deceaſed, for diſcharging Incumbrances, and for other Purpoſes therein mentioned.

33. An Act for veſting the ſettled Eſtate of *Walter Hawkſworth* Eſquire, in the County of *York*, in him and his Heirs, and for ſettling the Manor of *Hawkſworth* in the ſame County, in lieu thereof, to the like Uſes.

34. An Act for diſpoſing of Part of the real Eſtate of *William Robinſon Lytton* Eſquire, deceaſed, directed by his Will to be ſold for raiſing Portions for his Daughters, in order to diſcharge Incumbrances affecting the ſame, and for other Purpoſes therein mentioned.

35. An Act for Sale of Part of the Eſtate of *Francis Gwyn* Eſquire, in the County of *Devon*, for raiſing Money to diſcharge his Siſters Portions, and other Incumbrances affecting the ſame, and for other Purpoſes therein mentioned.

36. An Act for Sale of a Meſſuage, and certain Freehold and Copyhold Lands and Hereditaments in *Twickenham* in the County of *Middleſex*, the Eſtate of *Mary Middleton* Widow, and others, and for veſting the Money ariſing thereby, in Truſtees, for the ſame Uſes to which the ſaid Eſtate now ſtands ſettled.

37. An Act for incloſing and dividing certain Commons and Waſtes, within the Manor and Pariſh of *Watlington* in the County of *Norfolk*.

38. An Act to enable *Robert Lynch* Eſquire, to aſſume and take upon him the Name of *Bloſſe*.

39. An Act for naturalizing *Frederick Chriſtopher Kempe*.

40. An Act for naturalizing *Peter Auriol*.

41. An Act for Sale of ſeveral Eſtates in the Counties of *Mayo* and *Roſcommon*, in the Kingdom of *Ireland*, belonging to *Henry* late Lord Viſcount *Dillon*, for Payment of Debts, and other Purpoſes therein mentioned.

42. An Act for ſelling the ſettled Eſtate of *Catherine* commonly called Lady *Lymington*, for diſcharging ſeveral Debts and Incumbrances, and for other Purpoſes therein mentioned.

43. An Act for Sale of Part of the ſettled Eſtate of *John Raymond*, a Bankrupt, and for applying Part of the Money ariſing by ſuch Sale as Part of the ſaid Bankrupt's Eſtate, liable to Diſtribution amongſt his Creditors, and for laying out the Reſidue in the Purchaſe of another Eſtate, to be ſettled as therein is mentioned.

44. An Act for Sale of divers Lands and Tenements in *Twickenham*, in the County of *Middleſex*, deviſed by the Will of *Paul Manſfield* deceaſed, purſuant to an Agreement for that Purpoſe, and for the Benefit of his Grand Children.

45. An Act for confirming and eſtabliſhing certain Articles of Agreement for incloſing and dividing the Common Fields and Common Grounds in the Tything of *Broad Blunſdon* in the County of *Wilts*, and making the ſame more effectual for the Purpoſes therein mentioned.

46. An Act for annexing the Rectory of *Glaſton*, in the County of *Rutland*, to the Office of Maſter or Keeper of the Houſe or College of *Saint Peter* in the Univerſity of *Cambridge*.

47. An Act for authorizing and impowering *Thomas Brereton* Eſquire, and his Heirs, to take and uſe the Sirname of *Saluſbury*.

48. An Act for naturalizing *Emanuel Bowler*.

PUBLICK ACTS.

Anno 23 *Geo.* II.

1. AN Act for reducing the ſeveral Annuities, which now carry an Intereſt after the Rate of four Pounds *per Centum per Annum*, to the ſeveral Rates of Intereſt therein mentioned.

2. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and fifty.

3. An Act for continuing and granting to his Majeſty certain

tain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty.

4. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

5. An Act for enlarging the Term and Powers granted by an Act paſſed in the fifth Year of the Reign of his preſent Majeſty, for repairing and amending the Roads leading from the Town of *Mancheſter* in the County of *Lancaſter*, through the Town of *Aſhton under Line*, and Pariſh of *Mottram Longdendale*, and from thence to *Salters Brook* in the County Palatine of *Cheſter*.

6. An Act for repairing, improving and maintaining the Haven and Piers of *Great Yarmouth*; and for depthening, and making more navigable the ſeveral Rivers emptying themſelves into the ſaid Haven; and alſo for preſerving Ships, wintering therein, from Accidents by Fire.

7. An Act for enlarging the Term and Powers granted and continued by two former Acts of Parliament, for repairing, widening and amending the Roads from *Wigan* to *Preſton* in the County Palatine of *Lancaſter*; and for making the ſaid Acts more effectual.

8. An Act for enlarging the Term and Powers granted and continued by two Acts of Parliament, for amending the Highways leading from *Brampton Bridge*, to *Welford Bridge* in the County of *Northampton*, and the great Poſt Road from *Morter Pitt Hill* to *Chain Bridge*, leading into *Market Harborough* in the County of *Leiceſter*; and for explaining and making more effectual the ſaid Acts; and alſo for repairing the Roads leading from *Morter Pitt Hill* and *Brampton Bridge* to the Town of *Northampton*.

9. An Act for repealing the Duties now payable upon *China* Raw Silk, and for granting other Duties in lieu thereof.

10. An Act for enlarging the Term and Powers granted by an Act paſſed in the fourth Year of the Reign of his preſent Majeſty, *For repairing the Road leading from the Town of* Fulham *in the County of* Middleſex, *through* Fulham *Fields, to the great Road near the Pound at* Hammerſmith, *in the ſaid County*.

11. An Act to render Proſecutions for Perjury, and Subornation of Perjury, more eaſy and effectual.

12. An Act for improving the Navigation of the River *Loyne*, otherwiſe called *Lune*; and for building a Quay or Wharf, near the Town of *Lancaſter*, in the County Palatine of *Lancaſter*.

13. An Act for the effectual puniſhing of Perſons convicted of ſeducing Artificers in the Manufactures of *Great Britain* or *Ireland*, out of the Dominions of the Crown of *Great Britain*; and to prevent the Exportation of Utenſils made uſe of in the Woollen and Silk Manufactures from *Great Britain* or *Ireland*, into foreign Parts; and for the more eaſy and ſpeedy Determination of Appeals, allowed in certain Caſes, by an Act made in the laſt Seſſion of Parliament, relating to Perſons employed in the ſeveral Manufactures therein mentioned.

14. An Act for aſſigning a Place proper for holding the Market in the City of *Weſtminſter*, in lieu of the ancient Market Place called the *Round Woolſtaple*; and for regulating the ſaid Market.

15. An Act for taking down ſeveral Buildings, and inlarging the Streets and Market Places in the City of *Glouceſter*.

16. An Act for granting to his Majeſty the Sum of one Million, to be raiſed by Annuities at three Pounds *per Centum per Annum*, and charged on the Sinking Fund, transferrable at the Bank of *England*.

17. An Act for repairing the Roads leading from *Dunglas Bridge* to the Town of *Haddingtoun*; and from thence to *Ravenſhaughburn* in the County of *Haddingtoun*.

18. An Act for enlightening the open Places, Streets, Lanes, Paſſages and Courts; and for the better regulating the Nightly Watch, within the Pariſh of *Saint John Southwark* in the County of *Surrey*.

19. An Act for making more effectual ſeveral Acts of Parliament paſſed for cleanſing and making navigable the Channel from the *Hithe* at *Colcheſter* to *Wivenhoe* in the County of *Eſſex*; and for repairing and cleanſing the Streets and Lanes of the Town of *Colcheſter*.

20. An Act for encouraging the Growth and Culture of Raw Silk in his Majeſty's Colonies or Plantations in *America*.

21. An Act for granting to his Majeſty the Sum of nine hundred thouſand Pounds out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and fifty; and for applying certain Surplus Monies remaining in the Exchequer, as Part of the Supply of the ſaid Year; and for the Application of certain Savings in the Hands of the Paymaſter General; and for obviating a Doubt in an Act of the fifth Year of King *George* the Firſt, in reſpect to the Payment of certain Annuities thereby granted for the Improvement of Fiſheries and Manufactures in *Scotland*; and for the further appropriating the Supplies granted this Seſſion of Parliament; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures on Contracts of Clerks and Apprentices; and for transferring the Bounties now payable upon the Exportation of *Britiſh* Sail Cloth, to the Cuſtoms; and for enforcing the Laws againſt the clandeſtine Importation of Soap, Candles and Starch, into this Kingdom.

22. An Act for giving further Time to the Proprietors of Annuities, after the Rate of four Pounds *per Centum per Annum*, to ſubſcribe the ſame in the Manner and upon the Terms therein mentioned; and for redeeming ſuch of the ſaid Annuities as ſhall not be ſo ſubſcribed; and for impowering the *Eaſt India* Company to raiſe certain Sums by transferrable Annuities.

23. An Act to continue ſeveral Laws for preventing the ſpreading of the Diſtemper which now rages amongſt the Horned Cattle, and for impowering his Majeſty to prohibit the killing of Cow Calves.

24. An Act for the Encouragement of the *Britiſh* White Herring Fiſhery.

25. An Act for making good a Deficiency upon the Revenue of the Office of Keeper or Clerk of the Hanaper, and for preventing any future Deficiency therein, to anſwer the publick Services provided for out of the ſame; and for augmenting the Income of the Office of Maſter or Keeper of the Rolls.

26. An Act to continue ſeveral Laws for the better regulating of Pilots, for the conducting of Ships and Veſſels from *Dover*, *Deal* and *Iſle of Thanet*, up the Rivers of *Thames* and *Medway*; and for permitting Rum or Spirits of the *Britiſh* Sugar Plantations to be landed before the Duties of Exciſe are paid thereon; and to continue and amend an Act for preventing Frauds in the Admeaſurement of Coals within the City and Liberty of *Weſtminſter*, and ſeveral Pariſhes near thereunto; and to continue ſeveral Laws for preventing Exactions of Occupiers of Locks and Wears upon the River *Thames* Weſtward, and for aſcertaining the Rates of Water Carriage upon the ſaid River; and for the better Regulation and Government of Seamen in the Merchants Service; and alſo to amend ſo much of an Act made in the firſt Year of the Reign of King *George* the Firſt, as relates to the better Preſervation of Salmon in the River *Ribble*; and to regulate Fees in Trials at Aſſizes, and *Niſi Prius*, upon Records iſſuing out of the Office of Pleas of the Court of *Exchequer*; and for the apprehending of Perſons in

any

any County or Place, upon Warrants granted by Juſtices of the Peace in any other County or Place; and to repeal ſo much of an Act made in the twelfth Year of the Reign of King *Charles* the Second, as relates to the Time during which the Office of Exciſe is to be kept open each Day, and to appoint for how long Time the ſame ſhall be kept open upon each Day for the future; and to prevent the ſtealing or deſtroying of Turnips; and to amend an Act made in the ſecond Year of his preſent Majeſty, for better Regulation of Attornies and Solicitors.

27. An Act for the more eaſy and ſpeedy Recovery of Small Debts within the City and Liberty of *Weſtminſter*, and that Part of the Dutchy of *Lancaſter* which adjoineth thereto.

28. An Act to explain Part of an Act paſſed in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, for the Uniformity of Publick Prayers, and Adminiſtration of Sacraments; and alſo Part of an Act paſſed in the thirteenth Year of the Reign of Queen *Elizabeth* for the Miniſters of the Church to be of Sound Religion.

29. An Act to encourage the Importation of Pig and Bar Iron from his Majeſty's Colonies in *America*; and to prevent the Erection of any Mill or other Engine for Slitting or Rolling of Iron, or any Plateing Forge to work with a Tilt Hammer, or any Furnace for making Steel, in any of the ſaid Colonies.

30. An Act for the more eaſy and ſpeedy Recovery of Small Debts within the *Tower Hamlets*.

31. An Act for extending and improving the Trade to *Africa*.

32. An Act for granting to his Majeſty certain Duties upon ſuch Species of Sail Cloth as are therein mentioned, which ſhall be imported from *Ireland* into *Great Britain*, during the Time therein limited.

33. An Act for preventing Delays and Expences in the Proceedings in the County Court of *Middleſex*; and for the more eaſy and ſpeedy Recovery of Small Debts in the ſaid County Court.

34. An Act for permitting Raw Silk of the Growth or Produce of *Perſia*, purchaſed in *Ruſſia*, to be imported into this Kingdom, from any Port or Place belonging to the Empire of *Ruſſia*.

35. An Act for making a better and more effectual Proviſion for the Relief of the Poor, for the cleanſing the Streets, and for keeping a Nightly Watch, within the Pariſh of *Saint Martin in the Fields*, within the Liberties of the City of *Weſtminſter*.

36. An Act for ſettling a Stipend or Maintenance upon the Rector of the Pariſh of *Saint George the Martyr*, in the Borough of *Southwark*, in the County of *Surrey*, and his Succeſſors, in lieu of Tythes.

37. An Act for building a Bridge croſs the River of *Thames*, from *Hampton Court* in the County of *Middleſex*, to *Eaſt Moulſey* in the County of *Surrey*.

38. An Act for repairing the Road from the City of *York* over *Skipbridge*, to *Boroughbridge* in the County of *York*.

39. An Act for the more effectual repairing and preſerving the Piers and Harbour of *Whitby* in the County of *York*.

40. An Act for repairing and widening the Roads leading from *Egremont* to *Dudden Bridge*, *Santon Bridge*, and *Salthouſe*, in the County of *Cumberland*.

PRIVATE ACTS.

Anno 23 *Georgii* II.

1. AN Act for naturalizing *Thomas Abraham Ogier*, *Peter Henry Gauvain*, and others.
2. An Act for naturalizing *Charles Lindegren*.
3. An Act for naturalizing *Henry Joly*.
4. An Act for naturalizing *Germain Lavie*.
5. An Act for veſting in Truſtees certain Leaſes and Eſtates therein mentioned, of and in the Manors of *Spalding* and *Holbeck*, and of ſeveral Lands, Tenements and Hereditaments to the ſame belonging, in the County of *Lincoln*, which were forfeited by *James* late Duke of *Monmouth*, put in Exigent upon an Indictment of High Treaſon, to the Intent that the Loſs of the Record of ſuch Indictment, and of the *Capias* and Exigent thereon, may be ſupplied for the Purpoſes therein mentioned.
6. An Act to impower the Committees of *Thomas* Earl of *Bradford*, a Lunatick, to lay out Part of his perſonal Eſtate in the Purchaſe of Lands and Eſtates of Inheritance for the Purpoſes therein mentioned.
7. An Act to enable his Majeſty to grant the Inheritance of the Manor of *Garſtang* in the County of *Lancaſter*, and of a Meſſuage or Tenement in *Newbigginge* in *Lonſdale*, in the County of *Weſtmoreland*, to Truſtees, in Truſt for the Honourable *Edward Walpole* Eſquire, and his Heirs, upon a full and valuable Conſideration to be paid for the ſame.
8. An Act to enable *Roger Mortlock*, Doctor in Divinity, now called *Roger Pettiward*, and the Heirs of his Body, to take and uſe the Surname and Arms of *Pettiward*.
9. An Act to enable *Beckford Kendall* Eſquire, now called *Beckford Kendall Cater*, and his Iſſue Male, to take and uſe the Surname and Arms of *Cater*.
10. An Act for naturalizing *John Peter Mandrot*, *Lewis Chabanel*, *William de Druſina*, and others.
11. An Act for naturalizing *Iſaac Schomberg*, Doctor in Phyſick.
12. An Act for naturalizing *Engelbert Hake*.
13. An Act to impower the Guardians of *Henry* Earl of *Pembroke* and *Montgomery*, an Infant, to make Leaſes of his real Eſtate during his Minority.
14. An Act to enable *Hugh* Earl of *Northumberland*, and *Elizabeth* Counteſs of *Northumberland* and Baroneſs *Percy*, his Wife, and their Children, Progeny and Iſſue, to take and uſe the Name of *Percy*, and bear and quarter the Arms of the *Percies* Earls of *Northumberland*.
15. An Act for Sale of Part of the ſettled Eſtate of Sir *Thomas Moyſtyn* Baronet, in the County of *Angleſey*, for Payment of Debts, and for providing a Recompence to his eldeſt Son and Iſſue in lieu thereof.
16. An Act for eſtabliſhing a Partition made between Dame *Mary Latre*, and others, of divers Eſtates in the Pariſhes of *Weſt Thorock* and *Stifford*, in the County of *Eſſex*, in purſuance of ſeveral Orders of the High Court of *Chancery*.
17. An Act for impowering Truſtees to cut down and ſell Timber upon the Eſtate late of *John Trevor* Eſquire, in the Counties of *Denbigh* and *Flint*, for diſcharging his Debts, and alſo to make Leaſes of Mines in the ſaid Counties.
18. An Act for inveſting Part of the perſonal Eſtate of *Charles Churchill* Eſquire, deceaſed, in the Purchaſe of Lands to be ſettled, purſuant to an Agreement in the Settlement made on the Marriage of *Charles Churchill* junior Eſquire, with the Lady *Maria Walpole*.
19. An Act for Sale of the Manor of *Murſley*, and other Eſtates in the County of *Bucks*, lately belonging to *Hugh Barker* the younger Eſquire, deceaſed, purſuant to an Agreement made with him for that Purpoſe.
20. An Act for making effectual an Agreement for Sale of a Meſſuage at *Farley Hill* in the County of *Berks*, with the Appurtenances, late the Eſtate of Colonel *Charles Lanoe*, deceaſed, to *Alexander Walker* Eſquire.
21. An Act for Sale of the Eſtates deviſed by the Will of *John Hylton* Eſquire, deceaſed, and for applying the Money

Money arising thereby in the Payment of his Debts and Legacies.

22. An Act for explaining and amending several Powers contained in the Settlements made in the Marriage of *Henry Walters* Gentleman, and *Anne* his Wife, and for rendering the same more effectual for the Purposes thereby intended.

23. An Act to impower the Executors and Trustees of *Samuel Shepheard* Esquire, deceased, to sell his Houses at *Exning* in *Suffolk*, and in *Cavendish Square*, and the Plate and Furniture thereto belonging, and to apply the Money produced by such Sale, as the Court of *Chancery* shall direct or appoint.

24. An Act for Sale of Part of the Estates of *John Needham* Esquire, and *Anne* his Wife; *John Leche* Esquire, and *Mary* his Wife; and *Elizabeth Hurleston*, for discharging Incumbrances affecting the same, and other Purposes therein mentioned.

25. An Act to enable *William Cowper* Esquire, to settle a Jointure upon his present Wife, and to make Leases of certain Estates in the County of *Hertford*.

26. An Act for impowering Trustees to raise Money out of the settled Estate of *Robert Dolman* Esquire, for discharging several Debts and Sums of Money contracted and borrowed by him.

27. An Act for vesting the Estates of *Richard Stanley* Esquire, a Lunatick, lying in the Counties of *Kent* and *Middlesex*, in Trustees, to be sold for the Payment of several Debts and Incumbrances thereon, and for other Purposes therein mentioned.

28. An Act to sell Part of the settled Estate of *Thomas Sergison* Esquire, and to lay out the Money arising thereby, in the Purchase of Lands and Hereditaments to be settled in lieu thereof.

29. An Act to enable *William Nisbet* of *Dirleton* Esquire, and the Heirs of Intail for the time being, to make Leases of Lands in the County of *Haddington*, and for other Purposes therein mentioned.

30. An Act for raising Money by Sale or Mortgage of the Estate of *Garton Orme* Esquire, in the County of *Sussex*, for the Payment of his Debts, and the Portion of *Charlote Orme* his Daughter, and for other Purposes therein mentioned.

31. An Act for inclosing and dividing certain Common Fields and Common Grounds, called *Nether Heyford Common Fields*, lying and being in the Parishes of *Nether Heyford*, *Stow with nine Churches*, and *Bugbrooke*, in the County of *Northampton*, and for extinguishing all Right of Common in certain Meadows, Pastures and inclosed Grounds in the said Parishes, and providing a Recompence to the Rectors of the said Parishes, in lieu of Tythes.

32. An Act for confirming Articles of Agreement for inclosing and dividing the Commons and Waste Grounds within the Manor of *Culcheth* in the County of *Lancaster*.

33. An Act for securing the sole Property, Benefit and Advantage of an Engine invented by *Israel Pownoll*, deceased, for raising Ballast, Sullage and Sand, and for removing Bank, Shelves and Shoals, in Rivers and Harbours, to the Children of the said *Israel Pownoll*, for a certain Term of Years.

34. An Act for naturalizing *Jacob Van Wylick*.

PUBLICK ACTS.

Anno 24 *Georgii* II.

1. AN Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-one.

2. An Act for granting to his Majesty the Sum of two Millions one hundred thousand Pounds, to be raised by Annuities, and a Lottery, and charged on the Sinking Fund, redeemable by Parliament.

3. An Act for enlarging the Term and Powers granted by an Act passed in the twelfth Year of the Reign of his present Majesty, for repairing the Road between *Stamford* and *Grantham* in the County of *Lincoln*; and for making the same more effectual.

4. An Act for enabling his Majesty to raise the several Sums of Money therein mentioned, by Exchequer Bills, to be charged on the Sinking Fund; and for impowering the Commissioners of the Treasury to pay off the Old and New unsubscribed *South Sea* Annuities out of the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-one; and for enabling the Bank of *England* to hold General Courts, and Courts of Directors, in the Manner therein directed; and for giving certain Persons Liberty to subscribe Bank and *South Sea* Annuities omitted to be subscribed pursuant to two Acts of the last Session of Parliament.

5. An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose.

6. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

7. An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty-one.

8. An Act for the better carrying on, and regulating, the Navigation of the River *Thames* and *Isis*, from the City of *London* westward, to the Town of *Cricklade* in the County of *Wilts*.

9. An Act for repairing the Road leading from *West Lavington* to the *Devizes*, and from the *Devizes* to *Seend*, in the County of *Wilts*.

10. An Act for enlarging the Term and Powers granted by two Acts of Parliament, for repairing the Highways through the several Parishes of Saint *Michael*, Saint *Alban*, Saint *Peter*, *Shenley Ridge*, and *South-Mims*, in the Counties of *Hertford* and *Middlesex*.

11. An Act for reducing the Interest upon the Capital Stock of the *South Sea* Company, from the Time, and upon the Terms, therein mentioned; and for preventing of Frauds committed by the Officers and Servants of the said Company.

12. An Act for appointing Commissioners to put in Execution an Act made in the twenty-second Year of the Reign of King *Charles* the Second, for making navigable the Rivers commonly called *Brandon* and *Waveney*; so far as the same relates to the Navigation of the River commonly called the *Lesser Ouze*, from *Thetford* to *Brandon*, and from *Brandon* to a Place called the *White House*, near *Brandon* Ferry, in the Counties of *Norfolk* and *Suffolk*.

13. An Act for repairing the Road from *Crosford Bridge*, through the Townships of *Stretford* and *Hulme*, to the Town of *Manchester*, in the County Palatine of *Lancaster*.

14. An Act for explaining and amending an Act passed in the twenty-first Year of the Reign of his present Majesty, intituled, *An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Mystery of* Mercers *of the City of* London, *and for other Purposes therein mentioned*.

15. An Act to enable the Parishioners of the Parish of Saint *Mary*, *Islington*, in the County of *Middlesex*, to rebuild the Church of the said Parish.

16. An Act for the more ſpeedy and eaſy Recovery of Small Debts within the City of *London*, and County of the ſame City, and the Liberties and Precincts thereof; and within the Bail of *Lincoln* in the County of *Lincoln*.
17. An Act for repairing the Road leading from the Eaſt End of *Brumpton High Lane* in the County of *York*, to the Town of *Richmond*, and from thence to and through the Towns of *Aſkrigg* and *Ingleton* in the ſaid County, to the Town of *Lancaſter* in the County of *Lancaſter*.
18. An Act for the better Regulation of Trials by Jury; and for enlarging the Time for Trials by *Niſi Prius* in the County of *Middleſex*.
19. An Act for making the River *Nar* navigable, from the Town and Port of *King's Lynn*, to *Weſtacre*, in the County of *Norfolk*.
20. An Act for repairing and widening the Road from *Preſton* to *Lancaſter*, and from thence to a Place called *Heiring Syke*, that divides the Counties of *Lancaſter* and *Weſtmorland*.
21. An Act for enlarging the Term and Powers granted by an Act paſſed in the third Year of the Reign of his preſent Majeſty, for repairing and amending the ſeveral Roads leading from *Woodſtock* through *Kiddington* and *Enſtone* to *Rollright Lane*, and from *Enſlow Bridge* to *Kiddington* aforeſaid, in the County of *Oxford*; and for making the ſaid Act more effectual.
22. An Act for explaining and amending ſo much of an Act paſſed in the fourteenth Year of the Reign of his preſent Majeſty for the repairing and enlarging the Roads from the Town of *Selby*, in the Weſt Riding of the County of *York*, to the Town of *Leeds*; and from thence, in two ſeveral Branches, one through *Bradford* and *Horton*, and the other through *Bowling* and *Wibſey*, to the Town of *Halifax* in the ſame Riding, as relates to that Part of the ſaid Roads which lies between *Selby* and *Leeds*; and alſo for repairing the Road from *Tadcaſter* in the ſaid Weſt Riding, over *Bramham Moor* through *Kidhall Lane*, over *Win Moor*, and through *Seacroft*, to a Place called *Halton Dyal*, where it comes into the aboveſaid Road, between *Selby* and *Leeds*.
23. An Act for regulating the Commencement of the Year; and for correcting the Calendar now in Uſe.
24. An Act to provide for the Adminiſtration of the Government, in caſe the Crown ſhould deſcend to any of the Children of his late Royal Highneſs *Frederick* Prince of *Wales*, being under the Age of eighteen Years; and for the Care and Guardianſhip of their Perſons.
25. An Act for laying out, making and keeping in Repair, a Road proper for the Paſſage of Troops and Carriages from the City of *Carliſle*, to the Town of *Newcaſtle upon Tyne*.
26. An Act for cleanſing and enlightening the open Places, Streets and other Paſſages, and regulating the Nightly Watch and Bedels, in the Pariſh of Saint *Matthew*, *Bethnal Green*, in the County of *Middleſex*.
27. An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Golden Square*, in the Pariſh of Saint *James*, *Weſtminſter*, in the County of *Middleſex*, to make and levy a Rate on themſelves, for raiſing Money ſufficient for the better Incloſing, Paving, Enlightening and Adorning of the ſaid Square; and ſupporting and keeping the ſame in Repair for the future.
28. An Act for repairing the Road from the Top of *Crickley Hill* in the County of *Glouceſter*, to *Frogg Mill*, through the Towns of *Northleach*, *Burford* and *Witney*, and Pariſhes of *Hanborough* and *Bladen*, to *Campsfield*, in the Pariſh of *Kidlington*, in the County of *Oxford*; and alſo the Road from *Witney*, through *Enſham*, *Cumner* and *Botley*, to the City of *Oxford*.
29. An Act for repairing the Road leading from the Town of *Ludlow* in the County of *Salop*, through *Wofferton* and *Little Hereford*, to a Place called *Monk's Bridge*, in the ſaid County; and alſo from the ſaid Town of *Ludlow*, to a Place or Houſe called the *Maidenhead* at *Orleton* in the County of *Hereford*.
30. An Act for repairing the High Roads leading from *Darlington* in the County of *Durham*, to *Weſt Auckland*, and ſeveral other Roads in the ſaid County therein mentioned.
31. An Act for explaining, amending and enforcing an Act paſſed in the thirteenth Year of his late Majeſty's Reign, intituled, *An Act for the better Regulation of the Linen and Hempen Manufactures in that Part of* Great Britain *called* Scotland; and for further regulating and encouraging the ſaid Manufactures.
32. An Act for enlarging the Term and Powers granted by two Acts of Parliament for repairing the Road from *Wendover*, to the Town of *Buckingham* in the County of *Bucks*; and alſo for repairing and widening the Road leading from the Weſt End of the ſaid Town of *Wendover*, to the End of a Lane called *Oak Lane*, next the great Road called *The Oxford Road*, lying between the Town of *Beconsfield*, in the ſaid County of *Bucks*, and *Uxbridge* in the County of *Middleſex*, and that Part of the ſaid great Road which leads from the Weſt End of the ſaid Town of *Beconsfield*, to the River *Colne* near *Uxbridge* aforeſaid.
33. An Act for enlarging the Term and Powers granted by an Act paſſed in the fourth Year of his preſent Majeſty's Reign, for repairing the Roads leading from the moſt Southern Part of *Butt Lane*, in the Pariſh of *Lawton*, in the County Palatine of *Cheſter*, to *Lawton*; and from thence to *Henſhall*'s *Smithy*, upon *Cranage Green* in the ſaid County; and for making the ſaid Act more effectual.
34. An Act for the better Preſervation of the Game in that Part of *Great Britain* called *Scotland*.
35. An Act for repairing the High Roads in the County of *Edinburgh*, to and from the City of *Edinburgh*; and from *Cramond Bridge* to the Town of *Queen's Ferry*, in the County of *Linlithgow*.
36. An Act for building a Bridge over the River *Ribble*, between the Townſhips of *Preſton* and *Penwortham*, near a Place called the *Fiſh-houſe*, in the County Palatine of *Lancaſter*.
37. An Act for dividing the Pariſh of Saint *Philip and Jacob* in the County of *Glouceſter*, and in the City and County of *Briſtol*; and for erecting a Church in the new intended Pariſh.
38. An Act for levying a Duty of two Pennies *Scots*, or a ſixth Part of a Penny Sterling on every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped or ſold within the Town of *Greenock*, and Baronies of *Eaſter* and *Weſter Greenock*, and *Finnart*, and Liberties thereof, in the County of *Renfrew*, for repairing the Harbour of the ſaid Town, and for other Purpoſes therein mentioned.
39. An Act for the better regulating the Navigation of the River *Avon*, running through the Counties of *Warwick*, *Worceſter* and *Glouceſter*; and for aſcertaining the Rates of Water-carriage upon the ſaid River.
40. An Act for granting to his Majeſty an additional Duty upon Spirituous Liquors, and upon Licences for retailing the ſame; and for repealing the Act of the twentieth Year of his preſent Majeſty's Reign, intituled, *An Act for granting a Duty to his Majeſty to be paid by Diſtillers upon Licences to be taken out by them for retailing Spirituous Liquors*; and for the more effectually reſtraining the retailing of diſtilled Spirituous Liquors; and for allowing a Draw-

Drawback upon the Exportation of *Britiſh* made Spirits; and that the Pariſh of Saint *Mary le Bon*, in the County of *Middleſex*, ſhall be under the Inſpection of the Head Office of Exciſe.

41. An Act for the more effectual ſecuring the Duties upon Tobacco.

42. An Act to explain and amend an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for the more eaſy and ſpeedy Recovery of Small Debts within the City and Liberty of* Weſtminſter, *and that Part of the Dutchy of* Lancaſter, *which adjoineth thereto*; and for making the ſaid Act more effectual.

43. An Act for the more effectual Preſervation of the Turnpike Roads in that Part of *Great Britain* called *England*; and for the Diſpoſition of Penalties given by Acts of Parliament relating to the Highways in that Part of *Great Britain* called *England*, and for enforcing the Recovery thereof; and for the more effectual preventing the Miſchiefs occaſioned by the Drivers riding upon Carts, Drays, Carrs and Waggons, in the City of *London*, and within ten Miles thereof.

44. An Act for the rendering Juſtices of the Peace more ſafe in the Execution of their Office; and for indemnifying Conſtables, and others, acting in Obedience to their Warrants.

45. An Act for the more effectual preventing of Robberies and Thefts upon any navigable Rivers, Ports of Entry or Diſcharge, Wharfs and Keys adjacent.

46. An Act for repealing the Duties now payable upon Foreign Linen Yarn, and for granting other Duties in lieu thereof.

47. An Act for granting to his Majeſty the Sum of ſix hundred thouſand Pounds out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and fifty-one; and for Allowances to the poor Widows of Commiſſion and Warrant Officers of the Royal Navy; and for the further appropriating the Supplies granted this Seſſion of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Orders of Loan, or Annuity Orders, payable at the Exchequer in lieu of ſuch as ſhall be loſt, burnt or deſtroyed; and alſo for making forth new Orders of Loan or Annuity Orders, in lieu of ſuch as ſhall become defaced, obliterated, or otherwiſe incumbered with Aſſignments or Endorſements thereon.

48. An Act for the Abbreviation of *Michaelmas* Term.

49. An Act for allowing further Time to the Commiſſioners appointed by and in purſuance of an Act of the twenty-third Year of his preſent Majeſty's Reign, intituled, *An Act for extending and improving the Trade to* Africa, to inquire into the Claims of certain Creditors of the Royal *African* Company therein mentioned, and for the Relief of *David Crichton*; and for reſtraining the ſaid Company from diſpoſing of ſuch of their Effects as are therein mentioned; and for ſtaying all Suits for Money due from or on the Account of the ſaid Company, for the Time therein mentioned.

50. An Act to enable his Majeſty to make Leaſes and Copies of Offices, Lands and Hereditaments, Parcel of his Dutchy of *Cornwall*, or annexed to the ſame.

51. An Act for encouraging the making of Pot Aſhes and Pearl Aſhes in the *Britiſh* Plantations in *America*.

52. An Act for continuing ſeveral Laws therein mentioned, relating to the *Præmiums* upon the Importation of Maſts, Yards and Bowſprits, Tar, Pitch and Turpentine; to *Britiſh* made Sail Cloth, and the Duties payable on Foreign Sail Cloth; and to the Allowance upon the Exportation of *Britiſh* made Gunpowder.

53. An Act to regulate and reſtrain Paper Bills of Credit, in his Majeſty's Colonies or Plantations of *Rhode Iſland* and *Providence* Plantations, *Connecticut*, the *Maſſachuſets Bay*, and *New Hampſhire* in *America*; and to prevent the ſame being legal Tenders in Payments of Money.

54. An Act for explaining, continuing and enforcing ſeveral Laws therein mentioned, more effectually to prevent the ſpreading of the Diſtemper which now rages amongſt the Horned Cattle in this Kingdom.

55. An Act for amending and making more effectual a Clauſe in an Act paſſed in the laſt Seſſion of Parliament, for the apprehending of Perſons in any County or Place, upon Warrants granted by Juſtices of the Peace of any other County or Place.

56. An Act for aſcertaining the Admeaſurement of Wheat Meal, or other Corn or Grain ground, for which a Bounty is payable upon Exportation; and for making Allowances to the *Eaſt India* Company, for their Charges and Expences in managing, paying and transferring their reduced Annuities.

57. An Act to continue ſeveral Laws therein mentioned; for preventing Theft and Rapine on the Northern Borders of *England*; for the more effectual puniſhing wicked and evil-diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice; for continuing two Clauſes to prevent the cutting or breaking down the Bank of any River or Sea bank; and to prevent the malicious cutting of Hop-binds; for the more effectual Puniſhment of Perſons maliciouſly ſetting on Fire any Mine, Pit or Delph of Coal, or Cannel Coal; and of Perſons unlawfully hunting or taking any Red or Fallow Deer in Foreſts or Chaces, or beating or wounding the Keepers or other Officers in Foreſts, Chaces or Parks; for granting a Liberty to carry Sugars of the Growth, Produce or Manufacture of any of his Majeſty's Sugar Colonies in *America*, from the ſaid Colonies, directly into Foreign Parts, in Ships built in *Great Britain*, and navigated according to Law; for preventing the committing of Frauds by Bankrupts; for giving further Encouragement for the Importation of Naval Stores from the *Britiſh* Colonies in *America*; and for preventing Frauds and Abuſes in the Admeaſurement of Coals in the City and Liberty of *Weſtminſter*; and to make ſome further Proviſions in relation to the ſigning of Certificates for the Diſcharge of Bankrupts.

58. An Act for making, widening and keeping in Repair, ſeveral Roads in the ſeveral Pariſhes of *Lambeth*, *Newington*, Saint *George's Southwark* and *Bermondſey* in the County of *Surrey*; and *Lewiſham* in the County of *Kent*.

59. An Act for enlarging of the Terms and Powers, and making more effectual ſeveral Acts of Parliament for repairing and amending the Highways leading from *Royſton*, in the County of *Hertford*, to *Wansford Bridge* in the County of *Huntingdon*, ſo far as relates to the amending of that Part of the Road as lies between a Place called the *White Poſt* on *Alconbury Hill* in the County of *Huntingdon*, and *Wansford Bridge* in the ſame County, called the *North Diviſion*; and that the Tolls taken at *Saltree* and *Wansford* Toll-gates may, from and after a certain Time, be lowered; and for repairing the Road leading from *Stilton* in the ſaid County of *Huntingdon*, to *Peterborough* in the County of *Northampton*.

PRIVATE ACTS.

Anno 24 *Georgii* II.

1. AN Act to diſſolve the Marriage of *Godfrey Copley* Eſquire, with *Anna Maria Brace*, his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

2. An Act to enable *Samuel Smith* Eſquire to take and uſe the Surname of *Holworthy* only, and bear the Coat-Armour

mour of *Matthew Holworthy* Eſquire, deceaſed, purſuant to the Will of *Elizabeth* his Widow, alſo deceaſed.

3. An Act to enable *John Heath* Eſquire, and his Heirs Male, to take and uſe the Surname and Arms of *Duke*, according to the Direction of the laſt Will and Teſtament of *Richard Duke* Eſquire, deceaſed.

4. An Act for naturalizing *John Liotard*, *Daniel Richard*, *Daniel Ferrand*, *Charles Boucher* and *John Schnely*.

5. An Act for naturalizing *Chriſtopher Jacob Krauter*.

6. An Act for impowering the Truſtees, named in the Settlement made upon the Marriage of *Edward Hulſe* Eſquire, with *Hannah* his Wife, to lay out Part of the Truſt-Monies therein mentioned, in the Purchaſe of Reverſionary Eſtates, as well as Lands in Poſſeſſion, to be ſettled to the Uſes of the ſaid Marriage Settlement, with Power to make Leaſes thereof, according to the Cuſtom of the Country.

7. An Act to enable *George Lane*, heretofore called *George Fox* Eſquire, and his Iſſue Male, to take and uſe the Surname and Arms of *Lane*, purſuant to the Will of *James* Lord Viſcount *Laneſborough*, in the Kingdom of *Ireland*, deceaſed, and for inrolling the ſaid Will, and making the Exemplification thereof Evidence in all Courts in *Great Britain* and *Ireland*.

8. An Act to enable *Thomas Smith*, now called *Thomas Panuwell*, and the Heirs of his Body, to take and uſe the Surname and Arms of *Panuwell*.

9. An Act to enable the moſt Noble *Jane* Ducheſs Dowager of *Argyll* and *Greenwich* to grant Leaſes of the Ground, and repairing Leaſes of the Houſes and Buildings in the County of *Middleſex*, mentioned in the Will of *John* late Duke of *Argyll* and *Greenwich*, deceaſed.

10. An Act for charging divers Houſes, Tenements and Hereditaments, in the City of *London* and County of *Hertford*, Part of the ſettled Eſtate of *William* Earl *Cowper*, with raiſing Money towards defraying the Expences of rebuilding the ſaid Houſes in *London*, burnt down and deſtroyed by Fire.

11. An Act for veſting divers Lands, Tenements and Hereditaments in the County of *Corke* in the Kingdom of *Ireland*, comprized in the Marriage-Settlement of *John* Earl of *Egmont*, in him and his Heirs, diſcharged of the Uſes of that Settlement, and for ſettling other Lands and Hereditaments in the ſaid County, of greater Value, in lieu thereof, to the ſame Uſes.

12. An Act for the Sale of a Capital Meſſuage at *Bromley*, and divers Meſſuages, Lands and Hereditaments in the Counties of *Middleſex* and *Eſſex*, late the Eſtate of Sir *Charles Peers* Knt. deceaſed, ſome time ſince one of the Aldermen of the City of *London*, and for purchaſing another Eſtate to be ſettled to the Uſes of his Will.

13. An Act to enable *John Primroſe* Eſquire, commonly called Lord *Dalmenie*, to ſecure a Jointure to *Mary* Counteſs of *Roſeberry*, his Mother, and make Proviſions for his Brother and Siſter, out of the entailed Eſtate late of Sir *Archibald Primroſe* Knight, deceaſed.

14. An Act for veſting the undivided twelfth Part of *John Jekyll*, an Infant, in the Real Eſtate of Sir *Joſeph Jekyll* Knight, deceaſed, in Truſtees, to be ſold for the Purpoſes therein mentioned.

15. An Act for Sale of the Eſtate late of *Edmund Pleydell* Eſquire, in *Glouceſterſhire*, and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of another Eſtate, to be ſettled to the Uſes of his Will.

16. An Act to enable Sir *William Maxwell* of *Monreith* Baronet, or other Heirs of Entail for the time being, to ſell Lands in the County of *Wigtown*, for Payment of Debts, and other Purpoſes therein mentioned.

17. An Act for the effectual ſecuring of a Jointure, by way of Rent-charge, for *Barbara Mainwaring Ellerker*, Wife of *Eaton Mainwaring Ellerker* Eſquire, and raiſing Portions for their younger Children, purſuant to an Agreement contained in their Marriage-Settlement, and for confirming and eſtabliſhing the Surname of *Ellerker*, and the Coat of Arms of the *Ellerkers*, of *Riſby* in the County of *York*, and the Creſt granted by King *Henry* the Eighth, to the ſaid *Eaton Mainwaring Ellerker*, and his Iſſue.

18. An Act for confirming a Partition of the Eſtate late of *George Gardner* Eſquire, deceaſed, and for ſettling and diſpoſing of the Lands belonging to *Edward Bulſtrode* Eſquire, upon the ſaid Partition, for diſcharging Incumbrances, and for a Proviſion for himſelf, and his Wife and Children, purſuant to his Marriage Settlement.

19. An Act to impower the Guardian or Guardians of *Thomas Horner* Eſquire, an Infant, for the time being, to make Leaſes and Copyhold Grants of his Eſtates in the County of *Somerſet*, during his Minority, according to the Uſage and Cuſtom of the Country, and for other Purpoſes therein mentioned.

20. An Act for veſting a Meſſuage and Lands in *Suffolk*, Part of the ſettled Eſtate of *Thomas Moyle* Eſquire, in Truſtees, in Truſt to ſell the ſame, purſuant to an Agreement for that Purpoſe, and for applying the Money ariſing by ſuch Sale, towards the Purchaſe of another Eſtate of greater Value to be ſettled to the like Uſes.

21. An Act for the better effecting the Purpoſes mentioned in the Will of *John Michel*, late of *Richmond* in the County of *Surrey* Eſquire, deceaſed, for the Benefit and Advantage of *Queen's College* in the Univerſity of *Oxford*.

22. An Act to confirm and eſtabliſh an Agreement for incloſing and dividing ſeveral Lands and Grounds in the Pariſh of *Welton* in the County of *York*, and for ſettling a yearly Sum on the Vicar in lieu of Tythes, and other Purpoſes therein mentioned.

23. An Act for confirming Articles of Agreement for incloſing and dividing certain Commons and Waſte Grounds in the Pariſh of *Yatton* in the County of *Somerſet*.

24. An Act for incloſing and dividing the Common Fields, Common Paſtures, Common Meadows and Waſte Grounds in the Manor and Pariſh of *Farthingſtone* in the County of *Northampton*.

25. An Act for confirming Articles of Agreement for incloſing and dividing the Common Fields, Meadows and Common Fen in the Manor and Pariſh of *Dunſby* in the County of *Lincoln*, and for rendering the ſame more effectual, and for other Purpoſes therein mentioned.

26. An Act for impowering Sir *Thomas Saunders Sebright* Baronet, to incloſe *Besford* Common in the County of *Worceſter*, and for ſetting out and appointing proper Roads over the ſame; and for charging the ſaid Common with a perpetual yearly Rent, in lieu of certain Rights and Privileges claimed by *James Cocks* Eſquire, as Lord Paramount of the Manor of *Besford*.

27. An Act for confirming Articles of Agreement for incloſing the common Paſtures and common Grounds, within the Manor of *Hutton Buſhell* in the County of *York*.

28. An Act for veſting for a certain Term of Years, in *Michael Menzies* Eſquire, his Executors, Adminiſtrators and Aſſigns, the ſole Property of a Machine, by him invented, for conveying of Coals from the Places where they are dug, to the Heaps at the Mouths of the Pits, and in ſome Caſes from the Heaps to the Staiths or Places where they are put on Board Ships or Keels.

29. An Act to enable *William Leybourne*, formerly called *William Leybourne Taylor*, to take and uſe the Surname of *Leybourne* only, and bear the Coat of Arms of the Family of *Leybourne*, purſuant to the Will of his Uncle *William Leybourne*, deceaſed.

30. An Act for enabling *James Langſton*, formerly called *James*

The TITLES of the STATUTES.

James Haughton, and his Heirs, to uſe the Surname, and bear the Family Arms of *Langſton*, purſuant to the Will of *James Langſton* his Uncle, deceaſed.

31. An Act to enable *John Fenwick*, lately called *John Wilſon*, and the Heirs Male of his Body, to take the Name and bear the Arms of *Fenwick* only, purſuant to the Wills of *Robert Fenwick* and *Nicholas Fenwick*.

32. An Act for naturalizing Count *Stephanus Laurentius Neale*.

33. An Act for eſtabliſhing and confirming Articles entered into upon the Marriage of *Henry Arthur* Earl of *Powis*, with *Barbara* Counteſs of *Powis*, his Wife, an Infant, and for the more effectually carrying the ſame into Execution.

34. An Act for enabling the Right Honourable *John Thynne*, Lord *Chedworth*, to ſettle a Jointure on *Martha Parker* Spinſter, upon their Inter-marriage, and for making Proviſion for their younger Children, and for explaining the Will of Sir *Philip Parker Long* Baronet, deceaſed, and for other Purpoſes therein mentioned.

35. An Act for compleating the Sale of the Eſtate late of *Francis Scott*, commonly called Earl of *Dalkeith*, deceaſed, in the County of *Lincoln*; and for applying the Money ariſing thereby purſuant to an Agreement for that Purpoſe; and for impowering the Guardians of the Heir of the ſaid late Earl, for the time being, to make Leaſes of Ground and Buildings in the County of *Middleſex*, during the Minority of ſuch Heir.

36. An Act for Sale of Part of the ſettled Eſtate of *Thomas* Lord Viſcount *Kilmorey*, for raiſing Money to diſcharge the Incumbrances affecting the ſame, prior to his Marriage Settlement, and for laying out the Surplus thereof in the Purchaſe of other Lands and Hereditaments, to be ſettled to the Uſes of the ſaid Settlement.

37. An Act for veſting the undivided Moiety of divers Lands and Hereditaments in the Counties of *Leiceſter*, *Stafford* and *Derby*, deviſed by the Will of *Sarah Frowde* Widow, deceaſed, in *Ralph Blois* Clerk, in Fee-ſimple; and for ſettling an entire Eſtate in the County of *Suffolk*, of greater Value, to the Uſes limited by the ſame Will.

38. An Act for veſting Part of the ſettled Eſtate of *George Barlow* Eſquire, in him and his Heirs, and for ſettling another Part of his Eſtate of greater Value, to the ſame Uſes, except as therein is excepted, in lieu thereof.

39. An Act for Sale of the Eſtates late of *William Newland* Eſquire, deceaſed, in *Gatton*, *Rygate* and *Meaſtam* in the County of *Surrey*, for diſcharging Incumbrances.

40. An Act for Sale of certain Eſtates in the County of *Stafford*, of *Chriſtopher Wood* Eſquire, for diſcharging Incumbrances affecting the ſame, and for ſettling other Lands in lieu thereof.

41. An Act for making and granting Leaſes of Lands, Tenements and Mines in the County of *Cornwall*, comprized in the Marriage Settlement and Will of *Kellond Courtenay* Eſquire, deceaſed, during the Minority of his Iſſue claiming under the ſaid Settlement and Will.

42. An Act for ſelling Part of the ſettled Eſtate of *George Courtenay* Eſquire, for diſcharging Incumbrances affecting the ſame, and for enabling him to make a Proviſion for his Wife and Children, purſuant to his Marriage Articles.

43. An Act to enable the Honourable *John Fitz Maurice* and his Iſſue, to take and uſe the Surname of *Petty*, purſuant to the Will of the Right Honourable *Henry* Earl of *Shelburne* in the Kingdom of *Ireland*, deceaſed.

44. An Act for enabling *Richard King Stubblefield* Gentleman, and his Iſſue, to take and uſe the Surname of *King*.

45. An Act for naturalizing *Philip Jacob* Baron *de Soeſdyk Van Cloon*, Lord of *Rhynwick*.

46. An Act for naturalizing *John Jugla*, *Stephan Cogigian*, *John Jacob Zornlin*, and *John Adolph Speck*.

PUBLICK ACTS.

Anno 25 Georgii II.

1. AN Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-two.

2. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

3. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, within the Space of one Year, from the twenty-fifth Day of *March* one thouſand ſeven hundred and fifty-two.

4. An Act for appointing the Deputy or Secondary of the Chief Clerk to inroll Pleas in the *King's Bench*, called, *The Maſter of the* King's Bench Office, one of the Regiſters or Maſters for the Inrollment of Deeds, Wills and other Conveyances in the County of *Middleſex*, in the Place and Stead of ſuch Chief Clerk.

5. An Act to continue and make more effectual an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty, for repairing the Highways between *Sheppard's Shord* and *Horſley Upright Gate*, leading down *Bagdown Hill* in the County of *Wilts*, and other ruinous Parts of the Highways thereunto adjacent.

6. An Act for avoiding and putting an End to certain Doubts and Queſtions, relating to the Atteſtation of Wills and Codicils, concerning Real Eſtates, in that Part of *Great Britain* called *England*, and in his Majeſty's Colonies and Plantations in *America*.

7. An Act to rectify a Miſtake in an Act paſſed in the twenty-fourth Year of the Reign of his preſent Majeſty, intituled, *An Act for explaining and amending an Act paſſed in the twenty-firſt Year of his preſent Majeſty, intituled*, An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Myſtery of *Mercers* in the City of *London*; and for other Purpoſes therein mentioned.

8. An Act for repairing the Road leading from the *Royal Oak* on *Wrotham Heath*, to the Town of *Wrotham* in the County of *Kent*; and from thence to the Village of *Foot's Cray* in the ſaid County.

9. An Act for enlarging the Term granted by two ſeveral Acts of the third and ninth Years of his late Majeſty's Reign, for continuing the Duty of two Pennies *Scots* upon every Pint of Ale and Beer ſold in the City of *Edinburgh*, for the Purpoſes therein mentioned; and for diſcontinuing Payment of the Petty Port Cuſtoms there.

10. An Act for the more effectual ſecuring Mines of Black Lead from Theft and Robbery.

11. An Act to enable the Pariſhioners of the Pariſh of *Eaſt Greenwich* in the County of *Kent*, to depoſit Corpſe in the Vaults or Arches under the Church in the ſaid Pariſh, and to aſcertain the Fees that ſhall be paid for the ſame.

12. An Act for repairing and widening the Road from the Town of *Warminſter* in the County of *Wilts*, to the City of *Bath* in the County of *Somerſet*; and alſo the Road from the Town of *Frome* in the ſaid County of *Somerſet*, to the Town of *Beckington* in the ſame County; and for repairing the Road from *Heyteſbury* to *Anſtrow Hill* in the County of *Wilts*.

13. An Act for repairing the Road from the Town of *Cirenceſter* to the Town of *Stroud*, and that Part of *Rodborough Hill* which leads to *Dudbridge*; and alſo the Road leading from *Cirenceſter* towards *Biſley*, ſo far as the Bottom of *Gulph Hill*; all in the County of *Glouceſter*.

14. An Act to open the Port of *Lancaſter* for the Importation of Wool and Woollen Yarn from *Ireland*.

15. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments; and alſo Perſons who have omitted to make and file Affidavits of the Execution of Articles of Clerkſhip, within the Time

limited by Law; and for allowing further Time for thoſe Purpoſes.

16. An Act for enlarging the Term and Powers granted by two Acts of Parliament, for repairing and amending the Highways between the Town or Village of *Tittenſor*, and the moſt Northern Part of *Talk on the Hill* in *Butt Lane* in the County of *Stafford*.

17. An Act for repairing the Road leading from the *Green Man* in the Chapelry of *Seend* in the County of *Wilts*, through *Trowbridge*, to a Place called *White Trough* in the Pariſh of *Trowbridge* in the ſame County; and from thence by *Road Church* to *Beckington* in the County of *Somerſet*.

18. An Act for repairing the Road leading from *Long Horſley* Bar or Gate, on the Poſt Road near the Town of *Morpeth*, by or through *Long Horſley*, *Weldon Bridge* and *Whittingham*, to the River *Breamiſh*, and from thence to *Piercy's Croſs* in the County of *Northumberland*.

19. An Act to open the Port of *Great Yarmouth* for the Importation of Wool and Woollen Yarn from *Ireland*.

20. An Act to obviate Doubts that have ariſen with regard to the Admiſſion of the Vaſſals of the Principality of *Scotland*, and Payment of their Rents and Duties.

21. An Act for repairing the Roads from *Wallingford* in the County of *Berks*, to *Wantage*, and from thence to *Farringdon*, and alſo from *Wantage* to *Idſon* in the ſaid County.

22. An Act for repairing the Roads from the Town of *Shrewſbury*, through *Elleſmere* in the County of *Salop*, and *Overton* in the County of *Flint*, to *Wrexham* in the County of *Denbigh*.

23. An Act for the better Relief and Employment of the Poor in the Pariſhes of Saint *Margaret* and Saint *John the Evangeliſt* in the City of *Weſtminſter*; and for cleanſing the Streets, and repairing the Highways within the ſaid Pariſhes.

24. An Act for repairing and widening the Roads from *Tinhead Hill*, to the *Round Stone* in *Trowbridge*; and from *Flinty Nap*, to *Weſtern Down* in the Pariſh of *Edington* in the County of *Wilts*; and other Roads in the Counties of *Wilts* and *Somerſet*, leading towards the Cities of *Briſtol* and *Bath*.

25. An Act for granting to his Majeſty a certain Sum of Money therein mentioned, out of the Sinking Fund; and for enabling his Majeſty to raiſe a further Sum of Money therein alſo mentioned, by Exchequer Bills, to be charged on the ſaid Sinking Fund, for the Service of the Year one thouſand ſeven hundred and fifty-two; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

26. An Act to reſtrain the making Inſurances on Foreign Ships bound to or from the *Eaſt Indies*.

27. An Act for converting the ſeveral Annuities therein mentioned, into ſeveral joint Stocks of Annuities, tranſferrable at the Bank of *England*, to be charged on the Sinking Fund; and alſo for conſolidating the ſeveral other Annuities therein mentioned, into ſeveral Joint Stocks of Annuities, transferrable at the *South Sea Houſe*.

28. An Act for repairing the Poſt Road from the City of *Edinburgh*, through the Counties of *Linlithgow* and *Sterling*, from the *Boathouſe Ford*, on *Almond Water*, and from thence to the Town of *Linlithgow*, and from the ſaid Town to *Falkirk*, and from thence to *Sterling*; and alſo from *Falkirk* to *Kilſyth*, and to *Inch Bellie Bridge*, on the Poſt Road to the City of *Glaſgow*.

29. An Act for giving a proper Reward to Coroners, for the due Execution of their Office; and for the Amoval of Coroners upon a lawful Conviction, for certain Miſdemeanors.

30. An Act to amend an Act made in the laſt Seſſion of Parliament, intituled, *An Act for regulating the Commencement of the Year, and for correcting the Calendar now in Uſe*.

31. An Act to continue, explain and amend ſeveral Laws more effectually to prevent the Spreading of the Diſtemper which now rages amongſt the Horned Cattle in this Kingdom.

32. An Act to allow the Importation of Gum Senega into this Kingdom, from any Part of *Europe*, upon the Payment of a Duty; and for Relief of *James Gutherie*, with reſpect to the Duties paid and ſecured upon a Quantity of Tobacco, burnt at the Port of *Kirkcudbright*; and for giving further Time for Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices.

33. An Act for repairing the Road leading from the Town of *Morpeth*, by or through *Mitford*, *Thropple*, *Long Witton*, and by the North Side of *Rothley Park* Wall, to *Sting Croſs*, and to the *High Croſs* in *Elſdon* in the County of *Northumberland*.

34. An Act for the more eaſy and ſpeedy Recovery of ſmall Debts within the Town of *Birmingham*, and Hamlet of *Deritend* thereto adjoining in the County of *Warwick*.

35. An Act for continuing the Act for encouraging the Growth of Coffee in his Majeſty's Plantations in *America*; and alſo for continuing, under certain Regulations, ſo much of an Act as relates to the *Præmiums* upon the Importation of Maſts, Yards and Bowſprits, Tar, Pitch and Turpentine.

36. An Act for the better preventing Thefts and Robberies, and for regulating Places of publick Entertainment, and puniſhing Perſons keeping diſorderly Houſes.

37. An Act for better preventing the horrid Crime of Murder.

38. An Act for the more eaſy and ſpeedy Recovery of ſmall Debts within the Borough of Saint *Albans* in the County of *Hertford*; and the ſeveral Towns, Pariſhes, Wards, Hamlets and Places within the Liberty of Saint *Albans*.

39. An Act to obviate Doubts that may ariſe upon an Act made and paſſed in the eleventh and twelfth Years of the Reign of his late Majeſty King *William* the Third, intituled, *An Act to enable his Majeſty's Natural born Subjects to inherit the Eſtate of their Anceſtors, either Lineal or Collateral, notwithſtanding their Father or Mother were Aliens*.

40. An Act for the Application of a Sum of Money therein mentioned, granted to his Majeſty, for making Compenſation and Satisfaction to the Royal *African* Company of *England*, for their Charter, Lands, Forts, Caſtles, Slaves, Military Stores, and all other their Effects whatſoever; and to veſt the Lands, Forts, Caſtles, Slaves and Military Stores, and all other their Effects, in the Company of Merchants trading to *Africa*; and for other Purpoſes in the Act mentioned.

41. An Act for annexing certain forfeited Eſtates in *Scotland* to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to eſtabliſh a Method of managing the ſame; and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of *Scotland*; and preventing Diſorders there for the future.

42. An Act to render valid and effectual all Contracts and Agreements which ſhall be made by the Commiſſioners or Governors of the Royal Hoſpital for Seamen at *Greenwich*, for the Purchaſe of Lands, Tenements and Hereditaments, for the finiſhing and compleating the ſaid Hoſpital; and for aſcertaining the Recompence that ſhall be made for the ſame.

43. An Act for the more eaſy and ſpeedy Recovery of ſmall Debts in the Town and Port of *Liverpool*, and Liberties thereof, in the County Palatine of *Lancaſter*.

44. An Act to explain and amend an Act paſſed in the fifth

fifth Year of his preſent Majeſty's Reign, intituled, *An Act to enlarge the Pier and Harbour of* Scarborough *in the County of* York; and for making the ſaid Act more effectual.

45. An Act for the more eaſy and ſpeedy Recovery of ſmall Debts within the City and County of the City of *Canterbury*, and the Liberties and Precincts of the ſame.

46. An Act for repairing and widening the Road from *Alemouth* through the Town of *Alnwick*, to *Rothbury*, and from thence to the Town of *Hexham*, and alſo the Road leading out of the aforeſaid Road, between *Alnwick* and *Rothbury*, to *Jockey's Dike Bridge* in the County of *Northumberland*.

47. An Act for repairing and widening the Roads from the Eaſt End of *Monk Bridge*, near the Suburbs of the City of *York*, to *New Malton*, and from thence to *Scarborough* in the North Riding of the County of *York*; and alſo from *Spittle-houſe* in the Eaſt Riding of the ſaid County, to *Scarborough* aforeſaid.

48. An Act for repairing and widening the Road leading from a Part of the Road (directed to be repaired by an Act paſſed in the laſt Seſſion of Parliament, from *Carliſle* to *Newcaſtle upon Tyne*) near *Glenwell*, to another Part of the Road (ſo making from *Carliſle* to *Newcaſtle*) upon *Shildon Common* in the County of *Northumberland*.

49. An Act for repairing the High Road from the Town of *Shrewſbury*, through *Creſſage*, *Harley*, *Much Wenlock*, by *Muckley Croſs*, and through *Morville*, to *Bridgnorth* in the County of *Salop*.

50. An Act for repairing the Roads from the North End of *Malling Street*, near the Town of *Lewes*, to *Witch Croſs*, and from the North End of *Malling Street* aforeſaid, to the *Broil Park* Gate; and from *Offham* to *Witch Croſs* aforeſaid, all lying within the County of *Suſſex*.

51. An Act for amending and making more effectual ſeveral Acts for amending the Roads from the City of *London*, to *Eaſt Grinſtead* in the County of *Suſſex*; and to the Towns of *Sutton* and *Kingſton* in the County of *Surrey*; and for more effectually repairing the Road from *Newington*, through *Camberwell* in the ſaid County, to *New Croſs* in the County of *Kent*; and for repairing and widening the Road from *Camberwell Green*, to the *Fox under the Hill* in the Pariſh of *Camberwell*.

52. An Act for widening and repairing the Road from *Combebridge* in the County of *Somerſet*, to *Bradford*, in the County of *Wilts*; and from thence through *Hilperton*; and ſo far over *Aſhton Common*, as to join the Road which leads from *Steeple Aſhton* to *Trowbridge*; and alſo the Road leading from *Bradford* aforeſaid, to *Cockhill Gate* in the ſaid County of *Wilts*.

53. An Act for repairing the Road from *Knareſborough* in the County of *York*, by *Longflat Lane*, *Gouldſborough Fields*, *Flaxby*, *Allerton Mauleverer* and *Scate Moor*, to *Green Hammerton* in the ſame County; and for making the ſame a High Carriage Road.

54. An Act for amending the ſeveral Roads leading from the Town of *Taunton* in the County of *Somerſet*.

55. An Act for explaining and amending ſo much of an Act paſſed in the fourteenth Year of the Reign of his preſent Majeſty, for the repairing and enlarging the Roads from the Town of *Selby* in the Weſt Riding of the County of *York*, to the Town of *Leeds*; and from thence in two ſeveral Branches, one through *Bradford* and *Horton*, and the other through *Bowling* and *Wibſey*, to the Town of *Halifax* in the ſame Riding; as relates to that Part of the ſaid Roads which lies between *Leeds* and *Halifax*.

56. An Act for repairing the ſeveral Roads leading from the Town of *Bromyard* in the County of *Hereford*, to the ſeveral Places called the *Halfway Aſh* in the Pariſh of *Docklow*, *Herefordſhire Lake* in the Pariſh of *Whitburne*, *Perry Bridge* in the Pariſh of *Stoke Eliſs*, leading through the ſeveral Pariſhes of *Edwin*, *Ralph*, *Collington*, and the Hamlet of *Little Kyre*, *Sapey Wood* in the Pariſh of *Upper Sapey*, *Biſhop's Frome*, *Wooferwood Gate*, and *Herefordſhire Lake* in the ſaid Pariſh of *Bromyard* in the Counties of *Hereford* and *Worceſter*.

57. An Act for repairing and widening the Road leading from *Market Harborough* in the County of *Leiceſter*, through *Deſborough*, *Rowell*, *Kettering*, *Barton Seagrave* and *Thrapſton* in the County of *Northampton*; and through *Bythorne*, *Spaldwick* and *Ellington*, to the *Pound* in the Pariſh of *Brampton* in the County of *Huntingdon*.

58. An Act for repairing the Roads from the Town of *Leeds*, through *Harwood*, to the South Weſt Corner of the Incloſures of *Harrogate*; and from thence in two Branches (one through *Ripley*, over *Burage Green*, and the other through *Knareſborough* and *Boroughbridge*) to *Ripon*; and from thence to the firſt Rill of Water or Watercourſe on *Hutton Moor* in the County of *York*; and for repairing the Sloughs or Rutts on the ſaid Moor.

59. An Act for repairing and widening the Roads leading from *Chippenham Bridge* in the County of *Wilts*, to the Top of *Togg Hill* in the County of *Glouceſter*; and from *Chippenham Bridge* aforeſaid, to the Top of *Old Sodbury Hill* in the ſaid County of *Glouceſter*.

60. An Act for repairing and amending the ſeveral Roads leading from the Weſt End of *Upton Bridge* in the County of *Worceſter*, to the Pariſh of *Tirley* in the County of *Glouceſter*, and to the Pariſh of *Colwall* in the County of *Hereford*; and to the further Side of a Place called *The Rid Green* in the Road to the City of *Worceſter*, and through a Place called *Roberts End Street*, to *Malvern Chace* in the ſaid County of *Worceſter*.

PRIVATE ACTS.

Anno 25 *Geo.* II.

1. AN Act for enabling *George Oxenden* Eſquire, and his Heirs, to uſe the Surname, Arms and Creſt of *Dixwell*, purſuant to the Will of Sir *Baſil Dixwell* Baronet, deceaſed.

2. An Act for enabling *William* Duke of *Devonſhire*, to make Proviſion for his younger Sons, out of his Eſtate in the County of *Huntingdon*.

3. An Act for ſupplying certain Defects and Omiſſions in a Settlement of the Family Eſtates of *Peregrine* Duke of *Ancaſter* and *Keſteven*, by enabling him to raiſe Portions thereout for his Daughters, in the Manner therein mentioned.

4. An Act for impowering the Truſtees of the Will of *William* late Marqueſs of *Powis*, to make Sales, Exchanges, and Leaſes of divers Parts of his Eſtate, for the Purpoſes therein mentioned, and for making the Exemplification of the ſame Will, and atteſted Copies of the Inrollment thereof, Evidence in all Courts in *Great Britain*.

5. An Act to enable the Right Honourable *William* Lord *Blantyre*, and the Heirs of Entail for the time being, to alienate, by way of Exchange or Excambion, certain Lands in the Conſtabulary of *Hadington*, and Shire of *Edinburgh*.

6. An Act for confirming a Leaſe or Grant, made by the Deviſees of the Real Eſtate late of the Right Honourable *Buſſy*, late Lord *Manſel*, in the County of *Glamorgan*, to *Rowland Pytt* Iron-maſter, for certain Purpoſes therein expreſſed.

7. An Act for Sale of certain Eſtates in the Counties of *Norfolk* and *Suffolk*, comprized in the Marriage-Settlements of Sir *William Harbord* Baronet, and Knight of the moſt Honourable Order of the *Bath*, and for purchaſing other Eſtates to be ſettled to the like Uſes in lieu thereof.

8. An Act for providing and ſecuring Portions and Maintenance

nance for the younger Sons and Daughter of Sir *Thomas Heathcote* Baronet.

9. An Act for veſting divers Manors and Lands in the Counties of *Lancaſter* and *Cheſter*, deviſed by the Will of the late Sir *John Bland* Baronet, deceaſed, in the preſent Sir *John Bland*, in Fee-ſimple, diſcharged of the Truſt of the ſaid Will, and for ſettling an Eſtate in the County of *York*, in lieu thereof, and in Exchange for the ſame.
10. An Act for Sale of Part of the intailed Eſtate of Sir *George Mackinzie* Knight deceaſed, lying in that Part of *Great Britain* called *Scotland*, and for purchaſing other Eſtates to be ſettled to the ſame Uſes, and for other Purpoſes therein mentioned.
11. An Act for veſting divers Lands and Hereditaments in the County of *Oxford*, deviſed by the Will and Codicil of *Nathaniel Bacon* Eſquire, deceaſed, in *Edward Bacon* Eſquire, in Fee-ſimple, and for ſettling an Eſtate in the County of *Norfolk*, of greater Value to the Uſes limited by the ſame Will and Codicil.
12. An Act to impower the Guardians of *William Wyndham* Eſquire, an Infant, to make Leaſes and Copyhold Grants of his Eſtates, in the Manor of *Uphaven*, and in *Lufton* and *Odcombe* in the Counties of *Wilts* and *Somerſet*, during his Minority.
13. An Act for Sale of the Moiety of the Manor of *Icombe*, Part of the ſettled Eſtate of *Richard Hopton* Eſquire, and others, and laying out the Money ariſing thereby in the Purchaſe of an entire Eſtate, to be ſettled to the ſame Uſes.
14. An Act to impower the Committee or Committees of *Thomas Southcote* Eſquire, a Lunatick, for the Time being, to make Leaſes and Copyhold Grants of his Eſtates, in the Counties of *Berks*, *Eſſex* and *Surrey*, and for other Purpoſes therein mentioned.
15. An Act for veſting the Real Eſtate of *William Barneſley* Eſquire, deceaſed, in Truſtees for the Benefit of *William Barneſly* Eſquire, his only Son and Heir, who is a Lunatick; and for raiſing Money to pay the Coſts of ſeveral Suits and Proceedings at Law, and in Equity, brought for Recovery of the ſaid Eſtate.
16. An Act for veſting the Manor of *Stepney*, and divers Lands and Hereditaments in the Pariſh of *Stepney*, in the County of *Middleſex*, comprized in the Marriage Settlement of *John Wicker* Eſquire, in him and his Heirs, and for ſettling Lands in the Counties of *Suſſex*, *Surrey* and *Kent*, in lieu thereof, to the Uſes of that Settlement.
17. An Act to impower *John Preſton* Merchant, to make a Jointure on any future Marriage.
18. An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the time being, to compound with *George Whitehead* of *Briſtol*, Merchant, and his Sureties, *John Whitehead* and *Thomas Whitehead*, a Debt due to the Crown for Cuſtoms for Tobacco.
19. An Act to diſſolve the Marriage of *Daniel Laſcelles* of *London*, Merchant, with *Elizabeth Southwicke*, his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.
20. An Act to diſſolve the Marriage of *Thomas Benſon* Gentleman, with *Jane Board* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.
21. An Act to enable his Majeſty to grant the Inheritance of the Manor of *Crowland*, in the County of *Lincoln*, to Truſtees, in Truſt for *Thomas Orby Hunter* Eſquire, and his Heirs, upon a full and valuable Conſideration to be paid for the ſame.
22. An Act to extinguiſh the Right of the Lord of the Manor of *Ombersley*, in the County of *Worceſter*, of keeping a Warren for Conies on *Linall Common*, the *Birchin Valley*, and the *Lyth*, and for ſecuring to the ſaid Lord the Rent now paid for the ſame; and for annexing and uniting the ſaid *Birchin Valley* to ſeveral ancient Copyholds, or cuſtomary Tenements, within the ſaid Manor.
23. An Act for dividing and incloſing the Common Fields and Common Meadows of *Narborow*, otherwiſe *Narborough*, in the County of *Leiceſter*.
24. An Act for confirming Articles of Agreement, and an Award, for incloſing and dividing certain Waſtes and Commons in the Manor of *Ridley*, in the County of *Northumberland*.
25. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds and Waſte Grounds, in the Hamlet of *Drayton*, within the Pariſh of *Daventry*, in the County of *Northampton*.
26. An Act for eſtabliſhing and rendering effectual certain Articles of Agreement, for the incloſing and dividing the Commons and Waſte Grounds in the Townſhips of *Snaith*, *Cowick* and *Rawcliffe*, in the County of *York*.
27. An Act for incloſing and dividing *Wytham on the Hill Infield*, in the County of *Lincoln*, and for ſettling a Stipend on the Vicar in lieu of Glebe and Tythes.
28. An Act to impower *Richard Chandler* Eſquire, and *Elizabeth* his Wife, and their Iſſue, to take and uſe the Surname of *Cavendiſh*.
29. An Act to enable *John Cave*, now called *John Browne*, and his Iſſue, to take and uſe the Surname of *Browne*.
30. An Act to enable *Michael Archer* Eſquire, and his Iſſue Male, to take and uſe the Surname of *Newton* only, and to take and uſe the Coat of Arms of the Family of *Newton*.
31. An Act for naturalizing *Jane Magdalen Robelon*.
32. An Act for naturalizing *Francis Degen*.
33. An Act for naturalizing *John Matthias Miller*.
34. An Act for naturalizing *Frederick William Commerell*, *John Anthony Toopkin* and *Chriſtian Gottlieb Moſer*.
35. An Act for naturalizing *Chriſtian Samuel Geledneki*.
36. An Act for naturalizing *Philip Denoyer*.
37. An Act for naturalizing *James Fremeaux* Merchant.
38. An Act for naturalizing *Andrew Girardot*.
39. An Act for naturalizing *Peter Auriol* and *David Pratvil* of *London*, Merchants.
40. An Act for naturalizing *Andrew Annibal Leques*, and *Frederick Charles Auguſtus Blomberg*.
41. An Act for naturalizing *John Meybohm*.

PUBLICK ACTS.

Anno 26 *Geo.* II.

1. AN Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-three; and for enlarging the Time limited by an Act of the laſt Seſſion of Parliament, for ſubſcribing Annuities, after the Rate of three Pounds *per Centum per Annum*, into the Joint Stock of Annuities therein mentioned.
2. An Act to amend an Act made in the eight Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the better Recovery of the Penalties inflicted upon Perſons who deſtroy the Game*, by enlarging the Time within which Suits and Actions are to be brought by Force of the ſaid Act.
3. An Act for continuing the Duties upon Salt, and upon Red and White Herrings, for the Purpoſes therein mentioned.
4. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and fifty-three.
5. An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters.
6. An Act to oblige Ships more effectually to perform their Quarentine;

Quarentine; and for the better preventing the Plague being brought from Foreign Parts into *Great Britain* or *Ireland*, or the Iſles of *Guernſey*, *Jerſey*, *Alderney*, *Sark* or *Man*.

7. An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Borough of *Boſton*, and *Skirbeck Quarter*, and the Pariſhes of *Boſton* and *Skirbeck*, in the County of *Lincoln*.

8. An Act for opening the Port of *Exeter* for the Importation of Wool, and Woollen Yarn, from *Ireland*.

9. An Act to explain, amend and render more effectual, an Act made in the twenty-third Year of the Reign of his preſent Majeſty, intituled, *An Act for the Encouragement of the* Britiſh *White Herring Fiſhery*; and for regulating the ſaid Fiſhery according to the Calendar now in Uſe, and for other Purpoſes therein mentioned.

10. An Act for enlarging the Time, and continuing the Duties granted by ſeveral Acts of Parliament for Repairs of the Piers of *Bridlington*, alias *Burlington*, in the County of *York*; and for making the ſaid Acts more effectual.

11. An Act for permitting the Exportation of Wool, and Woollen or Bay Yarn, from any Port in *Ireland*, to any Port in *Great Britain*.

12. An Act to prevent Wines imported into any of the Out-ports of this Kingdom, being afterwards brought into the Port of *London*, or Parts adjacent, without paying the *London* Duty.

13. An Act for the more effectually preventing the fraudulent Removal of Tobacco by Land or Water, and for the Eaſe of the fair Trader in Tobacco; and for aſcertaining the Rates payable for the Portage of certain Letters; and for amending and explaining the Laws relating to the Sale of Spirituous Liquors by Retail.

14. An Act for the ſettling and aſcertaining the Fees to be taken by Clerks to Juſtices of the Peace.

15. An Act for allowing Intereſt upon certain Debentures for the Bounty granted on the Exportation of Corn.

16. An Act for reducing the Number of Directors of the Corporation of the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, and other Parts of *America*; and for encouraging the Fiſhery; and for regulating the Election of the Governor and Directors of the ſaid Company.

17. An Act for the more effectual levying of the Duties upon Windows or Lights, in that Part of *Great Britain* called *Scotland*.

18. An Act for enlarging and regulating the Trade into the *Levant* Seas.

19. An Act for enforcing the Laws againſt Perſons who ſhall ſteal or detain ſhipwrecked Goods; and for the Relief of Perſons ſuffering Loſſes thereby.

20. An Act for encouraging and improving the Manufactory of Linen in the Highlands of *Scotland*.

21. An Act for encouraging the Silk Manufactures of this Kingdom; and for ſecuring the Duties payable upon the Importation of Velvets, Wrought Silks, and Silks mixed with other Materials, not manufactured in *Great Britain*.

22. An Act for the Purchaſe of the *Muſeum*, or Collection of Sir *Hans Sloane*, and of the *Harleian* Collection of Manuſcripts; and for providing one General Repoſitory for the better Reception and more convenient Uſe of the ſaid Collections, and of the *Cottonian Library*, and of the Additions thereto.

23. An Act for granting to his Majeſty a certain Sum of Money therein mentioned, out of the Sinking Fund; and for applying certain Surplus Monies remaining in the Exchequer, for the Service of the Year one thouſand ſeven hundred and fifty-three; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for enlarging the Time limited by an Act of the laſt Seſſion of Parliament, for ſubſcribing Annuities after the Rate of three Pounds *per Centum per Annum*, and three Pounds ten Shillings *per Centum per Annum*, into the Joint Stock of Annuities; and for other Purpoſes therein mentioned.

24. An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers, Deviſees and Leſſees.

25. An Act to render more effectual an Act made in the twelfth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for providing a publick Reward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea*, with regard to the making Experiments of Propoſals made for diſcovering the Longitude; and to enlarge the Number of Commiſſioners for putting in Execution the ſaid Act.

26. An Act to permit Perſons profeſſing the *Jewiſh* Religion, to be naturalized by Parliament; and for other Purpoſes therein mentioned.

27. An Act to confirm certain Acts and Orders made by Juſtices of the Peace being of the Quorum, notwithſtanding any Defect in not expreſſing therein, that ſuch Juſtices of the Peace are of the Quorum.

28. An Act for the preventing of the Inconveniencies and Dangers that may ariſe from the preſent Methods of digging Gravel, Sand, Stone, Chalk and other Materials, on the ſeveral Commons and Waſte Grounds within this Kingdom, for the Repair of the Highways, and for other Purpoſes.

29. An Act to explain, amend and continue, the Proviſions made by two Acts of Parliament of the nineteenth and twenty-firſt Years of his Majeſty's Reign, for the more effectual diſarming the Highlands in *Scotland*, and to make Proviſion for the more ſpeedy aſcertaining the lawful Debts or Claims upon the Lands and Hereditaments, that ſome Time belonged to *Alexander Robertſon* of *Strowan*, which, with other forfeited Eſtates, are, by an Act of the twenty-fifth Year of his Majeſty's Reign, annexed to the Crown unalienable.

30. An Act for the Amendment and Preſervation of the publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto.

31. An Act for regulating the Manner of licenſing Alehouſes in that Part of *Great Britain* called *England*; and for the more eaſy convicting Perſons ſelling Ale, and other Liquors, without Licence.

32. An Act for continuing ſeveral Laws relating to the Puniſhment of Perſons going armed or diſguiſed, in Defiance of the Laws of Cuſtoms or Exciſe; to the Drawback of the Duties upon Copper Bars exported; and to the Duties upon Foreign-made Sail Cloth; and alſo for Encouragement of the Silk Manufactures; and for taking off ſeveral Duties on Merchandizes exported; and for encouraging the Trade of the Sugar Colonies in *America*; and for vacating the Security for the Duty on Salt loſt in any River, or in Port, after ſhipped, and for enlarging the Time for proving the Loſs of Salt; and for Relief of Maſters of Ships with reſpect to the Importation of Soap and Candles, contrary to an Act made in the twenty-third Year of his Majeſty's Reign; and alſo for the more effectual Payment of the Bounties upon *Britiſh* made Sail Cloth; and to impower the Commiſſioners of the Treaſury to direct the Payment of the Bounty to *John Henniker*, and others, upon four Ships fitted out for the Whale Fiſhery, and loſt in the *Greenland* Seas, and alſo to *Philip How*, and others, upon two Ships employed in the ſaid Fiſhery, notwithſtanding ſome of the Forms required

required by Law in fitting out ſuch Ships were not complied with.

33. An Act for the better preventing of Clandeſtine Marriages.

34. An Act to explain, amend and continue ſeveral Laws more effectually to prevent the ſpreading of the Diſtemper which now rages amongſt the Horned Cattle in this Kingdom; for the more effectual paying the Expences of paſſing Vagrants; for obviating Doubts that may ariſe touching the keeping of Priſoners until the Priſon of the Marſhalſea of the Court of *King's Bench* ſhall be rebuilt or repaired; and for amending ſo much of the Act of the twenty-fourth of his preſent Majeſty, for regulating the Commencement of the Year, and for correcting the Calendar now in Uſe, as relates to the Time of electing publick Officers of the City of *Cheſter*.

35. An Act for confirming an Agreement entered into between the Company of Proprietors of the Undertaking for recovering and preſerving the Navigation of the River *Dee*, and Sir *John Glynne* Baronet, Lord of the Manor of *Hawarden*, and ſeveral Freeholders and Occupiers of Land within the ſaid Manor; and for explaining and amending three ſeveral Acts of Parliament of the ſixth, fourteenth and ſeventeenth Years of his preſent Majeſty's Reign, for recovering and preſerving the Navigation of the ſaid River *Dee*.

36. An Act for erecting ſeveral publick Buildings in the City of *Edinburgh*, and to impower the Truſtees therein mentioned, to purchaſe Lands for that Purpoſe; and alſo for widening and enlarging the Streets of the ſaid City, and certain Avenues leading thereunto.

37. An Act for repairing the Road leading from the Town of *Penrith* in the County of *Cumberland*, by *Hutton Hall*, over *Skelton* and *Caſtleſowerby Paſtures*, and *Sebraham Bridge*, to *Chalkbeck* in the ſaid County; and alſo the Road which branches and ſeparates from the ſame Road upon *Caſtleſowerby Paſture* aforeſaid, and leads from thence through *Heſket*, otherwiſe *Heſket New Market*, to *Caldbeck* in the ſaid County.

38. An Act to enable the Pariſhioners of the Pariſh of *Stone*, in the County of *Stafford*, to rebuild the Church of the ſaid Pariſh.

39. An Act for repairing and widening ſeveral Roads leading from the Town of *Bewdley*, in the County of *Worceſter*, to the ſeveral Places therein mentioned, in the Counties of *Worceſter* and *Salop* reſpectively.

40. An Act for repairing the Roads from the City of *Carliſle*, to the Town of *Penrith* in the County of *Cumberland*, and from the ſaid Town of *Penrith*, to *Emont Bridge*, which divides the Counties of *Cumberland* and *Weſtmorland*.

41. An Act for continuing and making more effectual three Acts of Parliament, paſſed in the ninth and twelfth Years of the Reign of her late Majeſty Queen *Anne*, and the fifth Year of the Reign of his preſent Majeſty, for repairing the Highways between *Dunſtable* and *Hockliffe*, in the County of *Bedford*; and alſo for repairing the Road from the Sign of the *White Horſe* to the Sign of the *King's Arms* in *Hockliffe* aforeſaid.

42. An Act for repairing and widening the Road from the Weſt End of *Seend Street*, in the County of *Wilts*, to the *Horſe and Jockey*, in the Pariſh of *Box*, in the ſaid County.

43. An Act for enlarging the Church-yard of the Pariſh of *Paddington*, in the County of *Middleſex*.

44. An Act for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny Sterling, on every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped or ſold, within the Town of *Dyſart*, and Liberties thereof, and all Places adjacent, lying within three hundred Yards of the Boundaries of the ſaid Liberties, for repairing, improving and preſerving the Harbour of the ſaid Town.

45. An Act for building a new Church within the Town of *Mancheſter*, in the County Palatine of *Lancaſter*.

46. An Act for repairing the Road from the Borough of *Leiceſter*, in the County of *Leiceſter*, to the Town of *Aſhby de la Zouch* in the ſaid County.

47. An Act for repairing and widening ſeveral Roads leading from the Market-houſe in *Stourbridge*, and other Roads therein mentioned, in the Counties of *Worceſter*, *Stafford*, *Salop* and *Warwick* reſpectively.

48. An Act for enlarging the Term and Powers granted by an Act paſſed in the twentieth Year of the Reign of his preſent Majeſty, for repairing the High Road leading from the City of *Durham*, in the County of *Durham*, to *Tyne Bridge* in the ſaid County.

49. An Act for repairing the Road from the City of *Carliſle*, in the County of *Cumberland*, to the Market and Seaport Town of *Workington* in the ſaid County.

50. An Act for repairing and widening the Roads leading from *Redſtone Ferry*, in the County of *Worceſter*, to the *Hundred Houſe*; and from thence to *Monksbridge*, in the Road to the Town of *Tenbury*; and from the ſaid *Hundred Houſe*, to the ſaid Town of *Tenbury* in the ſaid County.

51. An Act for repairing and widening the Roads leading from a Place called *Baſing-ſtone*, near the Town of *Bagſhot*, in the Pariſh of *Windleſham*, in the County of *Surry*, through *Frimly* and *Farnham*, in the ſame County; and from thence through *Bentley*, *Hollyborn*, *Alton*, *Chawton*, *Ropley*, *Biſhop's Sutton*, *New Alresford* and *Mattingley*, otherwiſe *Matterley Lane*, to the City of *Wincheſter*, in the County of *Southampton*.

52. An Act for widening and repairing the High Road leading from *Heron Syke*, which divides the Counties of *Lancaſter* and *Weſtmorland*, to the Town of *Kirkby* in *Kendal*; and from the ſaid Town of *Kirkby* in *Kendal*, through the Town of *Shapp*, to *Emont Bridge*, in the ſaid County of *Weſtmorland*.

53. An Act to continue and render more effectual three Acts of Parliament, paſſed in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, and in the third and twenty-ſecond Years of the Reign of his preſent Majeſty, for repairing the Road from *Sherbrook Hill*, near *Buxton* and *Chapel in the Frith*, in the County of *Derby*, through the Town of *Stockport*, in the County of *Cheſter*, to *Mancheſter* in the County of *Lancaſter*, and other Roads in the ſaid Acts mentioned; and for repairing the Road from the *School Houſe* in *Didſbury*, to the Bridge in *Wimſlow*, in the County of *Cheſter*; and for erecting a Bridge over the River *Merſey*.

54. An Act for repairing and widening the Road leading from *Flimwell Vent*, in the Pariſh of *Ticehurſt*, in the County of *Suſſex*, to the Town and Port of *Haſtings*, in the ſaid County.

55. An Act for enlarging the Term and Powers granted by an Act made in the eleventh Year of his preſent Majeſty's Reign, intituled, *An Act for repairing the Road from* Shoreditch Church, *through* Hackney, *to* Stanford Hill, *and croſs* Cambridge Heath, *over* Bethnal Green, *to the Turnpike at* Mile End, *in the County of* Middleſex.

56. An Act for continuing and giving further Powers to the Truſtees for putting in Execution two Acts of Parliament for repairing the Roads from the Pariſh of *Enfield*, in the County of *Middleſex*, to the Town of *Hertford*, and other Roads in the ſaid Acts mentioned.

57. An Act for raiſing a Sum of Money by a County Rate, for purchaſing a proper Priſon for Debtors in the County of *Devon*.

58. An Act for building a Chapel on the Common, in the Pariſh of *Portſea*, in the County of *Southampton*, and for veſting

veſting Power in certain Truſtees for the Regulation thereof.

59. An Act for repairing and widening the Road from the Weſt End of the Town of *Burton upon Trent*, in the County of *Stafford*, through the ſaid Town, to the South End of the Town of *Derby*, in the County of *Derby*.

60. An Act for repairing and widening the Road from the Top of *White Sheet Hill*, in the Pariſh of *Donhead Saint Andrew*, in the County of *Wilts*, through the Towns of *Shafteſbury*, *Milborne Port* and *Sherborne*, in the Counties of *Dorſet* and *Somerſet*, to the *Halfway Houſe*, in the Pariſh of *Nether* otherwiſe *Lower Compton*, in the ſaid County of *Dorſet*, and ſeveral other Roads near the Towns of *Shafteſbury* and *Sherborne* aforeſaid.

61. An Act for enlarging the Term and Powers granted by an Act paſſed in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing the Road leading from* Ealand, *to the Town of* Leeds, *in the Weſt Riding of the County of* York.

62. An Act for repairing and widening the Roads from *Henſhalls Smithy*, upon *Cranage Green*, through the Town of *Nether Knutsford*, and by the *South Guide Poſt* in *Mere* and *Bucklow Hill*, to the Town of *Altrincham*, in the County Palatine of *Cheſter*; and from the ſaid *Guide Poſt* to *Warrington*, in the County of *Lancaſter*; and from *Bucklow Hill* aforeſaid, to *Penny's Lane*, near *Northwich*, in the ſaid County of *Cheſter*.

63. An Act for repairing and widening the Roads from a certain Place in the Town of *Salford*, to the Towns of *Warrington* and *Bolton*, and through *Wardley Lane*, to the Town of *Wigan*, and to the *Stocks* in the Townſhip of *Duxbury*, and to a Place called the *Broad Oak*, in *Worſeley*, in the County Palatine of *Lancaſter*.

64. An Act for repairing and widening the Road from *Tadcaſter*, through *Newton*, *Gollingham*, *Harewood*, *Arthington* and *Pool*, to *Otley*, in the Weſt Riding of the County of *York*.

65. An Act for enlarging the Term and Powers granted by two Acts of Parliament, one paſſed in the twelfth Year of the Reign of his late Majeſty King *George the* Firſt, and the other paſſed in the nineteenth Year of the Reign of his preſent Majeſty, for repairing the Road from *Liverpool* to *Preſcot*, and other Roads therein mentioned, in the County Palatine of *Lancaſter*; and alſo for repairing the Road from *Preſcot*, through *Whiſton*, *Rainhill*, *Bold* and *Sankey*, to the Town of *Warrington*, and alſo the Road from *Saint Helen* to *Aſhton*, in the ſaid County Palatine.

66. An Act for repairing and widening the Roads leading from *Lobcomb Corner*, in the Pariſh of *Winterſlow*, to *Harnham Bridge*, in the County of *Wilts*; and from the Weſt Corner of Saint *Anne's Street*, in the City of *New Sarum*, to the Pariſhes of *Landford* and *Brook*; and from thence to *Ealing*, and from *Landford* aforeſaid, through *Ower* and *Teſtwood*, to *Ealing* aforeſaid, in the County of *Southampton*.

67. An Act for repairing and widening the Road from the Eaſt End of *Brough under Stainmore*, in the County of *Weſtmorland*, by the End of *Appleby Bridge*, to *Eimont Bridge* in the ſaid County.

68. An Act for amending, widening and repairing, the Road leading from *Dover* to *Barham Downs*, in the County of *Kent*.

69. An Act for repairing and widening the Road from the *Halfway Houſe*, in the Pariſh of *Lower Compton*, in the County of *Dorſet*, through the Towns of *Yeovil*, *Crewkerne*, and *Chard*, to the Eaſt End of the Town of *Axminſter*, in the County of *Devon*, and ſeveral other Roads, round the ſaid Town of *Yeovil*, in the County of *Somerſet*.

70. An Act for repairing and widening the Roads from the *Hand and Poſt* in *Upton Field*, in the Pariſh of *Burford*, in the County of *Oxford*, through the ſeveral Pariſhes within mentioned, to a Place in the Pariſh of *Preſton*, in the County of *Glouceſter*, called *Dancy's Fancy*.

71. An Act for repairing and widening the Roads therein mentioned, leading to and from the Towns of *Shepton Malet* and *Ivelcheſter*, in the County of *Somerſet*.

72. An Act for continuing and making more effectual two Acts of Parliament for repairing the Roads leading from *Ipſwich* to *Cleydon*, in the County of *Suffolk*, and other Roads in the ſaid Acts mentioned; and for repairing the Road from *Cleydon* aforeſaid, to *Codenham Beacon*, in the ſaid County.

73. An Act to continue and render more effectual two Acts of Parliament, one paſſed in the tenth Year of the Reign of his late Majeſty King *George* the Firſt, and the other paſſed in the thirteenth Year of the Reign of his preſent Majeſty, for repairing the Road from *Dunchurch*, to the Bottom of *Mereden Hill*, in the County of *Warwick*, and for repairing the Road from the Bottom of *Mereden Hill* aforeſaid, to *Stone Bridge*, in the ſaid County.

74. An Act for amending ſeveral Roads leading from the City of *Exeter*.

75. An Act for widening and repairing the High Road leading from *Northallerton*, to the South Wall of the Churchyard of the Town of *Thirſk*, and from the South Eaſt End of the Street called *Finkell Street*, in *Thirſk* aforeſaid, to and through the Town of *Eaſingwold*, in the County of *York*, to a Place called *Burton Stone*, near the City of *York*; and alſo the Road from *Thirſk* aforeſaid, to *Topcliffe*, in the North Riding of the County of *York*.

76. An Act for repairing and widening the Road leading from *Pipers Inn*, in the Pariſh of *Aſhcott*, in the County of *Somerſet*, to and through *Glaſton*, otherwiſe *Glaſtonbury* and *Wells*, to the Direction or White Poſt, in the great Weſtern Road to the City of *Bath*; and alſo from *Wells* to *Ruſh Hill*, leading to the City of *Briſtol*.

77. An Act to explain and make more effectual an Act paſſed in the fourteenth Year of his preſent Majeſty's Reign, *For repairing the Roads from* Doncaſter, *through* Ferry Bridge, *to the South Side of* Tadcaſter Croſs; *and alſo from* Ferry Bridge *to* Wetherby, *and from thence to* Borough Bridge *in the County of* York.

78. An Act to widen and repair the Road from the Guide Poſt near the End of *Drayton Lane*, near *Banbury* in the County of *Oxford*, to the Houſe called the *Sun Riſing*, at the Top of *Edge Hill* in the County of *Warwick*.

79. An Act for laying a Duty of two Pennies *Scots*, or a ſixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped or ſold within the Town and Pariſh of *Preſton Pans* in the Shire of *Eaſt Lothian*, otherwiſe *Haddingtoun*, for repairing the Harbour of the ſaid Town, and for other Purpoſes therein mentioned.

80. An Act to continue and render more effectual ſeveral Acts of Parliament for repairing the Highways leading to *Highgate Gatehouſe*, and *Hampſtead*, and other Roads in the ſaid Acts mentioned in the County of *Middleſex*.

81. An Act for repairing the Roads from *Livingſtoun*, by the Kirk of *Shotts*, to the City of *Glaſgow*, and by the Town of *Hamilton*, to the Town of *Strathaven*.

82. An Act for repairing the Road from the Turnpike Road at *Buckton Burn* in the County of *Durham*, through *Berwick upon Tweed*, to *Lammerton Hill*, and alſo the ſeveral other Roads therein mentioned, lying in the ſaid County, and within the Liberties of the ſaid Town of *Berwick*.

83. An Act for repairing and widening the Roads from *Kighley* to *Wakefield* and *Haliſax*, and from *Dudley Hill* to *Killinghall*, and the South Weſt Corner of *Harrowgate Incloſures*, and more effectually to repair the Roads from *Leeds*

Leeds to *Halifax*, and *Bowling Lane*, and *Little Horton Lane*, and for building a Bridge over the River *Wharf* at *Poole* in the West Riding of the County of *York*.

84. An Act for repairing and widening the Roads from *Spann Smithy* in the Townſhip of *Elton*, through the Town of *Middlewich*, and by *Spittle Hill* in *Stanthorne*, to *Winsford Bridge*; and from *Spittle Hill*, to the Town of *Northwich* in the County Palatine of *Cheſter*.

85. An Act for repairing the Road from *Aſhby de la Zouch* in the County of *Leiceſter*, through *Burton upon Trent* in the County of *Stafford*, and to the *Cock Inn* in *Tutbury* in the ſaid County.

86. An Act for repairing, amending and widening the Road from *Kieghley* in the Weſt Riding of the County of *York*, to *Kirkby* in *Kendal* in the County of *Weſtmorland*.

87. An Act for repairing and widening the Road from the Stones End near *Shoreditch* Church, to the Centre of the Bridge in *Old-Street* Road, and through *Old-Street* in the Pariſh of Saint *Luke*, *Middleſex*, to the Weſt End of the ſaid Street, next the Pavement in *Goſwell-Street*.

88. An Act for repairing the Road leading from *Oundle* in the County of *Northampton*, to *Alconbury cum Weſton* in the County of *Huntingdon*, from *Barnwell* in the ſaid County of *Northampton*, to *Alconbury cum Weſton* aforeſaid, and from the *Mile Brook* in *Hamerton*, to *Wood Lane End*, next the Pariſh of *Great Gidding* in the ſaid County of *Huntingdon*.

89. An Act for explaining, amending and making more effectual, two Acts of Parliament, the one paſſed in the twentieth Year of his preſent Majeſty's Reign, intituled, *An Act for repairing the High Road leading from the Town of* Stockton upon Tees *in the County of* Durham, *to* Darlington, *and from thence through* Winſtone, *to* Bernard Caſtle *in the ſaid County*; and the other paſſed in the twenty-ſecond Year of his ſaid Majeſty's Reign, intituled, *An Act for enlarging the Term and Powers granted by the ſaid firſt mentioned Act, and for the effectual amending of the ſaid Road.*

90. An Act for repairing ſeveral Roads leading into the City of *Glaſgow*.

91. An Act for repairing the Road from *North Queen's Ferry*, through the Towns of *Inverkeithing* and *Kinroſs*, to the Town of *Perth*; and alſo the Road from the ſaid *Queen's Ferry*, to the Towns of *Dumfermline*, *Torryburn* and *Culroſs*; and alſo the Road from the ſaid *Queen's Ferry*, through *Inverkeithing*, to *Bruntiſland* and *Kirkaldie*.

92. An Act for repairing, amending and widening the ſeveral Roads leading from the *Red Poſt* in the Pariſh of *Fivehead*, through the Towns of *Langport* and *Somerton*, to *Butwell*; and alſo from *Curry Rivell* to *Puckington Lane*, and from *Cary Bridge* to *Street Croſs* in the County of *Somerſet*.

93. An Act for repairing and widening the ſeveral Roads in the County of *Peebles*, leading from *Tweed Croſs* towards the City of *Edinburgh*, by *Blyth Bridge*, *La Mancha* and *Wheam*, and by *Linton* and *Carlops*, and from *Ingleſton* through *Carlops*, until all the ſaid Roads join the Limits of the County of *Edinburgh*.

94. An Act to enable the Owners of Houſes and Lands in the Pariſh of Saint *Botolph* without *Alderſgate*, and the Inhabitants thereof, to repair the Church and Steeple belonging to the ſaid Pariſh.

95. An Act to explain and amend an Act paſſed in the twentieth Year of his preſent Majeſty's Reign, intituled, *An Act for repairing the Road leading from* Catherick Bridge *in the County of* York, *to* Yarm *in the ſaid County*; *and from thence to* Stockton *in the County of* Durham; *and from thence through* Sedgefield *in the ſaid County of* Durham, *to the City of* Durham.

96. An Act for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny Sterling, on every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped or ſold within the Town of *Paiſley*, and Liberties thereof in the County of *Renfrew*, for improving the Navigation of the River *Cart*, and for other Purpoſes.

97. An Act for the better Relief and Employment of the Poor in the Pariſh of Saint *George*, *Hanover Square*, within the Liberty of the City of *Weſtminſter*, and for cleanſing the Streets and repairing the Highways within the ſaid Pariſh.

98. An Act more effectually to enable the Pariſhioners of the Pariſh of *Chriſt Church* in the County of *Middleſex*, to purchaſe, hire or erect, a Workhouſe for the Employing and maintaining the Poor of the ſaid Pariſh, and for the more effectual Support and Employment of the Poor therein.

99. An Act for the better Relief and Employment of the Poor, and for enlightening the Streets, Paſſages and open Places, within the City of *Chicheſter*, and ſeveral Places adjoining thereto, and the Cloſe within the ſaid City.

100. An Act for the better Relief and Employment of the Poor in the Pariſh of *Eaſt Greenwich* in the County of *Kent*, and for repairing the Highways, and cleanſing the Streets thereof.

101. An Act to enable *James Mallors* to open a Street from the Weſt Side of *King's Street* in the Pariſh of Saint *Margaret* in the City of *Weſtminſter*, to the back Part of the Houſes, Gardens and Yards, on the Weſt Side of *Delahaye Street* in the ſame Pariſh, and for other Purpoſes therein mentioned.

PRIVATE ACTS.

Anno 26 Geo. II.

1. AN Act for naturalizing *Frederick Hoffgaard*.

2. An Act to enable *John Peploe Birch*, an Infant, heretofore called *John Peploe*, to take and uſe the Surname of *Peploe Birch* only, purſuant to the Will of *Samuel Birch* Eſquire, deceaſed.

3. An Act for enabling *Abraham Charleton* Eſquire, now called *Abraham Cumberbatch*, and his Iſſue Male, to take and uſe the Surname of *Cumberbatch*.

4. An Act for naturalizing *Daniel Boumeeſter*, *James Rilliet*, *Anthony Bertrand*, *Frederick Teiſe*, *Francis Brouzet* and *George Grand*.

5. An Act to naturalize *John Henry Schoen*, *Peter Rodolph*, *George Alexander Fatio*, *William Du Bois*, *William Konink* and *Henry Klauſing*.

6. An Act for naturalizing *Jacob Valk*.

7. An Act for naturalizing *Beat Rodolph Victor Nerbel*.

8. An Act for making the Exemplification of the laſt Will of *Henry* late Earl of *Shelburne* in the Kingdom of *Ireland*, deceaſed, Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*.

9. An Act for ſettling a yearly Rent on the Rector of *Puſey* in the County of *Berks*, and his Succeſſors, in lieu of his Tythes, and Part of his Glebe, and veſting the ſaid Tythes and Glebe in *John Allen Puſey* Eſquire, and his Heirs.

10. An Act for Sale of divers Lands and Hereditaments in the County of *Glouceſter*, deviſed by the Will of *Alice Gilbert*, Spinſter, for raiſing Money to diſcharge ſeveral Debts and Legacies, and for laying out the Surplus in the Purchaſe of Lands, to be ſettled to the Uſes of her Will.

11. An Act for Sale of an undivided Share of Tythes in the Iſle of *Wight*, ſettled on *John Foyle Small*, *Mary Small* his Wife, and *John Small* their Son, an Infant, and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of an Eſtate in the County of *Glouceſter*, to be ſettled to the ſame Uſes.

12. An Act to enable *Theodore William Inge* Eſquire, to make

The TITLES of the STATUTES.

make Building Leaſes of Part of his ſettled Eſtate, ſituate in or near *Birmingham* in the County of *Warwick*.

13. An Act for confirming and eſtabliſhing Articles of Agreement for incloſing and dividing *Canſwick*, alias *Watlas Moor* in the County of *York*.

14. An Act for dividing, incloſing and reducing into Severalty, the Lands in the Common Fields, Common Grounds, Paſture or Feeding Grounds, and all other the Lands lying open in the Pariſh of *Quennington* in the County of *Glouceſter*.

15. An Act for dividing and incloſing the Common, Open and Arable Fields, Meadows and Waſte Grounds in the Hamlet of *Hinton* in the Pariſh of *Woodford cum Membris* in the County of *Northampton*.

16. An Act to naturalize *John James Schweighauſer*, *David Girard*, *Chriſtian Von Hohendorff*, *John Lewis André* and *Andrew Sellon*.

17. An Act for naturalizing of *John David Barbutt* and *Fortunatus Planta*.

18. An Act to naturalize *Mary Sybella Harriſon*.

19. An Act for veſting the undivided twelfth Part of *Ann Jekyll*, an Infant, in the Real Eſtate of Sir *Joſeph Jekyll* Knight, deceaſed, in Truſtees, to enable them to convey the ſame to the Purchaſers thereof, under a Decree of the Court of *Chancery*.

20. An Act for veſting one undivided fourth Part of *Elizabeth Knight*, of and in divers Manors, Lands and Hereditaments in the County of *York*, late the Eſtate of *Robert Plompton* Eſquire, deceaſed, in Truſtees, in Truſt to ſell the ſame for the Purpoſes therein mentioned.

21. An Act for veſting the Eſtate of *Edmund Moreton Pleydell* Eſquire, in Truſtees, to ſettle the ſame, purſuant to an Agreement made previous to the Marriage of *Edmund Moreton Pleydell* the younger, Eſquire, with *Anne* his Wife, and for other Purpoſes therein mentioned.

22. An Act to enable *Evelyn Chadwicke* Eſquire, and his Wife, and their Iſſue, to make Building Leaſes of Part of his ſettled Eſtate in the Pariſhes of Saint *James*, *Weſtminſter*, and Saint *Martin in the Fields*.

23. An Act for eſtabliſhing and rendering effectual certain Articles for the Sale of the Manor, or reputed Manor, and divers Lands, Tenements and Hereditaments, at *Kexby* in the County of *York*, late the Eſtate of *Charles Headlam* Eſquire, deceaſed, and for veſting the undivided third Part or Share of *Ann Headlam*, Spinſter, an Infant, of and in the ſaid Manor and Premiſſes, in Truſtees, in Truſt to convey the ſame purſuant to the ſaid Articles, and for other Purpoſes therein mentioned.

24. An Act for confirming an Agreement between *George Pitt* Eſquire, and the Rector of the Church of *Stratfield-ſea* in the County of *Southampton*, for Exchange of Lands in the ſaid Pariſh, and to enable *George Pitt* to take down the preſent, and erect a new Pariſh Church there; and for making Roads to the ſaid Church.

25. An Act for confirming and eſtabliſhing an Exchange agreed upon between the Prebendary of the Prebend of *Stillington*, and *Stephen Croft* Eſquire, of certain Lands and Hereditaments in the County of *York*.

26. An Act to diſſolve the Marriage of *John Ennever* Gentleman, with *Mary Cornwell* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

27. An Act for exchanging, dividing, incloſing and reducing into Severalty, the Lands, Common Grounds, Paſtures, Feeding Grounds, and other the Lands and Grounds lying and being in the Manor and Pariſh of *Eaſtlech-martin*, otherwiſe *Botherup* in the County of *Glouceſter*; and for making a Recompence in Compenſation to the Rector in lieu of his Tythes and Glebe Lands.

28. An Act for confirming and eſtabliſhing an Agreement for incloſing and dividing certain Common and Waſte Grounds in the Manor of *Loathley* in the County of *York*.

29. An Act for incloſing and dividing certain Waſtes and Commons in the Manor of *Hexham* in the County of *Northumberland*.

30. An Act for enabling *John Latchmore*, and his Iſſue, to take and uſe the Surname of *Frye*.

31. An Act for naturalizing *Chriſtian Maurice Rodatz*.

32. An Act for Sale of an Eſtate at *Bretherton* in the County of *Lancaſter*, purſuant to the Will of *John* late Earl of *Aſhburnham* deceaſed, and for the Purpoſes therein mentioned.

33. An Act for confirming and eſtabliſhing a Partition of ſeveral Manors, Lands and Hereditaments in the County of *York*, belonging to Sir *Cyril Wich* Baronet, *Elizabeth Wilſon* and *Mary Turton* reſpectively, and a Settlement made thereof, for the Benefit of the ſeveral Parties intitled to the ſeveral undivided Shares thereof before ſuch Partition.

34. An Act to impower the Guardians of *Francis Fitz Roy Scudamore*, an Infant, to make Building Leaſes of her Eſtate in *Southwark* in the County of *Surry*.

35. An Act for Sale of the undivided Moieties of divers Manors, Lands and Hereditaments in the County of *Suffolk*, the ſettled Eſtate of *Matthew Manning*, Doctor in Phyſick, for raiſing Money to diſcharge a Mortgage Debt affecting the ſame, and for laying out the Surplus thereof in the Purchaſe of other Lands and Hereditaments, to be ſettled to the Uſes therein mentioned.

36. An Act for veſting the Parts or Shares late belonging to *Benjamin Brain*, Merchant, deceaſed, of and in one twenty-fourth Part of the Eaſtern Diviſion of the Province of *New Jerſey* in *America*, in Truſtees, to be ſold for the Purpoſes therein mentioned.

37. An Act for veſting the Advowſon of *Long Ditton* in the County of *Surrey*, in Truſtees, to be ſold, and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of Lands, to be ſettled to the ſame Uſes, and for other Purpoſes therein mentioned.

38. An Act for veſting the Eſtate late of *William Rawſtorn* Eſquire, at *Baſſeldon* in the County of *Berks*, in Truſtees, to ſell the ſame, and to lay out the Money ariſing by ſuch Sale, in the Purchaſe of another Eſtate, to be ſettled to the Uſes of his Will.

39. An Act to enable *John Craigie* of *Dumbarine* Eſquire, to ſell Lands in the County of *Perth*, and lay out the Money ariſing thereby in the Purchaſe of Lands contiguous to other Lands of the ſaid *John Craigie* in the County of *Fife*, and for other Purpoſes therein mentioned.

40. An Act to impower *William Hunt Grubbe* Eſquire, to make Leaſes of certain Eſtates in the County of *Wilts*, and for veſting the Monies ariſing by Fines to be received for ſuch Leaſes, in Truſtees, for the Purpoſes therein mentioned.

41. An Act for veſting certain Lands and Hereditaments, Part of the ſettled Eſtate of *Valentine Knightley* Eſquire, in the County of *Northampton*, in the ſaid *Valentine Knightley*, and his Heirs, and for ſettling other Eſtates in the ſame County, of greater Value, in lieu thereof.

42. An Act for confirming the Will of *Littleton Pointz Meynell* Eſquire, deceaſed, and for making Proviſion for *Godfrey Meynell* Eſquire, his eldeſt Son and Heir, and *Judith Meynell* his Daughter; and for enabling *Hugo Meynell* Eſquire, his ſecond Son and Deviſee, to make a Jointure during his Minority, and for ſettling the Eſtates of the ſaid *Littleton Pointz Meynell* to the Uſes therein mentioned.

43. An Act for raiſing Money by Sale of the Eſtates late of *Hugh Fowler* of *Robeſtone*, in the County of *Pembroke*, Eſquire, deceaſed, to diſcharge the Debts and Incum-

brances affecting the ſame, and for making a Partition of ſuch Eſtates, or ſo much thereof as ſhall not be ſold, for the Purpoſes aforeſaid.

44. An Act to diſſolve the Marriage of *Samuel Low*, Eſquire, with *Elizabeth Rogers* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

45. An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the time being, to compound with *John Philpot* and *John Hutchinſon*, and their Sureties, a Debt due to the Crown for Cuſtoms for Tobacco.

46. An Act for dividing and incloſing the Common called *Felton Common*, in the Pariſh of *Felton*, in the County of *Northumberland*.

47. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds, and Waſte Ground, in the Manor and Pariſh of *Hilmorton*, in the County of *Warwick*.

PUBLICK ACTS.

Anno 27 Georgii II.

1. AN Act to repeal an Act of the twenty-ſixth Year of his Majeſty's Reign, intituled, *An Act to permit Perſons profeſſing the* Jewiſh *Religion to be naturalized by Parliament; and for other Purpoſes therein mentioned.*

2. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-four.

3. An Act for the better ſecuring to Conſtables, and others, the Expences of conveying Offenders to Gaol; and for allowing the Charges of poor Perſons bound to give Evidence againſt Felons.

4. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and fifty-four.

5. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

6. An Act to repeal a Proviſo in an Act made in the twentieth Year of his preſent Majeſty's Reign, intituled, *An Act for the better adjuſting and more eaſy Recovery of the Wages of certain Servants, and for the better Regulation of ſuch Servants, and of certain Apprentices*, which provides that the ſaid Act ſhall not extend to the Stannaries in *Devon* and *Cornwall*.

7. An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Clocks and Watches.

8. An Act for improving and enlarging the Harbour of *Leith*, and to empower the Truſtees therein mentioned to purchaſe Lands for that Purpoſe; and for erecting Docks and other Conveniencies on the Sides thereof.

9. An Act for puniſhing Mutiny and Deſertion of Officers and Soldiers in the Service of the United Company of Merchants of *England* trading to the *Eaſt Indies*; and for the Puniſhment of Offences committed in the *Eaſt Indies*, or at the Iſland of *Saint Helena*.

10. An Act for granting to his Majeſty a certain Sum of Money therein mentioned, out of the Sinking Fund; and applying certain Surplus Monies remaining in the Exchequer for the Service of the Year one thouſand ſeven hundred and fifty-four; and for the further Diſpoſition of the ſaid Sinking Fund, by paying thereout the Remainder of the Sum advanced on the Credit of the Duty on Sweets, and the Intereſt thereof; and for carrying the ſaid Duty to the ſaid Fund; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

11. An Act to continue the Duties for Encouragement of the Coinage of Money; and for removing Doubts concerning the Continuance of the Duty of twenty Shillings for every Ton of Brandy, Wines and Strong Waters imported.

12. An Act for improving and preſerving the Navigation from *Salter's Load Sluice* in the County of *Norfolk*, to *Standground Sluice* in the County of *Huntingdon*; and from *Flood's Ferry* in the Iſle of *Ely* in the County of *Cambridge*, to *Ramſey High Load* in the ſaid County of *Huntingdon*; and alſo the Navigation from *Old Bedford Sluice* in the ſaid County of *Norfolk*, to the River *Nene* in the Pariſh of *Ramſey*, in the ſaid County of *Huntingdon*.

13. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Promotions within the Time limited by Law; and for allowing further Time for that Purpoſe.

14. An Act to continue ſeveral Laws relating to the Diſtemper now raging among the Horned Cattle in this Kingdom.

15. An Act to explain and amend an Act made in the ninth Year of the Reign of his late Majeſty King *George the* Firſt, intituled, *An Act for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed and diſguiſed, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects; and for the ſpeedy bringing the Offenders to Juſtice.*

16. An Act for making perpetual ſeveral Laws for puniſhment of Perſons deſtroying Turnpikes, Locks, or other Works erected by Authority of Parliament; and that all Acts made for erecting Courts of Conſcience, ſhall be deemed publick Acts; and to impower a certain Number of the Truſtees of the *Britiſh Muſeum* to do certain Acts; and for confirming the Table of Fees to be taken by the Clerks to the Juſtices of the Peace for the County of *Middleſex*; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices; and for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and for preventing Perſons driving certain Carriages from riding upon ſuch Carriages.

17. An Act for veſting in the Crown the Power of appointing the Marſhal of the *Marſhalſea* of the Court of *King's Bench*; and for the better Regulation of that Office, and of the inferior Offices thereto belonging; and for rebuilding the *King's Bench* Priſon.

18. An Act to continue ſeveral Laws for prohibiting the Importation of Books reprinted Abroad, and firſt compoſed or written, and printed in *Great Britain*; for the free Importation of Cochineal, or Indico, and relating to Rice, Frauds in the Cuſtoms, the clandeſtine Running of Goods, and to Copper Ore; and for the better Encouragement of the making of Sail Cloth in *Great Britain*; and to authorize the Payment of the Bounty to *Alexander Brown* and others, upon a Ship fitted out for the Whale Fiſhery, and loſt in the *Greenland* Seas; and for the more effectual Payment of the Bounties upon *Britiſh* made Sail Cloth to *Robert Donald* and others.

19. An Act for diſcharging the Corporation of the Governor, Bailiffs and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called *Bedford Level*, from a Debt due to the Duke of *Bedford* and Earl of *Lincoln*; and for enabling the Proprietors of Lands in the *North Level*, Part of the ſaid Great Level, to raiſe Money to diſcharge the Proportion of the ſaid *North Level*, in the Debts of the ſaid Corporation; and for aſcertaining and appropriating the Taxes to be laid on the ſaid *North Level*; and for the more effectual draining and preſerving the ſaid *North Level*, and divers Lands adjoining thereto in the Manor of *Crowland*.

20. An Act for the more eaſy and effectual proceeding upon Diſtreſſes to be made by Warrants of Juſtices of the Peace.

21. An

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21. An Act to continue and render more effectual an Act paſſed in the thirteenth Year of the Reign of his preſent Majeſty, for repairing the Road between *Hockcliffe* in the County of *Bedford*, and *Stony Stratford* in the County of *Buckingham*.
22. An Act for enlarging the Term and Powers granted by an Act of Parliament paſſed in the eleventh Year of the Reign of his preſent Majeſty, for repairing the Road leading from the *Trent Bridge*, in the County of the Town of *Nottingham*, through *Coſtock*, otherwiſe *Cortling ſtock Lane*, to the Bridges commonly known by the Name of *Cotes Bridges*, in the County of *Leiceſter*; and for making the ſaid Act more effectual.
23. An Act for repairing and widening the Road from the City of *Peterborough*, through *Oundle* and *Thrapſton*, to *Wellingborough* in the County of *Northampton*.
24. An Act for amending, widening and keeping in Repair, the Road leading from *Union Point*, near the Town of *Uckfield* in the County of *Suſſex*, to *Langney Bridge* in the Pariſh of *Weſtham* in the ſaid County.
25. An Act for the better enlightening and cleanſing the open Places, Squares, Streets, Lanes, Alleys, Paſſages and Courts, within the Pariſh of Saint *Luke* in the County of *Middleſex*; and regulating the Nightly Watch and Bedels; and for repairing the Highways withing the ſaid Pariſh.
26. An Act for enlarging the Term and Powers granted by an Act made in the ninth Year of his preſent Majeſty's Reign, intituled, *An Act for repairing and widening the Road leading from* Saint Dunſtan's Croſs, *near the City of* Canterbury, *to the Water-ſide at* Whitſtable *in the County of* Kent.
27. An Act to explain, amend and render more effectual an Act paſſed in the twenty-ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing ſeveral Roads leading into the City of* Glaſgow.
28. An Act for explaining, amending and rendering more effectual, an Act made in the twenty-fifth Year of his preſent Majeſty's Reign, *For repairing and widening the Road leading from* Market Harborough *in the County of* Leiceſter, *through* Deſborough, Rowell, Kettering, Barton Seagrave *and* Thrapſton, *in the County of* Northampton; *and through* Bythorne, Spaldwick *and* Ellington, *to the* Pound *in the Pariſh of* Brampton, *in the County of* Huntingdon.
29. An Act for enlarging the Term and Powers granted by an Act paſſed in the twenty-firſt Year of the Reign of his preſent Majeſty, for repairing the High Road from *Piercebridge* to *Kirkmerrington*, in the County of *Durham*, and from thence to the Turnpike Road at *Tudhoe Lane End* in the ſaid County; and for making the ſame more effectual.
30. An Act for repairing and widening the Road from the Borough of *Leiceſter*, to and by the North Side of the Town of *Uppingham* in the County of *Rutland*; and to *Wansford* in the County of *Northampton*; and from thence to *Peterborough* in the ſaid County of *Northampton*.
31. An Act for repairing and widening the Road leading from the Toll-gate in the Pariſh of *Kettering*, through the Town of *Wellingborough*, in the County of *Northampton*; and through *Olney* over *Sherrington Bridge*, to *Newport Pagnell*, in the County of *Bucks*; and for repairing and widening, or rebuilding the ſaid *Sherrington Bridge*.
32. An Act for repairing and widening the Road from a certain Intrenchment on *Aſkerſwell-hill*, oppoſite to *Chiecombe Farm*, through the Town of *Bridport* to *Penn Inn*; and from *Bridport* aforeſaid to the Town of *Beaminſter*, in the County of *Dorſet*; and alſo the Road from *Penn Inn* aforeſaid, through the Town of *Axminſter*, to the Workhouſe at the Eaſt End of the Town of *Honiton* in the County of *Devon*.
33. An Act for repairing and widening the High Road from *Weſtwood-gate*, in the Pariſh of *Knotting*, in the County of *Bedford*, through the Towns of *Ruſhden* and *Higham Ferrers*, and over *Artleborough-bridge*, to the Turnpike Road in *Barton-Seagrave-Lane*, in the Pariſh of *Barton-Seagrave*, in the County of *Northampton*.
34. An Act for repairing and widening the High Road from a Place called *Saint Loyds*, in the Town of *Bedford*, through the Pariſhes of *Bromham*, *Stagſden*, *Aſtwood*, *Hardmead* and *Chichley*, to the Way Poſt in *Sherrington Field*, where the ſaid Road joins the High Road from the Town of *Olney* to the Town of *Newport Pagnell*; and alſo the High Road from *Bromham* aforeſaid, through the Pariſhes of *Turvy* and *Colebrayfield*, to the Town of *Launden*, otherwiſe *Lavenden*, in the Counties of *Bedford* and *Buckingham*; and for applying Part of the Money ariſing thereby towards repairing, rebuilding or widening, *Sherrington Bridge*, in the Road from the ſaid Way Poſt, to the ſaid Town of *Newport Pagnell*,
35. An Act for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny *Sterling*, upon every *Scots* Pint of Ale and Beer brewed for Sale, vended or ſold within the Town and Barony of *Alloa*, in the County of *Clackmannan*; and alſo a Duty of Anchorage for Ships and Veſſels anchoring in the Harbour of the ſaid Town, for repairing the Pier of the ſaid Harbour.
36. An Act for repairing and widening the Roads from the Borough of *Stratford upon Avon*, in the County of *Warwick*, through *Alceſter* in the ſaid County, and *Feckenham*, to a Place called *Bradley Brook*, in the County of *Worceſter*; and from *Alceſter* through *Great Coughton* and *Crabs Croſs* in the ſaid County of *Warwick*; and through *Hewell Lane* and *Burcott*, to the *Croſs of Hands* on a Common called the *Leekhay*; and out of *Hewell Lane* through *Church Lane* and *Tutnell* to *Bromſgrove*, in the ſaid County of *Worceſter*.
37. An Act for enlarging the Term and Powers granted by an Act made in the eighth Year of the Reign of his preſent Majeſty, for repairing and widening the Road from the Town of *Rochdale* in the County Palatine of *Lancaſter*, leading over a certain Craggy Mountain called *Blackſtone Edge* in the ſame County; and from thence to the Towns of *Halifax* and *Ealand* in the County of *York*.
38. An Act for the better Relief and Employment of the Poor in the Pariſh of Saint *Nicholas Deptford* in the County of *Kent*, and in the Pariſh of Saint *Paul Deptford* in the Counties of *Kent* and *Surry*; and for repairing the Highways, and paving and cleanſing the Streets, in the ſaid Pariſhes.
39. An Act for repairing and widening the Road from the North End of *Bridgeford Lane* in the County of *Nottingham*, to and through ſeveral Towns and Places in the Counties of *Nottingham*, *Leiceſter*, *Rutland*, and through *Rockingham*, to the *Bowling Green* at *Kettering* in the County of *Northampton*.
40. An Act for opening, making, widening and keeping in Repair, a Road from *Ratcliff Highway*, through *Cannons Street* in the County of *Middleſex*, into the Road leading into the County of *Eſſex*; and alſo from the Weſt End of *Brook Street* into *Cable Street*, and from *Upper Shadwell Street* into the Back Lane in the ſaid County of *Middleſex*.
41. An Act for amending and widening ſeveral Roads, leading from the Borough of *Truro* in the County of *Cornwall*.
42. An Act for repairing and widening the Road from *Leiceſter* to *Narborough*, and from *Leiceſter* to *Coventry*, and from thence through *Kenilworth* to *Warwick*, and from thence

thence to *Halford Bridge*, and from *Warwick* to *Stratford upon Avon*, and from *Coventry* to *Martyn's Gutter*, leading towards *Stoneleigh Town*; and for ſupplying an Omiſſion in an Act paſſed in the laſt Seſſion of Parliament for repairing the Road from *Leiceſter* to *Aſhby de la Zouch* in the County of *Leiceſter*.

PRIVATE ACTS.

Anno 27 Georgii II.

1. AN Act to enable *John Granger* Eſquire, and his Heirs to take and uſe the Surname of *Leman*, and to bear the Arms of Sir *William Leman* deceaſed.
2. An Act for naturalizing *John Iſaac Bazin*, *Lewis Ogier*, *Peter Guinard*, and others.
3. An Act for naturalizing *Frederick Van Gehren*.
4. An Act for naturalizing *Caſper Grevenkop*.
5. An Act for confirming and eſtabliſhing an Exchange agreed upon between the Vicar of *Gilling*, and *James Shuttleworth* Eſquire, of certain Lands and Hereditaments in the County of *York*, and for other Purpoſes therein mentioned.
6. An Act for veſting the Eſtate of *William Kemp* Eſquire, deceaſed in Truſtees, to be ſold purſuant to Articles, and for applying the Purchaſe-money for the Benefit of the Children of the ſaid *William Kemp*, in ſuch Manner as is directed by the ſaid Articles.
7. An Act to impower the Committee of the Eſtate of *Elizabeth Kitchen* Widow, a Lunatick, one of the Siſters and Coheirs of Sir *Samuel Newman* Baronet, deceaſed, to make Leaſes of her Eſtate during her Lunacy.
8. An Act for dividing and incloſing Part of a certain Waſte or Common, called *Symonburn Common*, in the Manor and Pariſh of *Simonburn*, in the County of *Northumberland*.
9. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Pieces, Common Grounds and Waſte Ground, in the Manor and Pariſh of *Welton*, in the County of *Northampton*.
10. An Act for dividing and incloſing of *Great Shildon Common*, or *Shildon Moor*, within the Manor and Barony of *Bywell*, in the County of *Northumberland*.
11. An Act for eſtabliſhing, and rendering effectual certain Articles of Agreement for incloſing and dividing the Common Fields and Common Grounds in the Manor and Pariſh of *Normanton*, in the County of *Lincoln*.
12. An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the time being, to compound with *Thomas Squire*, *Robert Lucas*, and *Robert Stevenſon*, a Debt due to the Crown from *Philip Chapman*, for which they are Sureties.
13. An Act to enable *John Lade*, heretofore called *John Inſkip*, and the Heirs Male of his Body, to take and uſe the Surname of *Lade* only, purſuant to the Will of Sir *John Lade* Baronet, deceaſed.
14. An Act for naturalizing *Daniel Mourgue*, Merchant, and *Amy Rilliet*.
15. An Act for naturalizing *John Ulric Comerell*.
16. An Act for naturalizing *Paul Bonifas*.
17. An Act to enable *William* Lord *Cavendiſh* of *Hardwyck*, to take in *England* the Oath of Office of High Treaſurer of *Ireland*, and to qualify himſelf here in *England* for the legal Enjoyment of the ſaid Office.
18. An Act for Sale of a Capital Meſſuage in *Lincoln's Inn Fields*, in the Pariſh of Saint *Giles in the Fields*, in the County of *Middleſex*, and the Garden Ground and Out-houſes thereunto belonging (Part of the Eſtate of the moſt Noble *Charles* late Duke of *Somerſet*, deceaſed) and veſting the ſame in *Edmund Browne* of *Lincoln's Inn* Eſquire, and his Heirs for ever, and for laying out the Purchaſe-money in Lands and Hereditaments to be ſettled to the like Uſes, and upon the like Truſts, as the ſaid Capital Meſſuage and Premiſſes are now ſettled, and ſubject unto.
19. An Act for veſting the Manor of *Hendon*, ſettled on the Marriage of the Earl and Counteſs of *Powis* on them and their Iſſue, in Truſtees, to be ſold towards diſcharging the Debts and Incumbrances of *William* late Marquis of *Powis*; and for ſettling the Barony and Lordſhip of *Powis*, in the County of *Montgomery*, in lieu thereof; and for other Purpoſes therein mentioned.
20. An Act for rectifying a Miſtake in a Conveyance in Fee-farm, made by *Henry Arthur* Earl of *Powis*, of the Manor of *Mount Eagle Loyal*, and divers Towns, Lands and Hereditaments, in the County of *Kerry*, and making the ſame Conveyance effectual for the Purpoſes therein mentioned.
21. An Act for veſting divers Lands and Hereditaments in the County of *Somerſet*, contracted to be ſold by *Hugh* late Earl of *Clinton*, in his Life-time, in Truſtees, to enable them to convey the ſame to the ſeveral Purchaſers thereof, purſuant to their Contracts.
22. An Act for impowering Truſtees to cut down and ſell Timber ſtanding and growing upon the Eſtate of Inheritance of *Thomas James* Lord *Bulkeley*, Viſcount *Caſhels*, in the Kingdom of *Ireland*, an Infant, in order to raiſe Money for diſcharging Incumbrances affecting the ſaid Eſtate, and for other Purpoſes therein mentioned.
23. An Act to enable *Charles Fitzroy Scudamore* Eſquire, to take in *Great Britain* the Oath of Office as Curſitor, or Clerk, or Ingroſſer of original Writs iſſuing out of his Majeſty's High Court of *Chancery* in the Kingdom of *Ireland*, and to qualify himſelf for the Enjoyment of the ſaid Office.
24. An Act for veſting the Eſtate of *George Pitt* Eſquire, in the County of *Suffolk*, and Part of his Eſtate in the Iſle of *Purbeck*, in the County of *Dorſet*, in Truſtees, to ſell the ſame, and to apply the Purchaſe-money for diſcharging Incumbrances affecting his ſettled Eſtate, and for making Recompence to him for the Charges and Expences of making Buildings and Improvements upon the ſame Eſtate.
25. An Act for veſting the undivided ſixth Part of *Robert Colebrooke* Eſquire, of and in the Manor of *Goldſtone*, and divers Lands in the Pariſh of *Aſh* in the County of *Kent*, in Truſtees, and their Heirs, to enable them to make ſuch Conveyances thereof, as ſhall be neceſſary for effecting a Partition agreed upon between the ſaid *Robert Colebrooke*, and the Owners of the other undivided Parts of the ſame Manor and Premiſſes.
26. An Act for impowering *Anne Speke*, an Infant, to make Leaſes and Copyhold Grants of her Eſtates in the County of *Somerſet*, during her Minority, and for other Purpoſes therein mentioned.
27. An Act for Sale of the ſettled Eſtates of Sir *Theophilus Biddulph* Baronet, in the County of *Stafford*, and City and County of the City of *Litchfield*, for raiſing Money to diſcharge Incumbrances affecting the ſame, and for laying out the Surplus in the Purchaſe of other Lands, to be ſettled to the Uſes therein mentioned.
28. An Act for veſting certain Eſtates of Sir *Iſaac Lawrence Woollaſton* Baronet, an Infant, ſituate in the Iſle of *Ely*, and Counties of *Cambridge*, *Huntingdon*, *Lincoln*, and *Norfolk*, in Truſtees, to be ſold or mortgaged, to raiſe Money for the Payment of his ſiſters Portions, and for other Purpoſes therein mentioned.
29. An Act for veſting the Eſtates of *John Powel Pryce* Eſquire, in the County of *Montgomery*, comprized in his Marriage Articles, in Truſtees, to raiſe Money by Sale of Part thereof, for diſcharging Incumbrances affecting the ſame, and for ſettling other Part thereof purſuant to the ſaid Articles.
30. An Act for veſting a Leaſe granted by the Dean and Chapter

Chapter of *Canterbury*, to *Ann Teniſon* Widow, deceaſed, of the Manor of *Elverton*, with the Appurtenances, in the County of *Kent*, in *Peter Saint Eloy*, and *Samuel Smith*, in Truſt for *Thomas Teniſon*, an Infant, and his Heirs, and for other Purpoſes therein mentioned.

31. An Act for Sale of Part of the ſettled Eſtates of *Robert Barber* Eſquire, for diſcharging Debts and Incumbrances, and for impowering him to ſell and exchange other Parts of the ſettled Eſtates for the purchaſing and acquiring other Lands of equal or greater Value, to be ſettled in lieu thereof.

32. An Act for exempting and exonerating the Eſtates deviſed by the Will of *William Huddleſton* Eſquire, deceaſed, to be ſold, from the Jointure on *Gertrude Rigby*, Wife of *Townley Rigby* Eſquire, and for charging an Annuity or Rent-charge of equal Value on the Eſtates entailed by the ſaid Will, and more effectually to enable the Truſtees of the ſaid *William Huddleſton* to execute the Truſts repoſed in them by the ſaid Will.

33. An Act for eſtabliſhing and rendering effectual ſeveral Settlements and Agreements made and entered into by *Hugh Barker* the younger, Eſquire, deceaſed, for making a Proviſion for his Mother and Wife, and their Children reſpectively.

34. An Act for veſting Part of the Eſtate of *Charles Daly* Eſquire, in the Kingdom of *Ireland*, in Truſtees to be ſold for the Payment of Incumbrances affecting the ſame, prior to his Marriage Settlement.

35. An Act to diſſolve the Marriage of *Charles Wymondeſold* Eſquire, with *Henrietta Knight* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

36. An Act to diſſolve the Marriage of *Peter Henley* Eſquire, with *Suſannah Roberts* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

37. An Act to diſſolve the Marriage of *John Maydwell* with *Catherine Perrin* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

38. An Act for naturalizing *Mary Noguier* Widow, and for qualifying and enabling her, out of the Eſtate deviſed by the Will of *John Noguier* her Huſband, to make a Proviſion for *Anthony Noguier* her only Son and Heir.

39. An Act for naturalizing *Charles Shreiber* and *Jean François Maximillien de Cerjat*.

PUBLICK ACTS.

Anno 28 *Geo.* II.

1. AN Act for the Relief of the Out-Penſioners of the Royal Hoſpital at *Chelſea*.

2. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-five.

3. An Act to indemnify Members of Cities, Corporations and Borough Towns, who have neglected to take the Oaths of Office, and to ſtamp their Admiſſions; and for allowing them further Time for thoſe Purpoſes.

4. An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters.

5. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and fifty-five; and for the Relief of the Inhabitants of certain Places in the County of *Lincoln*, in reſpect of Arrears of the Land Tax.

6. An Act for taking away Mortuaries in the Archdeaconry of *Cheſter*, and giving a Recompence therefore to the Biſhop of *Cheſter* as Archdeacon of *Cheſter*, who holds and enjoys the ſaid Archdeaconry in Right of his See.

7. An Act concerning the Offices of Sheriff Depute and Steward Depute, in that Part of *Great Britain* called *Scotland*.

8. An Act for making navigable the River or Brook called *Sankey Brook*, and the three ſeveral Branches thereof, from the River *Merſey* below *Sankey Bridges*, up to *Boardman's* Stone Bridge on the South Branch, to *Gerard's* Bridge on the Middle Branch thereof, and to *Penny Bridge* on the North Branch thereof, all in the County Palatine of *Lancaſter*; and alſo for adjuſting the Meaſure of Coal, to be brought down the ſaid River or Brook, and ſold within the Town of *Liverpool* in the ſaid County.

9. An Act to prevent the holding of any Market for the future in the High Street of the Borough of *Southwark* in the County of *Surry*.

10. An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers.

11. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

12. An Act to explain and amend a Clauſe in an Act made in the fifth Year of the Reign of Queen *Anne*, intituled, *An Act for the better Preſervation of the Game*, in relation to the ſelling or offering to Sale any Game.

13. An Act for Relief of Inſolvent Debtors.

14. An Act for further explaining, amending, and rendering more effectual, an Act made in the twenty-third Year of the Reign of his preſent Majeſty, intituled, *An Act for the Encouragement of the* Britiſh *White Herring Fiſhery*; and for giving further Encouragement for the carrying on the ſaid Fiſhery; and for other Purpoſes therein mentioned.

15. An Act for granting to his Majeſty the Sum of one million, to be raiſed by a Lottery.

16. An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Veſſels.

17. An Act to amend an Act made in the twenty-ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for the Amendment and Preſervation of the Publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto.*

18. An Act to continue ſeveral Laws relating to the Diſtemper now raging among the Horned Cattle in this Kingdom.

19. An Act for making perpetual an Act paſſed in the twenty-fifth Year of the Reign of his preſent Majeſty, for the better preventing Thefts and Robberies, and for regulating Places of publick Entertainment, and puniſhing Perſons keeping diſorderly Houſes; for the further puniſhing Perſons ſelling Ale or other Liquors without Licence; for the preventing the burning or deſtroying of Goſs, Furze or Fern, in Foreſts or Chaces; for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices, and for the filing of Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors.

20. An Act for continuing, explaining and amending the ſeveral Acts of Parliament made for the further Encouragement of the Whale Fiſhery carried on by his Majeſty's Subjects; and to authorize the Payment of the Bounty to *Thomas Hood* and others, upon three Ships fitted out for the ſaid Fiſhery, and loſt in the *Greenland Seas*.

21. An Act for making more effectual the Laws prohibiting the Importation of Spirituous Liquors in Caſks or Veſſels not containing ſixty Gallons, and of Tea above the Quantity of ſix Pounds, found on Board any *Britiſh* Ship or Veſſel, not belonging to, or employed by the *Eaſt India* Company.

22. An Act for granting to his Majeſty a certain Sum of Money therein mentioned, out of the Sinking Fund; and

and applying certain Monies remaining in the Exchequer, for the Service of the Year one thouſand ſeven hundred and fifty-five; and for carrying the Surplus of certain Duties to the Sinking Fund; and for the further appropriating the Supplies granted in this Seſſion of Parliament.

23. An Act to enable the Churchwardens, Overſeers and Inhabitants of the Pariſh of Saint *Saviour*, in the Borough of *Southwark*, in the County of *Surry*, to hold a Market within the ſaid Pariſh, not interfering with the High Street in the ſaid Borough.

24. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Promotions within the Time limited by Law; and for allowing further Time for that Purpoſe.

25. An Act for continuing an Act, intituled, *An Act for encouraging the making of* Indico *in the* Britiſh *Plantations in* America.

26. An Act for repairing and widening the Road from the High Bridge in the Town of *Ramſey* in the County of *Huntingdon*, through *King's Ripton*, to the Weſt End of *Saint Peter's Lane* in the Pariſh of *Saint John*, within the Borough of *Huntingdon*.

27. An Act for explaining, amending, and making more effectual ſeveral Acts of Parliament, relating to the Maintenance and Employment of the Poor of the Town of *Kingſton upon Hull*; and for better paving, preſerving and cleanſing the Streets, Squares, Lanes and Alleys in the ſaid Town, and preventing Obſtructions therein; and for preſerving the Lamps, which ſhall be ſet up to enlighten the Streets of the ſaid Town, and ſecuring the Property of ſuch Lamps to the Owners.

28. An Act for repairing and widening the Road from *Sutton* in the County of *Surry*, through the Borough of *Reigate*, by *Sidlow Mill*, to *Povey Croſs*, and from *Sutton* aforeſaid, through *Cheam*, and over *Howell Hill* to *Ewell*; and alſo the Road from *Tadworth*, by the *Wind-Mill*, to the Bottom of *Pebble Hill* in the ſaid County.

29. An Act for continuing and rendering more effectual an Act paſſed in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for continuing the Duty of two Pennies* Scots, *or one Sixth of a Penny Sterling, on every Pint of Ale and Beer, that ſhall be vended or ſold within the City of* Glaſgow, *and for extending the ſame over the Villages of* Gorbels *and* Port Glaſgow, *and Privileges thereof, for the Benefit of the ſaid City and Villages.*

30. An Act to continue and render more effectual two Acts of Parliament paſſed in the ſixth and twelfth Years of the Reign of his late Majeſty King *George*, for repairing the Roads from *Stevenage* in the County of *Hertford*, to *Bigleſwade* in the County of *Bedford*; and for repairing the Roads from the North End of the ſaid Roads to the Toll-gate at the North End of the ſaid Town of *Bigleſwade*.

31. An Act for repairing and widening the ſeveral Roads therein mentioned, leading to, through and from the Town of *Monmouth*.

32. An Act for eſtabliſhing, maintaining and well governing a Nightly Watch within the City of *Briſtol*.

33. An Act for repairing the Road from the North End of *Brown's Lane* in *Great Stoughton* in the County of *Huntingdon*, through *Kimbolton* and *Higham Ferrers*, to the Way Poſt near *Wellingborough Bridge* in the County of *Northampton*, and from the Pound in *Kimbolton*, to the Way Poſt in *Great Catworth Field*, near *Brington Bridge* in the ſaid County of *Huntingdon*.

34. An Act for erecting and building a New Chapel in the Town of *Wolverhampton* in the County of *Stafford*.

35. An Act for repairing the Road from a certain Place in *Bury* in the County of *Huntingdon*, through *Warboys*, *Old Hurſt*, *Saint Ives*, *Hilton*, *Eltiſley*, *Wareſley*, *Gamlingay* and *Potton*, to a Houſe called the *Spread Eagle* in *Stratton*, within the ſeveral Counties of *Huntingdon*, *Cambridge* and *Bedford*.

36. An Act to continue and render more effectual ſeveral Acts for repairing the Road from *Stump Croſs* to *Newmarket Heath*, and the Town of *Cambridge*; for repairing the Road from *Foulmire* to *Cambridge*; and for repairing other ruinous Parts in the Highways adjacent to the Road from *Foulmire* to *Cambridge*.

37. An Act for the better enlightening and cleanſing the open Places, Squares, Streets, Lanes, Alleys, Paſſages and Courts within the Pariſh of Saint *Bartholomew the Great*, *London*; and regulating the Nightly Watch and Beadles within the ſaid Pariſh.

38. An Act for the better Relief and Employment of the Poor of the Borough of *Dunheved*, otherwiſe *Launceſton*, and Pariſh of Saint *Mary Magdalen* in the County of *Cornwall*.

39. An Act for enlarging the Term and Powers granted by an Act of the twenty-fourth Year of his preſent Majeſty's Reign, intituled, *An Act for repairing the High Roads in the County of* Edinburgh, *to and from the City of* Edinburgh, *and from* Crammond Bridge *to the Town of* Queen's Ferry *in the County of* Linlithgow; and for making the ſaid Act more effectual.

40. An Act for repairing and widening the Road from the Town of *Market Harborough* in the County of *Leiceſter*, through the Town of *Lutterworth* in the ſaid County, to the City of *Coventry*.

41. An Act for enlightening the Streets and Lanes, and regulating the Pavements, in the Town of *Leeds* in the County of *York*.

42. An Act for enlarging the Term and Powers granted by an Act paſſed in the ninth Year of the Reign of his preſent Majeſty, for repairing the Roads leading from *Henley Bridge* in the County of *Oxford*, to *Dorcheſter Bridge*, and from thence to *Culham Bridge*, and to a Place called *Mile-ſtone*, in the Road leading to *Magdalen Bridge* in the ſaid County, and for widening the ſaid Roads; and alſo for repairing and widening the Roads leading from the End of *Culham Bridge* next to *Culham* in the County of *Oxford*, to the End of *Burford Bridge* next to *Abingdon* in the County of *Berks*, and from the *Mayor's Stone* at the End of the *Boar Street* in the Town of *Abingdon* aforeſaid, to *Shipton* in the ſaid County of *Berks*, and from thence to the Weſt End of the Town of *Fyfield* in the ſame County.

43. An Act for eſtabliſhing and maintaining a Ferry acroſs the River *Thames*, between the Hamlet of *Ratcliff* in the County of *Middleſex*, and the Pariſh of *Rotherhithe* in the County of *Surry*.

44. An Act for repairing and widening the Road from *Baſingſtoke*, through *Wortin*, *Overton*, *Whitchurch*, *Hurſborn*, *Pryors*, *Andover* and *Middle Wallop* in the County of *Southampton*, to a Place called *Lobcomb Corner*, in the Pariſh of *Winterſlow* in the County of *Wilts*.

45. An Act for widening and repairing the Road leading from *Horſham* in the County of *Suſſex*, through *Capell*, *Dorking*, *Mickleham* and *Leatherhead*, to the Watch-houſe in *Ebbiſham* in the County of *Surry*; and from *Capell*, to *Stone Street* in the Pariſh of *Ockley* in the ſaid County of *Surry*.

46. An Act for repairing and widening the Roads leading from the *Croſs of Hand*, near *Finford Bridge* in the County of *Warwick*, through the Town of *Southam* in the ſame County, to the Borough of *Banbury* in the County of *Oxford*, and from the *Guide Poſt* in the Village of *Adderbury* in the ſame County, through *Kidlington*, to the *Mile-way* leading towards the City of *Oxford*; and alſo the Road leading from a Place called the *Two Mile Tree* near the

the City of *Oxford*, over *Gosford*, otherwiſe *Goſſard Bridge*, to a certain Gate entering upon *Weſton on the Green* in the ſaid County.

47. An Act for repairing and widening the Road from *The Hand and Poſt* at the top of *Burford Lane* in the County of *Glouceſter*, to *Stow on the Wold*, and from thence to *Halford Bridge* in the County of *Warwick*; and alſo the Road from *The Croſs Hands* on *Salford Hill*, to *The Hand and Poſt* in the Pariſh of *Dowdeſwell* in the County of *Glouceſter*.

48. An Act for repairing and widening the Roads therein mentioned, lying within the Borough of *Droitwich* in the County of *Worceſter*, or leading from the ſaid Borough, to the ſeveral Places therein mentioned in the ſaid County.

49. An Act for repairing and widening the Road from *Chudleigh Bridge* in the Pariſh of *Hennock* in the County of *Devon*, through the Town and Borough of *Aſhburton*, to *Brent Bridge* in the Pariſh of *South Brent* in the ſaid County.

50. An Act for amending and widening the Roads from the Weſt End of *Toller Lane*, near *Bradford*, through *Haworth* in the County of *York*, to a Place called *Blue Bell*, near *Colne* in the County of *Lancaſter*, and from a Place called the *Two Laws*, to *Kighley* in the ſaid County of *York*.

51. An Act for repairing and widening the Road from *Thirſk*, over *Shipton Bridge*, through *Balderſby*, to *Balderſby Gate*, adjoining to *Hutton Moor* in the way to *Ripon*, and through *Ainderby Quernhow* and *Noſterfield*, by *Well-flaſhes Gate*, to *Maſham* in the County of *York*; and likewiſe for removing the Toll-houſe and Turnpike-gates at *Buſby Stobb* in the ſaid County, to ſome other convenient Place in the Road leading from *Borough Bridge* to the City of *Durham*.

52. An Act for amending, altering, continuing and making more effectual two Acts of Parliament made in the ſecond and ſeventeenth Years of his preſent Majeſty's Reign, for repairing the Roads from *Coleſhill* in the County of *Warwick*, through the City of *Litchfield*, to *Stone* in the County of *Stafford*, and from thence to the City of *Cheſter*, and ſeveral other Roads in the ſaid Acts mentioned; and for enlarging the Term and Powers in the ſaid ſeveral Acts.

53. An Act for repairing and widening the Roads from *Rochdale* to *Burnley* in the County of *Lancaſter*.

54. An Act to enable the Reverend *William Markham* Doctor of Laws, and *Thomas Salter* Eſquire, to build Houſes, and open a Square in and upon a certain Piece of Ground called *Dean's Yard*, *Weſtminſter*, and to ſeveral Pieces of Ground contiguous thereto.

55. An Act for building a Bridge over the Water or Haven between the Town of *Sandwich*, and the oppoſite Shore in the County of *Kent*.

56. An Act to enable the Pariſhioners of the Pariſh of the *Holy Trinity*, in *Guldeford* in the County of *Surry*, to ſell divers Houſes, Lands, Rents and Annuities in the ſaid Pariſh, and in *Stoke* next *Guldeford* aforeſaid; and to apply the Money ariſing by Sale thereof, towards rebuilding their Pariſh Church, and for other Purpoſes therein mentioned.

57. An Act for amending, widening and keeping in Repair, the Roads from *Epſom*, through *Ewell*, to *Tooting*, and from *Ewell*, to *Kingſton upon Thames*, and *Thames Ditton* in the County of *Surry*.

58. An Act for repairing and widening the Roads from the Town of *Mancheſter*, by a Place called the *White Smithy* in the Townſhip of *Crumpſall*, to the Town of *Rochdale*, and from the ſaid Place called the *White Smithy*, by a Place called *Beſſes of the Barn*, to the Town of *Bury*, and from the ſaid Place called *Beſſes of the Barn*, to *Radcliffe Bridge* in the County Palatine of *Lancaſter*.

59. An Act for repairing, widening and amending the Road from *Cocking End*, near *Addingham* in the Weſt Riding of the County of *York*, through *Kildwick*, to *Black Lane End* in the County Palatine of *Lancaſter*.

60. An Act for repairing and widening the Roads from the Town of *Leeds* in the Weſt Riding of the County of *York*, through *Otley*, *Skipton*, *Colne*, *Burnley* and *Blackburn*, to *Burſcough Bridge* in *Walton* in the County of *Lancaſter*, and from *Skipton*, through *Giſburn* and *Clitheroe*, to *Preſton* in the ſaid County of *Lancaſter*.

PRIVATE ACTS.

Anno 27 & 28 *Geo* II. *Seſſ.* 1.

AN Act for naturalizing *Peter Michael Morin*.

Anno 28 *Geo.* II. *Seſſ.* 2.

1. AN Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds and Waſte Ground, in the Manor and Pariſh of *Great Harborough* in the County of *Warwick*.

2. An Act for naturalizing *Arnold Mello*, *John Swiccard Heinzelman* and *James Banal*.

3. An Act for veſting *Montagu* Houſe in Truſtees, and their Heirs, freed and diſcharged from all the Eſtates, Uſes and Agreements, to which at preſent it ſtands limited and appointed, upon Truſt, to convey the ſame to the Truſtees of the *Britiſh Muſeum*, for a General Repoſitory, and upon ſuch other Truſts as are therein mentioned.

4. An Act to impower the Executors of *Auguſtus*, late Earl of *Berkeley*, to make Leaſes of his Eſtates in *Glouceſterſhire*, during the Minority of his Children.

5. An Act for veſting a Copyhold Meſſuage or Tenement in the County of *Middleſex*, with the Appurtenances, deviſed by the Will of *Mary*, late Dutcheſs of *Northumberland*, in Truſtees, to enable them to ſell and convey the ſame to the Lady *Jane Coke*, purſuant to an Agreement for that Purpoſe, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of another Eſtate, to be ſettled to the Uſes appointed by the ſaid Will.

6. An Act for confirming and eſtabliſhing an Agreement between the Principal of *Saint Mary Magdalen Hall* in the Univerſity of *Oxford*, and *Ellis Saint John* Clerk, for exchanging the Advowſon of the Church of *Southmoreton* in the County of *Berks*, for the alternate Preſentation of the Church of *Finchamſtead* in the ſaid County.

7. An Act for exchanging of Lands between the Mayor and Commonalty and Citizens of the City of *London*, Governors of *Chriſt's Hoſpital*, and *John Leman* Eſquire.

8. An Act for explaining and making more effectual a Power contained in the Will of Sir *William Morice* Baronet, for making Leaſes of his ſeveral Eſtates in the Counties of *Devon* and *Cornwall*.

9. An Act for Sale of Part of the Eſtate late of Sir *Thomas Stradling* Baronet, deceaſed, in the Counties of *Glamorgan* and *Somerſet*, for diſcharging Incumbrances affecting the ſame, and for a Diviſion and Settlement of other Part thereof, and for other Purpoſes therein mentioned.

10. An Act for ſelling Part of the entailed Eſtate of Sir *Henry Ibbetſon* Baronet, and veſting other Part thereof in him in Fee-ſimple, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands, to be ſettled, together with ſome other Lands, whereof he is ſeiſed in Fee, in lieu of the Lands ſo to be ſold, and for other Purpoſes therein mentioned.

11. An Act for confirming and eſtabliſhing the Partition of the Eſtates, late of Sir *George Chudleigh*, and Dame *Frances* his Wife, *Tryphena Davie*, and *John Pollexfen* Eſquire, and for ſettling the ſeveral ſpecifick Shares thereof, reſulting from the ſaid Partition, to and for the ſeveral Uſes and Purpoſes for which the ſeveral undivided Parts thereof were veſted and ſettled before the ſaid Partition, and for authorizing Leaſes to be made of divers Parts of the Premiſſes.

12. An Act for eſtabliſhing and confirming a Partition of the

the Eſtates late of *Stephen Northleigh* Eſquire, and *Margaret* his Wife, *Suſannah Yarde* Widow, Dame *Frances Chudleigh*, and *Tryphena Davie* Spinſter, and for ſettling the ſeveral ſpecifick Shares and Allotments thereof upon and for the Benefit of the ſeveral Parties intitled to the ſeveral undivided Shares of the ſaid Eſtates, before the ſaid Partition, and for other Purpoſes therein mentioned.

13. An Act for veſting divers Lands, Tenements and Hereditaments in the County of *Cambridge*, ſettled on the Marriage of *Peter Leheup* the younger, Eſquire, in Truſtees, to be ſold and conveyed purſuant to Articles, and for laying out the Purchaſe Money in another Eſtate, to be ſettled to the Uſes of his Marriage Settlement.

14. An Act for veſting certain Houſes and Tenements at *Wendover* in the County of *Bucks*, late the Eſtate of *John Hampden* Eſquire, in Truſtees, to be ſold, and for applying the Purchaſe Money in ſuch Manner as the Reſidue of his Perſonal Eſtate is by his Will directed to be applied.

15. An Act for the Sale of ſeveral Eſtates of *Robert Stanſfield* Eſquire in the County of *York*, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Eſtates in the ſaid County of *York*, to be ſettled to the like Uſes.

16. An Act for Sale of certain Meſſuages, Lands and Hereditaments in the County of *Worceſter*, late the Eſtate of *Thomas Maſon* deceaſed, purſuant to an Agreement, and for applying the Money ariſing thereby, for diſcharging Incumbrances affecting the ſame, and for other Purpoſes therein mentioned.

17. An Act for rectifying and ſupplying ſeveral Defects and Omiſſions in certain Common Recoveries, ſuffered by *Edward Spelman* Eſquire.

18. An Act for rectifying and ſupplying a Miſtake and Omiſſion in a Settlement made of the Eſtate of *Mary Blewitt* Widow, on the Marriage of *Edmond Blewitt*, her eldeſt Son, and for ſettling the ſaid Eſtate on his Iſſue Male, and for raiſing Portions for his younger Brothers.

19. An Act for veſting Part of the ſettled Eſtates of *Fraunceis Kirkham*, and *Damaris* his Wife, in Truſtees, to be ſold for Payment of Incumbrances affecting the ſame, prior to their Marriage Settlement; and for laying out the Surplus, if any, in the Purchaſe of other Lands, to be ſettled to the Uſes of the ſame Settlement.

20. An Act for dividing and incloſing the Common Field and Brecks in the Manor and Pariſh of *Branchaſter* in the County of *Norfolk*, and for extinguiſhing the ſeveral Rights of Common and Sheep-walk over the ſaid Field and Brecks, and over certain *Half-year Cloſes* and Pieces of Common in the ſaid Manor and Pariſh, and for granting another Right of Common to the Owners of certain Dwelling-houſes in the Manor and Pariſh aforeſaid.

21. An Act for dividing and incloſing the Common Fields and certain Lands lying diſperſed in the *Half-year Cloſes* belonging to the Manor of *Swanton with Worthing*, within the Pariſhes of *Swanton Morley* and *Worthing* in the County of *Norfolk*, and for extinguiſhing the ſeveral Rights of Common and Sheep-walk over the ſaid Fields and *Half-year Cloſes*, and over certain Lands called the *Brecks*, lying within the ſaid Manor and Pariſhes.

22. An Act to confirm and eſtabliſh an Agreement for dividing and incloſing ſeveral Fields, Meadows, Paſtures, Moors and Greens in the Lordſhip of *Stillingfleet* in the County of *York*, and for ſettling certain yearly Payments to the Impropriators of the Rectory, and to the Vicar of *Stillingfleet* aforeſaid, in lieu of the Great and Small Tythes belonging to the ſaid Rectory and Vicarage.

23. An Act for dividing and incloſing the Common Fields, Common Paſtures, Waſte Grounds, and Commonable Lands in the Pariſh of *Kenilworth* in the County of *Warwick*.

24. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds and Waſte Ground in the Manor and Pariſh of *Churchover* in the County of *Warwick*.

25. An Act for dividing and incloſing ſeveral open Fields and Paſtures or Commons in the Townſhip of *Slingſby* in the County of *York*.

26. An Act to confirm and eſtabliſh an Agreement for dividing and incloſing ſeveral Fields, Meadows and a Cow-paſture in *Knighton* in the County of *Leiceſter*.

27. An Act for dividing and incloſing ſeveral open Fields, and Paſtures or Commons in the Townſhip of *Nunburnholme*, in the County of *York*.

28. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds and Waſte Grounds in the Manor and Pariſh of *Norton* by *Daventry* in the County of *Northampton*.

29. An Act for dividing and incloſing certain Waſtes and Commons in the Manor of *Calverly* in the Weſt Riding of the County of *York*.

30 An Act for the incloſing, dividing and exchanging the Common Fields, Common Meadows and other Grounds in the Townſhips of *Marſk* and *Redcarr*, within the Manor of *Marſk* in *Cleveland* in the North Riding of the County of *York*; and for providing a certain Recompence to the Vicar of *Marſk*, in lieu of his Tythes, and the greateſt Part of his Glebe.

31. An Act to enable *John Freſton* Eſquire, and the Heirs of his Body, to take and uſe the Surname and Arms of *Scrivener*.

32. An Act to enable *Samuel Blackwell*, heretofore called *Samuel Killican*, and his Heirs, to take and uſe the Surname of *Blackwell* only, purſuant to the Will of *Jonathan Blackwell* deceaſed, and to bear the like Arms which were borne by the ſaid *Jonathan Blackwell*.

33. An Act to enable *Alexander Ready* Eſquire, and his Iſſue by *Sophia* his Wife (late *Sophia Edwards*) to take and uſe the Surname of *Colſton*, purſuant to the Will of *Edward Colſton* Eſquire, deceaſed, and to bear the like Arms which were borne by the ſaid *Edward Colſton*.

34. An Act to enable *Theodore Henry Brinkman* Eſquire, to take and uſe the Surname of *Broadhead*, purſuant to the Will of *Henry Broadhead* Eſquire, deceaſed.

35. An Act to enable *Wenman Coke*, heretofore called *Wenman Roberts* Eſquire, and his Iſſue Male, to take the Surname of *Coke* only, purſuant to the Direction of the Will of Sir *Edward Coke* Baronet, deceaſed; and that the ſaid *Wenman Coke*, and his Iſſue Male, may bear the Arms of the ſaid Sir *Edward Coke*.

36. An Act to enable *William Lowndes Stone* Eſquire, lately called *William Lowndes* the younger, Eſquire, and *Catharine* his Wife, and others therein named, to take and uſe the Surname, and bear the Arms of *Stone*, purſuant to the Will of *Francis Lowe* Eſquire, deceaſed.

37. An Act to enable *Chriſtopher Soulſby* Eſquire, now called *Chriſtopher Reed*, and his Heirs, to take and uſe the Surname and Arms of *Reed*.

38. An Act to enable the Honourable *Harbottle Grimſton* Eſquire, and the Heirs of his Body, to take and uſe the Surname of *Luckyn*, purſuant to the Wills of Sir *Harbottle Luckyn* Baronet, and *Edward Luckyn* Eſquire, deceaſed.

39. An Act for naturalizing *Otto Ewald Setler*, *Albert Mahlſtede* and *John Conraid Heinzelmann*.

40. An Act for naturalizing *Frederick Nuſſen*.

41. An Act to enable his Majeſty to grant the Reverſion of divers Lands and Hereditaments in the County of *York*, in Truſt for *Richard Crowle* Eſquire, in Exchange for Houſes and Lands near his Majeſty's Palace of *Windſor*, and for other Conſideration to be paid for the ſame.

42. An Act for eſtabliſhing an Exchange of divers Lands and Tythes in *Myton* in the County of *York*, for other Lands and Hereditaments in the ſame County, purſuant to an Agreement between the Lord Archbiſhop of *York*, as Appropriator; the Biſhop of *Norwich*, Leſſee of the Rectory; and *Henry Herd* Clerk, Vicar of the Pariſh Church; and Sir *Bryan Staplyton*, Lord of the Manor of *Myton* aforeſaid.

43. An Act for confirming and eſtabliſhing an Exchange of divers Lands in *Little Leake* in the County of *Nottingham*,

ham, purſuant to an Agreement between *Francis* Lord *Middleton* and *Robert Bird* Eſquire, and for other Purpoſes therein mentioned.

44. An Act for veſting the ſettled Eſtate of Sir *John Dutton Colt* Baronet, in Truſtees, to be ſold for diſcharging ſeveral Incumbrances affecting the ſame; and for laying out the Surplus of the Money ariſing by ſuch Sale, in the Purchaſe of other Lands, to be ſettled to the ſame Uſes.

45. An Act to impower *Edward Walter* Eſquire, and divers other Perſons claiming under the Will of his Grandfather and Brother reſpectively, to make Leaſes of the ſeveral Lands and Hereditaments purchaſed, and to be purchaſed, ſince the Will of *Peter Walter* the Grandfather, and in purſuance of the ſame.

46. An Act for veſting the ſettled Eſtate of *Edmund Bramſton* Eſquire, and *Henrietta Maria* his Wife, in Truſtees, for raiſing ſeveral Sums of Money for diſcharging Portions charged upon the ſame, and for other Purpoſes therein mentioned.

47. An Act for veſting the Manor of *North Weſton*, and divers Lands and Hereditaments in the County of *Oxford*, the Eſtate of *Francis Clerke* Eſquire, in Truſtees, in Truſt, to ſell the ſame, to raiſe Money for Payment of Debts and Incumbrances affecting the ſame, and for other Purpoſes therein mentioned.

48. An Act for charging the ſettled and unſettled Eſtates of *Gilbert Caldecot* Eſquire, with raiſing Money to pay his Debts and Incumbrances; and for limiting his unſettled Eſtate ſo charged to the Uſes of his Marriage Settlement.

49. An Act for diſſolving the Marriage of *Richard Morgan* Eſquire, with *Anne Hall* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

50. An Act for confirming and eſtabliſhing an Agreement for incloſing *Oſmotherley* Moor, or Common, in the County of *York*, and for rendering the ſaid Agreement more effectual for the Purpoſes thereby intended.

51. An Act for dividing and incloſing *Breaſton* Cow Paſture in the County of *Derby*.

52. An Act for dividing and incloſing the open and common Fields, within the Manor and Pariſh of *Hawling* in the County of *Glouceſter*.

53. An Act for naturalizing *Peter John Fremeaux*, *Adriana Conſtantia Fremeaux*, *Elizabeth Fremeaux*, *Maria Catherina Fremeaux* and *Gertruda Johanna Fremeaux*, who are all Infants under the Age of eighteen Years.

54. An Act for naturalizing *Jacob Kirkman*.

55. An Act for naturalizing *John Ulric Paſſavant*.

PUBLICK ACTS.

Anno 29 *Georgii* II.

1. AN Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-ſix.

2. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and fifty-ſix; and for the Relief of the Inhabitants of the City and County of the City of *Lincoln*, in reſpect of Arrears of the Land Tax.

3. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

4. An Act for the ſpeedy and effectual Recruiting of his Majeſty's Land Forces and Marines.

5. An Act to enable his Majeſty to grant Commiſſions to a certain Number of Foreign Proteſtants who have ſerved Abroad as Officers, or Engineers, to act and rank as Officers or Engineers, in *America* only, under certain Reſtrictions and Qualifications.

6. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

7. An Act for granting to his Majeſty the Sum of two Millions, to be raiſed by Way of Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament; and for extending to *Ireland* the Laws made in this Kingdom, againſt private and unlawful Lotteries.

8. An Act to repeal a Clauſe in an Act made in the twenty-ſixth Year of his preſent Majeſty, intituled, *An Act to oblige Ships more effectually to perform their Quarentine; and for the better preventing the Plague being brought from Foreign Parts into* Great Britain *or* Ireland, *or the Iſles of* Guernſey, Jerſey, Alderney, Sark *or* Man, whereby the ſtationing of Ships infected with the Plague, to the Northward of *Cape Finiſterre*, is confined to the Harbour of *New Grimſby*, and removeable to no other Place; and for appointing a more ſafe and commodious Place inſtead thereof.

9. An Act for eſtabliſhing a Fund for Payment of the Bonds of the Governor, Bailiffs and Commonalty of the Company of Conſervators of the Great Level of the Fens, called *Bedford Level*; and for exchanging the preſent Bonds of the ſaid Corporation for other Bonds, payable out of the Revenues of the Middle and South Levels, Part of the ſaid Great Level; and for enabling the ſaid Corporation to borrow further Sums, for the Uſe of the ſaid Great Level.

10. An Act for the better aſcertaining, recovering and collecting certain Duties payable upon the Importation and Exportation of Goods and Merchandizes into or out of the Harbour of the Town and County of *Poole*; and alſo of Ballaſt and Boomage Duties, payable in reſpect of Ships and Veſſels coming into and going out of the ſaid Harbour; and for the enlarging, better repairing and keeping in Repair, the ſaid Harbour, and the Quays and Wharfs; and for providing a proper Place for keeping Gunpowder in or near the ſaid Town; and for eſtabliſhing and regulating a Nightly Watch, and enlightening the Streets in the ſaid Town.

11. An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on Board Merchant Ships, and other Trading Ships and Veſſels.

12. An Act for granting to his Majeſty a Duty upon Licences for retailing Beer, Ale and other Exciſeable Liquors; and for eſtabliſhing a Method for granting ſuch Licences in *Scotland*; and for allowing ſuch Licences to be granted at a Petty Seſſion in *England*, in a certain Caſe therein mentioned.

13. An Act for granting to his Majeſty an additional Duty on Cards and Dice.

14. An Act for granting to his Majeſty ſeveral Rates and Duties payable by all Perſons, and Bodies Politick or Corporate, having certain Quantities of Silver Plate.

15. An Act for granting a Bounty upon certain Species of *Britiſh* and *Iriſh* Linens exported; and taking off the Duties on the Importation of Foreign Raw Linen Yarns made of Flax.

16. An Act to impower his Majeſty to prohibit the Exportation of Salt Petre; and to enforce the Law for impowering his Majeſty to prohibit the Exportation of Gunpowder, or any Sort of Arms and Ammunition; and alſo to impower his Majeſty to reſtrain the carrying Coaſtwiſe of Salt Petre, Gunpowder, or any Sort of Arms or Ammunition.

17. An Act to prevent his Majeſty's Subjects from ſerving as Officers under the *French* King; and for the better enforcing an Act paſſed in the ninth Year of his preſent Majeſty's Reign, to prevent the inliſting his Majeſty's Subjects to ſerve as Soldiers without his Majeſty's Licence; and for obliging ſuch of his Majeſty's Subjects as ſhall accept Commiſſions in the *Scotch Brigade*, in the Service of the States General of the United Provinces, to take the Oaths of Allegiance and Abjuration.

18. An Act to obviate a Doubt ariſen on an Act made in the laſt Seſſion of Parliament, intituled, *An Act for Relief of Inſolvent Debtors*; and for Relief of Sheriffs and Keepers of Priſons, in reſpect to Eſcapes, of ſuch Perſons as

were prevented by the ſaid Doubt from being diſcharged under the ſaid Act.

19. An Act to impower Judges of Courts of Record in Cities and Towns Corporate, Liberties and Franchiſes, to ſet Fines on Perſons who ſhall be ſummoned to ſerve upon Juries in ſuch Courts, and ſhall neglect to attend.

20. An Act for erecting, maintaining and ſupporting a Light-houſe on the Iſland of *Little Cumray* in the County of *Bute*, at the Mouth of the River *Clyde*, in *North Britain*; and for rendering the Navigation in the Frith and River of *Clyde* more ſafe and commodious.

21. An Act for imbanking and preſerving certain Fen Lands and Low Grounds, called *The Waſhes*, lying and being in the ſeveral Pariſhes of *Sutton*, *Mepal*, *Witcham*, *Ely*, *Witchford*, *Wentworth*, *Coveney* and *Downham* in the *Iſle of Ely* and County of *Cambridge*; and of *Bluntiſham* with *Erith* in the County of *Huntingdon*.

22. An Act for draining and preſerving certain Fen Lands in the *Iſle of Ely* and County of *Norfolk*, lying between the *Hundred Foot River* and the *Ouſe*, and bounded on the South by the hard Lands of *Mepall*, *Wicham*, *Wentworth*, *Wichford*, *Ely*, *Downham* and *Littleport*; and for impowering the Governor, Bailiffs and Commonalty of the Company of Conſervators of the Great Level of the Fens, commonly called *Bedford Level*, to ſell certain Lands lying within the Limits aforeſaid, commonly called *Inveſted Lands*.

23. An Act for encouraging the Fiſheries in that Part of *Great Britain* called *Scotland*.

24. An Act for granting to his Majeſty certain Sums of Money out of the Sinking Fund; and applying certain Sums of Money remaining in the Exchequer, for the Service of the Year one thouſand ſeven hundred and fifty-ſix.

25. An Act for appointing a ſufficient Number of Conſtables for the Service of the City and Liberty of *Weſtminſter*; and to compel proper Perſons to take upon them the Office of Jurymen, to prevent Nuiſances and other Offences, within the ſaid City and Liberty.

26. An Act for further continuing an Act of the ſixth Year of the Reign of his preſent Majeſty, for ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*, to indemnify Commiſſioners of the Land Tax for Counties at large and Ridings, who have acted by virtue of Leaſehold Eſtates; and to obviate a Doubt relating to the Qualification of Commiſſioners of the Land Tax, for the City and Liberty of *Weſtminſter*.

27. An Act for extending the Act of the twenty-ſecond Year of his preſent Majeſty, *(for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majeſty's Ships, Veſſels and Forces by Sea)* to ſuch Officers, Seamen and others, as ſhall ſerve on Board his Majeſty's Ships or Veſſels employed upon the Lakes, Great Waters or Rivers in *North America*.

28. An Act for reviving and continuing an Act for the Relief of Debtors, with reſpect to the Impriſonment of their Perſons; and for continuing an Act made in the laſt Seſſion of Parliament, to continue ſeveral Laws relating to the Diſtemper now raging among the Horned Cattle in this Kingdom.

29. An Act for enabling his Majeſty to raiſe one Million, for the Purpoſe therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament.

30. An Act for more effectually diſcouraging and preventing the ſtealing, and the buying and receiving of ſtolen Lead, Iron, Copper, Braſs, Bell-metal and Solder, and for more effectually bringing the Offenders to Juſtice.

31. An Act to enable Infants, Lunaticks and Femes Covert, to ſurrender Leaſes in order to renew the ſame.

32. An Act to indemnify Perſons who have omitted to qualify themſelves according to the Directions of ſeveral Acts of Parliament within the Times limited by ſuch Acts reſpectively, and for allowing further Time for that Purpoſe; and concerning the Admiſſions of Officers and Members of Cities, Corporations and Borough Towns; and the filing of Affidavits of Articles of Clerkſhip.

33. An Act to render more effectual an Act paſſed in the twelfth Year of the Reign of his late Majeſty King *George*, to prevent unlawful Combinations of Workmen employed in the Woollen Manufactures, and for better Payment of their Wages; and alſo an Act paſſed in the thirteenth Year of the Reign of his ſaid late Majeſty; for the better Regulation of the Woollen Manufacture; and for preventing Diſputes among the Perſons concerned therein; and for limiting a Time for proſecuting for the Forfeiture appointed by the aforeſaid Act, in caſe of the Payment of the Workmens Wages, in any other Manner than in Money.

34. An Act for the Encouragement of Seamen, and the more ſpeedy and effectual Manning his Majeſty's Navy.

35. An Act for the better recruiting his Majeſty's Forces on the Continent of *America*; and for the better Regulation of the Army, and preventing of Deſertion there.

36. An Act for incloſing, by the mutual Conſent of the Lords and Tenants, Part of any Common, for the Purpoſe of planting and preſerving Trees fit for Timber or Underwood; and for more effectually preventing the unlawful Deſtruction of Trees.

37. An Act for regulating the Proceedings in Perſonal Actions in the Courts Baron of the Manors of *Sheffield* and *Eccleſall*, in the County of *York*.

38. An Act to enable the Commiſſioners for building a Bridge croſs the River of *Thames*, from the City of *Weſtminſter*, to the oppoſite Shore in the County of *Surry*, to purchaſe Houſes and Grounds, and to widen the Ways, and make more ſafe and commodious the Streets, Avenues and Paſſages leading from *Charing Croſs* to *The two Houſes of Parliament*, *Weſtminſter-Hall*, and the Courts of Juſtice there, and *Weſtminſter Bridge*; and to enable a leſs Number of Commiſſioners to execute the ſeveral Acts relating to the ſaid Bridge, than at preſent are required by Law; and for Relief of *George* and *James King*, with regard to a Leaſe taken by their late Father from the ſaid Commiſſioners.

39. An Act for explaining, amending, and rendering more effectual, an Act made in the twenty-ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for making a free Market for the Sale of Fiſh in the City of* Weſtminſter; *and for preventing the foreſtalling and monopolizing of Fiſh*; *and for allowing the Sale of Fiſh, under the Dimenſions mentioned in a Clauſe contained in an Act of the firſt Year of his late Majeſty's Reign, in caſe the ſame are taken with a Hook*.

40. An Act to improve, widen and enlarge the Paſſage over and through *London Bridge*.

41. An Act for explaining and amending two Acts of Parliament, one made in the eleventh Year of his Majeſty's Reign *(For repairing the Road from* Shoreditch *Church, through* Hackney *to* Stanford Hill, *and croſs* Cambridge Heath *over* Bethnal Green, *to the Turnpike at* Mile End *in the County of* Middleſex) and the other made in the twenty-ſixth Year of his Majeſty's Reign *(For enlarging the Term and Powers granted by the ſaid former Act)* and for impowering the Truſtees to erect and maintain Lamps, and keep a Guard, upon the ſaid Roads in the Night-time.

42. An Act for enlarging the Cœmetery or Church-yard of the Pariſh of Saint *Mary Newington Butts* in the County of *Surry*.

43. An Act for making and widening a Road from the Eaſt Side of the Pariſh of Saint *Matthew Bethnal Green* in the County of *Middleſex*, to the Eaſt End of *Church Street* in the ſaid Pariſh; and to open a Way or Road into *Shoreditch*, and keeping the ſame in Repair.

44. An Act to enable the Truſtees for repairing *Old Street* Road, to repair, widen and make a Road from the Sign of *The Red Lion* on *Windmill Hill*, through *Worſhip Street*, to the *Ditch Side* next the Eaſt Side of *Holy Well Mount*, and through a certain Ground to the Sign of *The London Apprentice*, in the Pariſhes of Saint *Luke* and Saint *Leonard*

Leonard Shoreditch, in the County of *Middleſex*; or to lay open, repair and widen a Road from the ſaid *Red Lion*, through the *Dog Bar*, into the *Old Street* Road in the ſaid County.

45. An Act for repairing and widening the Roads leading from a Pond belonging to *Henry Eyre* Eſquire, in the Pariſh of *Whitepariſh* in the County of *Wilts*, to the Top of *Dunwood Hill*; and from thence over *Great Bridge* and *Middle Bridge*, through *Romſey-infra*, to *Hundred Bridge* in the County of *Southampton*; and from thence to the County of the Town of *Southampton*.

46. An Act for repairing and widening the High Roads from *Baſingſtoke*, through *Popham Lane*, *Sutton Scotney* and *Stockbridge* in the County of *Southampton*, to a Place called *Lobcomb Corner* in the County of *Wilts*; and alſo for repairing and widening the Road from *Spittlehouſe*, over *Wey-hill*, to *Mullen's Pond* in the ſaid County of *Southampton*.

47. An Act to explain, amend, and render more effectual, an Act made in the laſt Seſſion of Parliament, intituled, *An Act for eſtabliſhing, maintaining and well governing a Nightly Watch within the City of* Briſtol.

48. An Act for rebuilding the Common Gaol for the County of *Derby*, upon a Place called *Nun's Green*, in the Liberty of the Town of *Derby*; and for appointing a proper Place for the ſafe Cuſtody of Priſoners, until ſuch new Gaol ſhall be compleated; and to impower the Juſtices of the Peace for the ſaid County to pay the Rent reſerved to the Corporation for the ſaid Ground, out of the County Rates.

49. An Act for repairing and widening the Road from the eighteen Mile Stone beyond *Willoughby Hedge*, through the Town of *Mere* in the County of *Wilts*, and through *Wincanton*, to *Charlton Houthorn*, and from thence to *Milborne Port*; and from *Willoughby Hedge* aforeſaid, to the Weſt End of *Long Lane* in *Kilmington*; and from *Wincanton* aforeſaid, to the *Sherborn* Turnpike Croſs-gate, on *Cattle Hill*; and from *Wincanton*, to *Sparkford*, in the County of *Somerſet*.

50. An Act for repairing and widening ſeveral Roads leading from and near the Town of *Brewton* in the County of *Somerſet*.

51. An Act for repairing and widening the ſeveral Roads, from the Town of *Tewkeſbury* to *Coſcomb Gate*; and from *Iſabel's Elm* to the Top of *Gotherington Hill*, in the County of *Glouceſter*; and from *Tewkeſbury* to a Farm-houſe, called *The Old Blue Bell*, and to the Direction Poſt in the Pariſh of *Ripple*, and to *Simmond's Ford Brook*, and from *Breedon* to *Eckington Bridge*, in the County of *Worceſter*; and from *Tewkeſbury* to *Wainload's Bridge*, and to the Road oppoſite to *Elſtone* Church, and from the Market-houſe in *Cheltenham*, to the Turnpike Road from *Burford* to *Glouceſter*, near a Tree called *Pewſdon Aſh* in the ſaid County of *Glouceſter*.

52. An Act for repairing and widening the ſeveral Roads leading from a Gate called *Poole Gate* in the Town and County of *Poole*.

53. An Act for the better regulating the Nightly Watch and Bedles, and cleanſing, enlightening and paving the Streets, Squares, Lanes and other Paſſages, and repairing the Highways and Cauſways, and regulating the Poor within the Pariſh of Saint *Mary le Bone* in the County of *Middleſex*.

54. An Act for repairing and widening the Road from the Top of *Harnham Hill*, near the City of *New Sarum*, in the County of *Wilts*, through the Towns of *Blandford Forum* and *Dorcheſter*, to a certain Intrenchment on *Aſkerwell Hill* in the County of *Dorſet*.

55. An Act to amend and render more effectual an Act paſſed in the twenty-ſixth Year of the Reign of his preſent Majeſty, for amending ſeveral Roads leading from the City of *Exeter*.

56. An Act for amending and keeping in Repair the Roads leading from *Mead Brook*, which divides the Pariſhes of *Pucklechurch* and *Mangotsfield* in the County of *Glouceſter*, to *Chriſtian Malford Bridge* in the County of *Wilts*, and alſo from *Pucklechurch* aforeſaid, to certain Coal Mines in the ſaid Pariſh.

57. An Act for enlarging the Term and Powers granted by an Act paſſed in the twenty-ſecond Year of his preſent Majeſty, for repairing, enlarging and preſerving the Harbour of *Ellenfoot* in the County of *Cumberland*.

58. An Act for repairing and widening the Roads leading from the City of *Glouceſter* towards *Cheltenham* and *Tewkeſbury* in the County of *Glouceſter*.

59. An Act for amending, widening and keeping in Repair ſeveral Roads leading from the *Market Houſe*, and elſewhere, in the Town of *Ludlow* in the County of *Salop*.

60. An Act for amending, widening and keeping in Repair, ſeveral Roads leading from the *Market Houſe* in the Town of *Much Wenlock* in the County of *Salop*.

61. An Act for repairing and widening the Roads from *Coleham Bridge* in *Shrewſbury*, to the *Market Place* in *Church Stretton*, and to the Top of *Lythwood Hill*, and from *Pulley Common*, to the *May Pole* in *Condover*; and from *Coleham Bridge*, to *Longdon* in the County of *Salop*.

62. An Act to enable the Dean and Chapter of the Collegiate Church of *Saint Peter* at *Weſtminſter*, and their Succeſſors, to make and grant unto *James Mallors* a Leaſe or Leaſes of certain Pieces of Ground, Meſſuages, Tenements and Hereditaments, comprized within certain Limits, for a longer Term of Years than they are at preſent enabled to grant.

63. An Act to impower the Churchwardens, Overſeers of the Poor, and Veſtry of the Pariſh of *Kenſington*, in the County of *Middleſex*, to make a Rate or Rates for the Relief of the Poor, and the better repairing of the Highways, and cleanſing the Streets within the ſaid Pariſh.

64. An Act for repairing and widening the Roads from the Town of *Shrewſbury*, to *Preſton Brockhurſt*, to *Shawbury*, and to *Shrey-hill* in the County of *Salop*.

65. An Act for repairing and widening the Roads leading from the Town of *Kington*, in the County of *Hereford*, through the *Welch Hall Lane*, as far as the ſame County extends, and the ſeveral Roads leading from *Kington* aforeſaid, to *Brilley's Mountain*, to *Eardiſley*, to *Almely*, to *Eckley's Green*, to *Eardiſland*, to *Staple Bar*, and to *Milton Houſe* in the ſaid County of *Hereford*.

66. An Act for explaining, amending and rendering more effectual, an Act paſſed in the twenty-ſeventh Year of his preſent Majeſty, for repairing and widening the Road from *Leiceſter* to *Narborough*, and from *Leiceſter* to *Coventry*, and from thence through *Kenilworth* to *Warwick*, and from thence to *Halford Bridge*; and from *Warwick*, to *Stratford upon Avon*; and from *Coventry* to *Martyn's Gutter*, leading towards *Stoneleigh Town*; and for ſupplying an Omiſſion in an Act paſſed in the laſt Seſſion of Parliament, for repairing the Road from *Leiceſter* to *Aſhby de la Zouch* in the County of *Leiceſter*, ſo far as the ſame relates to that Part of the ſaid Road which leads from the Town of *Hinckley* in the County of *Leiceſter*, to the Town of *Nuneaton*; and from thence through the Pariſhes of *Chilvers Coton* and *Bedworth*, to *Biſhops Gate* in the City of *Coventry*.

67. An Act for enlarging the Term and Powers granted by ſeveral Acts of Parliament for repairing the Highways between *Sheppard Shord* and the *Devizes*, and from *Stert Stone* in the Pariſh of *Urſhfont*, to *Rowd Ford* in the County of *Wilts*; and for changing and altering Part of the ſaid Highways; and for repairing the Road from the Top of *Red Hone* to *Stert Stone* aforeſaid.

68. An Act for amending, widening and keeping in Repair, the ſeveral Roads from the Town of *Pool* in the County of *Montgomery*, to *Wrexham* in the County of *Denbigh*; and alſo the Road from *Knockin* in the County of *Salop*, to *Llanrhaiader* in *Mochnant* in the County of *Denbigh*.

69. An Act for the explaining, amending and rendering more effectual, two ſeveral Acts of Parliament, one of them

them paſſed in the thirteenth Year of her late Majeſty Queen *Anne*, for making the River *Nine* or *Nen*, running from *Northampton* to *Peterborough*, navigable; and the other made in the eleventh Year of his late Majeſty King *George* the Firſt, for making more effectual the ſaid former Act.

70. An Act for enlarging the Terms and Powers granted by an Act paſſed in the twenty-fourth Year of his preſent Majeſty's Reign, for repairing the High Road leading from *Darlington* in the County of *Durham*, to *Weſt Auckland*, and ſeveral other Roads in the ſaid County therein mentioned; and for the effectual amending the ſame.

71. An Act to explain and amend an Act paſſed in the twenty-fifth Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing the Roads from the Town of* Leeds *through* Harwood, *to the South Weſt Corner of the Incloſures of* Harrogate, *and from thence in two Branches, one through* Ripley *over* Burage Green, *and the other through* Knareſborough *and* Borough-bridge, *to* Ripon, *and from thence to the firſt Rill of Water or Watercourſe on* Hutton-Moor *in the County of* York, *and for repairing the Sloughs or Rutts on the ſaid Moor.*

72. An Act for changing and altering two ſeveral Roads directed to be amended and widened by an Act made in the twenty ſeventh Year of the Reign of his preſent Majeſty, for amending and widening ſeveral Roads leading from the Borough of *Truro* in the County of *Cornwall.*

73. An Act for building a Bridge acroſs the River *Wye*, from the Town of *Hay* in the County of *Brecon*, to the oppoſite Shore in the County of *Radnor.*

74. An Act for the better ſupplying the City of *Edinburgh* with freſh and wholeſome Water.

75. An Act for compleating and finiſhing a new Church, and laying out and incloſing a Cemetery thereto, in the Iſland of *Portland.*

76. An Act for enlarging and altering the Term and Powers granted by an Act made in the twenty-ſecond Year of his preſent Majeſty's Reign, for effectually amending and repairing the Road leading from *Wansford Bridge* in the County of *Northampton*, to the Town and Borough of *Stamford* in the County of *Lincoln*; and for repairing the Road from the Borough of *Stamford* to *Stapleford Bridge*, in the Pariſh of *Ryhall* in the County of *Rutland*; and from thence to *Bourne* in the County of *Lincoln*

77. An Act for repairing and widening the Road from the Town of *Farringdon* in the County of *Berks*, to the Town of *Cricklade*, and from thence to the Town of *Malmeſbury* in the County of *Wilts*, and the Road from thence to join the Turnpike Road at *Acton Turville* in the County of *Glouceſter*; and alſo the Road from *Tetbury* in the ſaid County, through *Malmeſbury* aforeſaid, to *Chippenham Bridge*; and the Road from *Sherſton*, to join the Turnpike Road leading from *Tetbury* to *Bath.*

78. An Act for the better paving and amending, cleanſing, enlightening and watching the Streets, Highways, Lanes and Paſſages, within the Town of *Shrewſbury* in the County of *Salop.*

79. An Act for the better Relief and Employment of the Poor, in the Hundreds of *Colneis* and *Carlford* in the County of *Suffolk.*

80. An Act for enlarging the Term and Powers granted by an Act paſſed in the twenty-firſt Year of the Reign of his preſent Majeſty, for repairing the High Road from the Town of *Bowes* in the County of *York*, to *Barnard Caſtle* in the County of *Durham*; and from thence through *Staindrop*, to *Newgate* in *Biſhop Auckland*; and from *Newgate*, along *Gibb Chair*, to *Gaundleſs Bridge*; and from thence by *Milderſton Gill*, to the Turnpike Road near *Sunderland Bridge* in the County of *Durham*; and for making the ſame more effectual.

81. An Act for amending and keeping in Repair the Roads leading from a Place called *Fryer Bacon's Study*, to *Chilton Pond*; and from the Top of *Hinkſey Hill*, to *Foxcombe Hill Gate*, in the Road leading to *Farringdon* in the County of *Berks.*

82. An Act for repairing and widening the Road from the *White Stoop*, near the North End of the Town of *Derby*, through the Towns of *Duffield* and *Cheſterfield* in the County of *Derby*, to the Town of *Sheffield* in the County of *York*; and from the ſaid Town of *Duffield*, to the *Moot Hall* in the Town of *Wirkſworth* in the ſaid County of *Derby.*

83. An Act for repairing and widening the High Road from the Borough of *Ripon* by *Ingram Bank*, to the Town of *Pately Bridge* in the County of *York.*

84. An Act for repairing and widening the Roads from the North End of *Dunſby Lane*, to the South Weſt Corner of *Riſeholm Hedge*, and to *Catholm Gate*, *Drinſey Nooke*, and *Dunham* and *Littleburgh Ferries*, and from the North End of *Waddington Field*, and the Bridge over the River *Witham*, at *Bracebridge*, to the City of *Lincoln*, and from the Gate at the Foot of *Canwicke Hill*, to the great Bargates of the ſaid City; and for enforcing the Performance of Statute-work upon the Highways, communicating with the ſaid Roads, to a certain Diſtance from the ſaid Roads.

85. An Act for repairing and widening the Roads leading from the Eaſt Side of *Lincoln Heath*, to the City of *Peterborough*; and from the Eaſt End of *Marham Lane*, to the Town of *Walton* in the County of *Northampton*; and from the Town of *Bourn*, to the Town of *Colſterworth*; and from *Donington High Bridge*, to the Croſs Poſt in the Pariſh of *Hacconby*; and from the Eaſt End of a Lane called *Hale Drove*, to and through the Town of *Old Sleaford*, to the End of *Long Hedge* in the Pariſh of *Quarrington* in the County of *Lincoln.*

86. An Act for building a Bridge croſs the River *Thames*, from *Black Fryars* in the City of *London*, to the oppoſite Side in the County of *Surry.*

87. An Act for regulating the Nightly Watch and Beadels, and better enlightening, paving and cleanſing the Streets and other Paſſages, and repairing the Highways within the Pariſhes of Saint *John Wapping*, Saint *Paul Shadwell*, the Hamlet of *Ratcliffe*, the Pariſh of Saint *Anne* in the County of *Middleſex*, and the Precinct of *Well Cloſe* in the Liberty of the Tower of *London.*

88. An Act to enable the reſpective Truſtees of the Turnpike Roads leading to *Highgate Gatehouſe* and *Hampſtead*, and from Saint *Giles's Pound* to *Kilbourn Bridge* in the County of *Middleſex*, to make a new Road from the great Northern Road at *Iſlington*, to the *Edgware* Road near *Paddington*, and alſo from the North End of *Portland Street*, croſs-the *Farthing Pye Houſe Fields*, into the ſaid new Road; and for enlarging the Terms and Powers granted by two ſeveral Acts for repairing the ſaid Road from Saint *Giles's Pound* to *Kilbourn Bridge.*

89. An Act for rebuilding the Pariſh Church, and enlarging the Church-yard of Saint *John* of *Wapping* in the County of *Middleſex.*

90. An Act to enable the Proprietors and Inhabitants of Houſes in *York Buildings*, in the Pariſh of Saint *Martin in the Fields* in the County of *Middleſex*, to make and levy a Rate on themſelves, ſufficient to anſwer the Expence of rebuilding or repairing of the Terrace Walk and Water-gate, and ſuch other Part of the Premiſſes adjoining to the River *Thames*, and belonging to the ſaid Buildings, as ſhall be judged neceſſary, and for keeping the ſame in Repair for the future.

91. An Act for explaining and making more effectual an Act paſſed in the twenty-fourth Year of the Reign of his preſent Majeſty, for repairing the Road leading from the Eaſt End of *Brumpton High Lane* in the County of *York*, to the Town of *Richmond*, and from thence to and through the Towns of *Aſkrigg* and *Ingleton* in the ſaid County, to the Town of *Lancaſter* in the County of *Lancaſter*; and alſo for repairing the Road leading from *Rich-*

Richmond aforesaid, through *Gilling*, *Melsonby* and *Aldbrough*, to *Lucy*, otherwise *Lousy Cross*, and from *Gilling* through *Gilling Town Lane*, to the Turnpike Road on *Gatherly Moor*.

92. An Act for explaining, amending and making more effectual, an Act of Parliament made in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for repairing and widening the Road from the Top of* White Sheet Hill *in the Parish of* Donhead Saint Andrew *in the County of* Wilts, *through the Towns of* Shaftsbury, Milborne Port *and* Sherborne, *in the Counties of* Dorset *and* Somerset, *to the* Half-way House *in the Parish of* Nether, *otherwise* Lower Compton, *in the said County of* Dorset, *and several other Roads near the Towns of* Shaftsbury *and* Sherborne *aforesaid*; and for repairing other Roads adjoining to the Roads in the said former Act mentioned.

93. An Act to enlarge the Term and Powers of an Act for repairing the Road from *Shrewsbury* to *Wrexham* in the County of *Denbigh*, and to repair and widen several other Roads therein mentioned, and the Road from *Wrexham* to *Chester*, and from thence to *Pen Fordd y Waen* in the Parish of *Whitford*, and also the Road from *Broughton* to *Mold* in the County of *Flint*.

94. An Act for amending, repairing and widening the Roads leading from the *Rye-way* in the Parish of *Yarpole* in the County of *Hereford* to *Presteigne* in the County of *Radnor*, and from thence to *Leintwardine*, and from *Presteigne* aforesaid, to the Top of *Trap Hill*, and from the *Rye-way* aforesaid, by the *Maidenhead*, to *Wooferton* in the County of *Salop*.

PRIVATE ACTS.

Anno 29 *Georgii* II.

1. AN Act for naturalizing *John David Fatio*.
2. An Act for naturalizing *Jens Pedersen*.
3. An Act for the Sale of several Lands in *Bedford Level*, the Estate of the Right Honourable *Henry* Earl of *Lincoln*, Knight of the most Noble Order of the Garter, and *Katherine* Countess of *Lincoln* his Wife, and for purchasing other Lands and Hereditaments of as great or greater Value; and settling the said Lands so to be purchased, to the same Uses as the said Lands to be sold are now settled, and for other Purposes therein mentioned.
4. An Act for explaining and amending an Act made in the twenty-seventh Year of his present Majesty's Reign, intituled, *An Act for vesting certain Estates of Sir* Isaac Lawrence Woolaston *Baronet, an Infant, situate in the Isle of* Ely, *and Counties of* Cambridge, Huntingdon, Lincoln *and* Norfolk, *in Trustees, to be sold or mortgaged to raise Money for Payment of his Sisters Portions, and for other Purposes therein mentioned*
5. An Act for empowering *Esther Hanmer*, an Infant, to settle her Estates, pursuant to Articles entered into in Consideration of a Marriage agreed upon between *Asheton Curzon* Esquire, and the said *Esther Hanmer*.
6. An Act for vesting divers Lands and Hereditaments in the Counties of *Bucks* and *Berks*, late the Estate of *Thomas Walker* Clerk, deceased, in *Thomas Walker* the Grandson, in Fee Simple, subject to the raising Portions for his younger Brother and Sisters.
7. An Act for dividing and inclosing a certain open and common Field, called *Radway Field*, within the Township of *Radway*, in the County of *Warwick*.
8. An Act for dividing and inclosing certain Wastes or Common Grounds in the Parish of *Brancepeth*, in the County of *Durham*.
9. An Act for dividing and inclosing the Common Fields, Common Pastures, Common Meadows, Common Grounds and Waste Grounds, in the several Parishes of *Boughton* and *Pisford*, in the County of *Northampton*.
10. An Act for dividing and inclosing several Fields, Meadows and Commons, in the Township of *Sutton upon the Forest*, in the County of *York*, and for giving Compensations, in lieu of Tythes, to the Impropriator of the Rectory, and the Vicar of *Sutton* aforesaid.
11. An Act to enable *Robert Mynors* Esquire, and his first and other Sons, and their Heirs Male, to take and use the Surname of *Gouge*, in pursuance of the Will of *Nicholas Gouge*, deceased.
12. An Act to enable *William Wiggett* Esquire, now called *William Bulwer*, and his Heirs, to take and use the Surname and Arms of *Bulwer*, pursuant to the Will of *William Bulwer* Esquire, deceased.
13. An Act for naturalizing *Anthony Henry Stemann*, *Peter Otte*, *Godfrey Molling*, and *Christian Meyer*, *Henry Bielfield*, *John Peter Blaquiere*, and *Matthew Lichigaray*.
14. An Act for naturalizing *Jost David Esternod*.
15. An Act for providing a Maintenance for the Marquis of *Blanford*, during the Life of his Father the Duke of *Marlborough*, and for rebuilding the said Duke's House at *Langley* in the County of *Bucks*; and for purchasing in, and making void, divers Leases granted by the said Duke in Trust for his younger Children, and for other Purposes therein mentioned.
16. An Act to enable *John* Earl of *Sandwich*, *George* Earl of *Cholmondeley*, and *Wellbore Ellis* Esquire, to take, in *Great Britain*, the Oath as Vice Treasurer and Receiver General, and Paymaster General of all his Majesty's Revenues in the Kingdom of *Ireland*, and to qualify themselves for the Enjoyment of the said Offices.
17. An Act for making the Exemplification of the last Will of the Right Honourable *Richard* late Earl of *Burlington* and *Cork*, deceased, Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*.
18. An Act for vesting the Capital Messuage of *Halsted*, and divers Lands in *Kent*, Part of the settled Estate of *Vere* Lord *Vere*, in Trustees, to be conveyed to *Robert Bagshaw* Esquire, the Purchaser thereof, pursuant to Articles, and for settling another Estate in the County of *Middlesex*, of greater Value, in lieu thereof.
19. An Act for raising Money out of the Estates of *Ralph Lane* Esquire, deceased, in the Counties of *Northampton* and *Cambridge*, for discharging the Incumbrance affecting the same; and for applying Part of the Personal Estate of *Elizabeth Lane*, his Wife, deceased, in the Purchase of the *Cambridgeshire* Estate, to be settled pursuant to her Will.
20. An Act for vesting certain Adjudications now vested in the Crown by the Conviction or Attainder of *Alexander Mackenzie* of *Fraserdale*, in *Hugh M'Leod* of *Genies* Esquire.
21. An Act for vesting Part of the settled Estate of *Thomas Parson* Gentleman, and *Honour* his Wife, in Trustees, to be sold for raising Portions for younger Children, and for laying out the Surplus, if any, in the Purchase of other Lands, to be settled to the Uses of their Marriage Settlement.
22. An Act for vesting in Trustees, certain Messuages, Lands, Tenements and Farms, in the County of *Surry*, settled upon the Marriage of *Richard Dickson Skrine* Esquire, with *Elizabeth* his now Wife, to be sold and conveyed pursuant to Articles, and for laying out the Purchase Money in other Lands and Tenements, to be settled to the Uses of their Marriage Settlement.
23. An Act to enable *Theodore Henry Broadhead*, an Infant, to make Leases of the Estates given and devised to him by the Will of his Uncle *Henry Broadhead*, Esquire, deceased.
24. An Act for vesting the Estate of *Trevor Charles Roper*, and *Henry Roper*, who are both Infants, in the County of *Kent*, in Trustees, to be sold; and for applying the Purchase-money for discharging Incumbrances affecting the same, under the Directions of the Court of *Chancery*.
25. An Act for selling the settled Estate of *Thomas Folliott Baugh* Esquire, in the County of *Hereford*, and for setting

tling another Eſtate of greater Value, to the Uſes of his Grandfather's Will, and his own Marriage Settlement, reſpectively.

25. An Act for enabling the Maſter and Fellows of *Katherine Hall*, in the Univerſity of *Cambridge*, to purchaſe, ſettle and diſpoſe of Tenements and Grounds for the making and erecting an additional Building to their College or Hall, for the Reception and Maintenance of ſix Fellows and ten Scholars, founded by the Will of *Mary Ramſden*, deceaſed; and for empowering any Corporation within the ſaid Univerſity, to ſell and convey other Lands and Tenements, for that and other Purpoſes in the ſaid Act mentioned.

27. An Act for enabling *Ann Coryton*, *Elizabeth Goodall*, and *William Goodall*, to make Leaſes of ſeveral Eſtates in the Counties of *Cornwall* and *Devon*, during the Minorities of *John Coryton* and others, the Infant Children of *Peter Coryton* Eſquire, deceaſed.

28. An Act for veſting Part of the Eſtate of *John Talbot* the younger, Eſquire, ſettled upon his Marriage, in Truſtees for raiſing a Sum of Money for diſcharging Debts and Incumbrances.

29. An Act for confirming and eſtabliſhing an Exchange of Tythes, Cottages and Lands, for a Meſſuage, Farms, Lands, and Common of Paſture in *Steeple Aſton*, in the County of *Oxford*, purſuant to an Agreement between the Principal and Scholars of *King's Hall*, and College of *Brazen Noſe* in *Oxford*, *John Eaton* Clerk, and *Francis Page* Eſquire; and alſo for giving Power to the ſaid *Francis Page*, and others, claiming under the Will of Sir *Francis Page* Knight, deceaſed, to make a Jointure on any Wife or Wives with whom they may intermarry.

30. An Act for Sale of the Manor and Capital Meſſuage of *Tadworth*, and divers Lands, Tenements and Hereditaments, in the County of *Surrey*, late the Eſtate of *John Fleetwood* Eſquire, deceaſed, and purchaſing another Eſtate, to be ſettled to the Uſes in his Will.

31. An Act for veſting the Eſtates of *Evelyn Charles Francke*, and *Edward Francke* Eſquires, in the County of *Lancaſter*, in Truſtees, to be ſold for diſcharging a Mortgage affecting the ſame, and for laying out the Surplus of the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled purſuant to the Wills of the ſaid *Evelyn Charles Francke* and *Edward Francke* reſpectively.

32. An Act for veſting the Eſtates of *Richard Gough Aubrey* Eſquire, in the Counties of *Brecon*, *Glamorgan*, and *Carmarthen*, in Truſtees, to raiſe Money to diſcharge ſeveral Incumbrances affecting the ſame, and for other Purpoſes therein mentioned.

33. An Act to impower Sir *John Moleſworth* Baronet, and *Joſeph Moyle* Eſquire, two of the ſurviving Truſtees, in an Indenture dated the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-three, to raiſe the ſeveral Sums in the ſaid Indenture mentioned, or ſuch of them as are ſtill unſatisfied, and pay the ſame, as well as the reſt of the perſonal Eſtate of *Hugh Gregor* deceaſed, to ſuch Perſon as *Jane Gregor*, an Infant, ſhall marry during her Infancy, with the Conſent of the ſaid ſurviving Truſtees, and of her Guardians.

34. An Act to diſſolve the Marriage of *Richard Glover*, with *Hannah Nunn* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

35. An Act for dividing and incloſing the undivided Parts of the ſeveral Common Fields in the Townſhip of *Warthill*, in the County of *York*, and for giving Compenſations to the Rector of *Holtby*, in the ſame County, and the Vicar of *Warthill* aforeſaid, in lieu of Tythes and certain Eccleſiaſtical Dues.

36. An Act for incloſing and dividing the Common Fields, Common Paſtures, Waſte Grounds, and Commonable Lands, in the Manors and Pariſh of *Sow*, in the County of *Warwick*, and County of the City of *Coventry*.

37. An Act for incloſing divers Parcels of Waſte Grounds or Commons in *Ellell*, in the County of *Lancaſter*.

38. An Act for incloſing and dividing *Tinwell Fields*, in the County of *Rutland*, and for ſettling a Stipend on the Rector in lieu of Glebe and Tythes.

39. An Act for dividing and incloſing a Common or Moor, called *Aſton* and *Shardlow Moor*, and ſeveral Common Fields, Meadows, Paſtures and Waſte Grounds, lying within the Manor of *Weſton cum Membris*, and Prebend of *Sawley*, in the County of *Derby*.

40. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows and Common Grounds in *Newton*, in the Pariſh of *Clifton upon Dunſmore*, in the County of *Warwick*.

41. An Act for authorizing and impowering *John Riley*, and his Iſſue, to take and uſe the Surname of *Wheelwright*, inſtead of the Surname of *Riley*.

42. An Act to enable *James Leigh* Eſquire, now called *James Perrot*, and his Heirs, to take and uſe the Surname and Arms of *Perrott*, purſuant to the Will of *Thomas Perrot* Eſquire, deceaſed.

43. An Act for naturalizing *Peter Bonnet*.

44. An Act for naturalizing *John Daniel Paul*.

45. An Act for veſting the Manor of *Dantſey*, and Hundred of *Chippenham*, and divers Meſſuages, Lands, Tenements and Hereditaments, in the County of *Wilts*, late the Eſtates of *Charles* Earl of *Peterborow* and *Monmouth*, deceaſed, in Truſtees, for raiſing a certain Sum of Money for the Purpoſes therein mentioned.

46. An Act for Sale of the Eſtate of *James* Lord *Cranſtoun*, in the County of *Northumberland*, ſettled on his Marriage for the Benefit of *Sophia* Lady *Cranſtoun*, and their Iſſue, for raiſing Money to diſcharge the Incumbrances affecting the ſame; and alſo towards diſincumbering his Eſtate in *Scotland*, ſettled alſo for the Benefit of the ſaid Lady *Cranſtoun*, and the Iſſue of that Marriage.

47. An Act for carrying into Execution ſeveral Contracts made by or on the Behalf of *James* late Lord *Bulkeley*, in the Kingdom of *Ireland*, in his Life Time, for the Sale of ſeveral Lands and Tenements in the County of *Cheſter*, and for applying the Purchaſe Money to diſcharge Incumbrances affecting the ſame.

48. An Act for veſting the Manor of *Northall*, and divers Lands and Hereditaments in the County of *Middleſex*, ſettled on the Marriage of Sir *Hutchins Williams* Baronet, and deviſed by the Will of *William Peer Williams* his Father, reſpectively in Truſtees, in order to be conveyed to *Agatha Child* Widow, and her Heirs, purſuant to Articles of Agreement for that Purpoſe, and for laying out Money ariſing by Sale of the Eſtate deviſed by the ſaid Will in the Purchaſe of Lands to be ſettled to the Uſes of that Will, and for other Purpoſes therein mentioned.

49. An Act for veſting divers Manors, Lands and Hereditaments, Part of the ſettled Eſtates of *Francis Blake Delaval* Eſquire, in Truſtees, for raiſing Money to pay off and diſcharge ſeveral Debts and Incumbrances, and for other Purpoſes therein mentioned.

50. An Act for Sale of the ſettled Eſtate of *Wrightſon Mundy* Eſquire, in the County of *Leiceſter*, for diſcharging Incumbrances affecting the ſame, and alſo his unſettled Eſtate in the County of *Derby*, and for ſettling the *Derbyſhire* Eſtate ſo diſincumbered, to the Uſes therein mentioned.

51. An Act for confirming a Partition between *John Leman* Eſquire, and *Elizabeth Newnham*, and *John Newnham* Eſquire, of ſeveral Eſtates in the City of *London*, and Counties of *Middleſex* and *Huntingdon*, and for veſting and ſettling the intire Premiſſes, which on ſuch Partition were allotted to the ſaid *John Leman* and *Elizabeth Newnham*, and *John Newnham* reſpectively, to the Uſes therein mentioned.

52. An Act for dividing the Common Fields of *Egleton*, alias *Edgeton*, in the County of *Rutland*.

53. An Act to enable *John Thornhaugh* Eſquire, now called *John Hewett*, and his Deſcendants, to take and uſe the Surname of *Hewett*, purſuant to the Will of Sir *Thomas Hewett* Knight, deceaſed.

54. An Act for naturalizing *Francis Jalabert*, an Infant, under the Age of eighteen Years.

THE

STATUTES at Large, &c.

Anno Regni viceſimo GEORGII II. Regis Angliæ, Scotiæ, Franciæ & Hiberniæ.

At the Parliament begun and holden at *Weſtminſter*, the firſt Day of *December*, *Anno Dom.* 1741, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, &c. And from thence continued by ſeveral Prorogations to the 18th Day of *November* 1746, being the ſixth Seſſion of this preſent Parliament.

CAP. I.

An Act for the further continuing an Act made in the laſt Seſſion of Parliament, intituled, *An Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government.* EXP.

'WHEREAS a wicked and unnatural Rebellion being begun in that Part of this Kingdom called *Scotland*, by divers of his Majeſty's Subjects, encouraged by his Enemies Abroad, in order to ſet a Popiſh Pretender upon the Throne, to the utter Deſtruction of the Proteſtant Religion, and the Laws and Liberties of this free Conſtitution, an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act to impower his Majeſty to ſecure and detain ſuch Perſon as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government*; and the ſaid Act is thereby declared to continue until the nineteenth Day of *April* in the Year of our Lord one thouſand ſeven hundred and forty-ſix: And whereas one other Act paſſed in the ſame Seſſion of Parliament, intituled, *An Act for continuing an Act of this preſent Seſſion of Parliament, intituled*, An Act to impower his Majeſty to ſecure and detain ſuch Perſons as his Majeſty ſhall ſuſpect are conſpiring againſt his Perſon and Government; whereby it was enacted, That the ſaid firſt mentioned Act, and all and every the Clauſes, Proviſoes, Powers and Authorities therein contained, ſhould continue and remain in full Force and Vigour, from and after the ſaid nineteenth Day of *April* for and until the twentieth Day of *November* in the Year of our Lord one thouſand ſeven hundred and forty-ſix, and no longer: And whereas it is neceſſary for the Publick Safety, that the ſaid firſt recited Act ſhould be further continued:' Now, for the better Preſervation of his Majeſty's Sacred Perſon, and for ſecuring the Peace of this Kingdom in this particular Conjuncture, againſt all traiterous Attempts and Conſpiracies whatſoever; Be in enacted, &c. 19 Geo. 2. c. 1. 19 Geo. 2. c. 17.

The firſt Act continued till 20 Feb. 1746.

CAP. II.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-ſeven. EXP. At 4s. in the Pound.

CAP. III.

An Act for repealing the several Rates and Duties upon Houses, Windows and Lights; and for granting to his Majesty other Rates and Duties upon Houses, Windows or Lights; and for raising the Sum of four Millions four hundred thousand Pounds by Annuities, to be charged on the said Rates or Duties.

7 & 8 Will. 3. c. 18. See 20 Geo. 2. c. 42. 21 Geo. 2. c. 10.

'WHEREAS by an Act of Parliament made and passed in the seventh and eighth Years of the Reign of his late Majesty King WILLIAM the Third, of glorious Memory, intituled, *An Act for granting to his Majesty several Rates or Duties upon Houses, for making good the Deficiency of the clipped Money*; it was amongst other Things enacted, That for and during the Term of seven Years to commence and be accounted from the twenty-fifth Day of *March* in the Year of our Lord one thousand six hundred and ninety-six, and no longer, there should be charged, levied, and paid unto his said late Majesty, his Heirs and Successors, for and upon every Dwelling-house inhabited which then was, or that thereafter should be erected within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, the annual or yearly Sums therein mentioned; that is to say,

'For every such Dwelling-house inhabited, then erected, or which should thereafter be erected, within the said Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, the yearly Sum of two Shillings.

'And for every such Dwelling-house inhabited, having ten Windows, or more, and under the Number of twenty, the Sum of four Shillings yearly, over and above the said yearly Sum of two Shillings.

'And for every such Dwelling-house inhabited, having twenty Windows, or more, the yearly Sum of eight Shillings, over and above the said yearly Sum of two Shillings.

'Which said Sums of Money were, by the said Act, directed to be charged upon, and paid by the Inhabitants or Occupiers of such Dwelling-houses, and not the Landlords who let or demised the same, and were to be raised, levied, collected, answered, and paid unto his Majesty, at such Times, and in such Manner and Form, and by such Ways and Means, and under such Penalties and Forfeitures, and applied to such Uses and Purposes, as are mentioned and prescribed in the said Act: And whereas by one other Act passed in the eighth and ninth Years of the Reign of his said late Majesty (intituled, *An Act for making good the Deficiencies of several Funds therein mentioned, and for enlarging the Capital Stock of the Bank of* England, *and for raising the publick Credit)* the said Rates and Duties granted by the before recited Act, passed in the first Year of the Reign of her late Majesty Queen ANNE, (intituled, *An Act for making good Deficiencies, and for preserving the publick Credit)* the said Rates and Duties upon Houses, granted and continued by the two Acts of Parliament before recited, were further continued until the first Day of *August* one thousand seven hundred and ten; and by one other Act made and passed in the fifth Year of the Reign of her said late Majesty Queen ANNE, (intituled, *An Act for continuing the Duties upon Houses, to secure a yearly Fund for circulating Exchequer Bills, whereby a Sum not exceeding fifteen hundred thousand Pounds is intended to be raised for carrying on the War, and other her Majesty's Occasions)* the said Rates and Duties upon Houses, granted and continued by the several Acts before recited, were made perpetual for the Uses and Purposes therein mentioned, subject to Redemption by Parliament, and divers Provisions and Directions are contained in the several before recited Acts, for raising, levying, collecting, and paying the said Rates and Duties, and for applying the same to the Uses and Purposes specified in the said Acts: And whereas by an Act passed in the eighth Year of the Reign of her said late Majesty Queen ANNE (intituled, *An Act for continuing Part of the Duties upon Coals, Culm and Cinders, and granting new Duties upon Houses having twenty Windows or more, to raise the Sum of fifteen hundred thousand Pounds, by way of a Lottery, for the Service of the Year one thousand seven hundred and ten)* it was, amongst other Things enacted, That for and during the Term of thirty-two Years, to be accounted from the twenty-ninth Day of *September* one thousand seven hundred and ten, there should be charged, raised, collected, levied, and paid unto her Majesty, her Heirs and Successors, for and upon every Dwelling-house inhabited, that then was, or thereafter should be erected or built within the Kingdom of *Great Britain*, having twenty Windows, or more, and under thirty Windows, the yearly Sum of ten Shillings; and for every such Dwelling-house having thirty Windows, or more, the yearly Sum of twenty Shillings: Which said new or additional Duties, as to such Houses as are in *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, were directed to be paid by the respective Occupiers or Inhabitants of such Dwelling-houses, over and above the several Duties amounting to ten Shillings *per Annum*, chargeable upon Houses there, by virtue of former Acts of Parliament in that Behalf: And by one other Act made and passed in the fifth Year of the Reign of his late Majesty King GEORGE the First, of glorious Memory (intituled, *An Act for redeeming the Fund appropriated for Payment of the Lottery Tickets which were made forth for the Service of the Year one thousand seven hundred and ten, by a voluntary Subscription of the Proprietors into the Capital Stock of the* South Sea *Company*; *and for raising a Sum of Money to pay off such Debts and Incumbrances as are therein mentioned*; *and for appropriating the Supplies granted in this Session of Parliament*; *and to limit Times for Prosecutions upon Bonds for exporting Cards and Dice)* the said new or additional Duties upon Houses were made perpetual, for the Uses and Purposes therein mentioned, subject to Redemption by Parliament; and divers Provisions and Directions are contained in the two last recited Acts, for the raising, managing, collecting and paying the said additional Duties, as in and by the said Acts, Relation being thereunto had, may more fully appear: And whereas the Revenue arising by the said several and respective Rates and Duties upon Houses

'hath

'hath for ſome Years paſt greatly decreaſed, and the ſame is ſtill likely to diminiſh;' We your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain*, in Parliament aſſembled, think it will be for the Advantage of the Publick to repeal the preſent Rates and Duties upon Houſes, and in lieu thereof to grant unto your Majeſty the ſeveral new Rates and Duties herein aftermentioned, as well for ſecuring a certain Fund for Payment of ſuch Incumbrances as are now charged upon the ſaid Rates and Duties upon Houſes, as to enable your Majeſty to raiſe a certain Sum of Money towards the Supply for the Service of the Year one thouſand ſeven hundred and forty-ſeven; and therefore do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *March* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſeven, all the Rates and Duties, and additional Rates and Duties upon Houſes, granted, continued, and made perpetual by the ſeveral Acts of Parliament herein before recited, ſhall ceaſe, determine, and be no longer paid or payable; and that then and from thenceforth all the Powers and Authorities given or granted by the ſaid ſeveral Acts, ſo far as the ſame relate to the levying, ſecuring, collecting, or recovering the ſaid Rates and Duties upon Houſes, and all Penalties and Forfeitures relating thereto, ſhall alſo ceaſe, determine, and not be put in Execution; ſave only and except in all Caſes relating to the recovering any Arrears, which may at that Time remain unpaid, of the ſaid Rates and Duties upon Houſes, or to any Penalties or Forfeitures in reſpect thereof which ſhall have ariſen or grown due and payable to his Majeſty, or may have been incurred, upon or at any Time before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſeven; any thing herein before contained to the contrary notwithſtanding.

' Amended by 20 Geo. 2. c. 42. 21 Geo. 2. c. 10.

The Rates upon Houſes to ceaſe from 25 March 1747.

Arrears, &c. recoverable.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſeven, there ſhall be charged, raiſed, levied, and paid unto his Majeſty, his Heirs, and Succeſſors, the ſeveral Rates and Duties upon Houſes, Windows or Lights, herein after mentioned; that is to ſay,

The Rates laid upon Houſes by this Act,

For and upon every Dwelling-houſe inhabited, which now is, or hereafter ſhall be erected within that Part of *Great Britain* called *England*, the yearly Sum of two Shillings.

And for every Window or Light in every Dwelling-houſe within and throughout the whole Kingdom of *Great Britain*, which ſhall contain ten, eleven, twelve, thirteen or fourteen Windows or Lights, the yearly Sum of ſix Pence for every Window or Light in ſuch Houſe.

And for every Window or Light, in every Dwelling-houſe as aforeſaid, which ſhall contain fifteen, ſixteen, ſeventeen, eighteen or nineteen Windows or Lights, the yearly Sum of nine Pence for each Window or Light in ſuch Houſe.

And for every Window or Light, in every ſuch Dwelling-houſe as aforeſaid, which ſhall contain twenty Windows or Lights, and upwards, the yearly Sum of one Shilling for each Window or Light in ſuch Houſe as aforeſaid.

III. Provided nevertheleſs, and it is the true Intent and Meaning of this Act, that the ſaid ſeveral and reſpective yearly Sums before charged upon every Window or Light, contained in every Dwelling-houſe in *England* as aforeſaid, ſhall be paid over and above the ſaid Duty of two Shillings upon Houſes before mentioned; which ſaid ſeveral Rates and Duties by this Act granted as aforeſaid, ſhall be appropriated to the ſeveral Uſes and Purpoſes herein after mentioned; ſubject nevertheleſs to the Proviſo or Condition of Redemption hereinafter contained in that Behalf.

to be paid over and above the Duty of 2s. upon Houſes.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Rates and Duties by this Act granted as aforeſaid, ſhall be paid Quarterly, at the four moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, the Feaſts of the Nativity of Saint *John* the Baptiſt, Saint *Michael* the Archangel, the Birth of our Lord Chriſt, and the Annunciation of the Bleſſed Virgin *Mary*, by even and equal Portions; the firſt Payment thereupon to be made at the Feaſt of the Nativity of Saint *John* the Baptiſt, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-ſeven.

Rates to be paid Quarterly.

V. And be it further enacted by the Authority aforeſaid, That the Rates and Duties by this Act granted as aforeſaid, ſhall be charged only upon the Inhabitants or Occupiers for the Time being of the reſpective Dwelling-houſes, in which ſuch Windows or Lights are contained, his, her or their Executors or Adminiſtrators reſpectively, and not on the Landlord who lett or demiſed the ſame, except in ſuch Caſe as is in this Act hereafter mentioned.

Charge only upon the Tenant.

VI. And be it further enacted by the Authority aforeſaid, That for the better Execution of this Act, and for the ordering, raiſing, collecting, levying and paying the ſeveral Sums of Money hereby granted, all and every the Perſons named or appointed to be Commiſſioners for putting in Execution an Act of this preſent Seſſion of Parliament (intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-ſeven,*) or by any other Act or Acts of Parliament thereby referred unto, or who ſhall hereafter be named or appointed Commiſſioners for putting in Execution any future Act or Acts of Parliament for granting an Aid to his Majeſty, his Heirs or Succeſſors, by a Land Tax in *Great Britain*, ſhall be Commiſſioners for putting in Execution this preſent Act, and the Powers therein contained, in all and every the reſpective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-Ports, Towns and Places reſpectively, within *Great Britain* as aforeſaid; which ſaid Commiſſioners, in order to the ſpeedy Execution of this Act, ſhall, in their reſpective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque-Ports, Towns and Places, for which they are appointed Commiſſioners reſpectively, meet together at the moſt uſual or common Place of Meeting, within ſuch of the ſaid Counties, Shires, Stewartries, Cities, Boroughs, Cinque-ports; Towns and Places reſpectively, on or before the eighteenth Day of *April* one thouſand ſeven hundred and forty-ſeven;

Commiſſioners of the Land Tax to be Commiſſioners for this Act.

Time and Place of Commiſſioners Meeting.

seven; and in like Manner to meet yearly and every Year, at such Day or Time as shall be appointed for the first General Meeting of the Commissioners, to be appointed by any future Act or Acts of Parliament for granting an Aid to his Majesty by a Land Tax, or on such other Day as the said Commissioners shall think proper to appoint before the thirtieth Day of *April* yearly; and the said Commissioners, or so many of them as shall be present at the first General Meeting, or the major Part of them, may, by their Consents and Agreements, divide, as well themselves as other the Commissioners not then present for the Execution of this Act, in Hundreds, Lathes, Wapentakes, Rapes, Wards, Towns and other Places within their Limits, privileged or not privileged, in such Manner as to them shall seem meet; and shall direct their several or joint Precept or Precepts to such Inhabitants, and such Number of them as they in their Discretion shall think most convenient to be Presentors and Assessors, requiring them to appear before the said Commissioners, at such Time and Place as they shall appoint, not exceeding ten Days; and at such their Appearances, the said Commissioners, or so many of them as shall meet, shall openly read, or cause to be read unto them, the several Rates and Duties in this Act mentioned, and openly declare the Effect of their Charge unto them, and how and in what Manner they ought and should make their Certificates and Assessments according to the several Rates aforesaid; and shall then and there prefix another Day for the said Persons to appear before the said Commissioners, and bring in their Certificates in Writing under their Hands, to be verified upon their Oaths, and not otherwise, of every Dwelling-house inhabited and charged by this Act, within the Limits of those Places for which they are to act, and of the Number of Windows or Lights in each House, together with the Names and Sirnames of the several Occupiers or Inhabitants of each respective Dwelling-house, and of the several Sums of Money they ought to pay by virtue of this Act, without Concealment or Favour; upon Pain of Forfeiture of any Sum, not exceeding five Pounds, nor less than forty Shillings, to be levied as by this Act is appointed, and shall also then return the Names of two or more able and sufficient Persons, within the Bounds or Limits of those Parishes or Places where they shall be Assessors respectively, to be Collectors of the several Rates and Duties granted to his Majesty by this Act; for whose paying unto the Receiver General now appointed, or for the Time being to be appointed by his Majesty, or by the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or Commissioners of the Treasury for the Time being, his Deputy or Deputies, in Manner following, such Money as they shall be charged withal, the Parish or Place by whom they are so employed shall be answerable; and every Assessor, so as aforesaid appointed or to be appointed, shall, before he take upon him the Execution of the said Employment, take the Oaths mentioned and required to be taken by an Act made in the Parliament held the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths;* which Oaths any three or more of the Commissioners in the County, Shire, Stewartry, City or Place where the said Assessment is to be made, have hereby Power, and are hereby required to administer, as also all and every such other Oaths, as are by this Act required to be taken by any Officer or Person whatsoever.

Commissioners to divide themselves,

and issue Precepts to Assessors, &c.

Day to be prefixed for bringing in Certificates, &c.

Persons to be returned for Collectors,

the Parish answerable for them.

Assessors to take the Oaths.

The Rates to be ascertained, and Certificates returned by 4 June yearly.

VII. And be it further enacted by the Authority aforesaid, That the Rates and Duties charged by this Act shall be ascertained, and the Certificates thereof returned to the said Commissioners, on or before the fourth Day of *June* yearly; and upon the Delivery and Return of such Certificates or Assessments unto the said Commissioners, they, or any three or more of them, shall, at least ten Days before any of the Rates and Duties by this Act granted shall become due and payable, issue out and deliver their Warrants or Estreats, under their Hands and Seals, to such Collectors as aforesaid, for the speedy collecting and levying of the said Rates and Duties, as they shall respectively become due and payable; and all Monies and Rates due thereupon, according to the Intent and Directions of this present Act; of all which the said Collectors are hereby required to make Demand of the Parties chargeable therewith, or at the Places of their last Abode, within ten Days after the said Duties hereby granted shall respectively become due and payable, and upon Payment thereof, to give Acquittances under their Hands (without taking any thing for such Acquittances) unto the several Persons who shall pay the same; and that such Acquittances shall be a full and perfect Discharge to every such Person who shall pay the same, against his Majesty, his Heirs and Successors; and the said Collectors are hereby required to pay in all such Sums of Money as they shall receive, within twenty Days after the Receipt thereof, at such Place as the Commissioners shall appoint, unto the respective Receiver General, his Deputy or Deputies, who are hereby impowered and required to call upon and hasten the Collectors to make the said Payment; and in Default of such Payment to levy, by Warrant under the Hands and Seals of any three or more of the Commissioners, upon the Collectors, by Distress and Sale of his or their Goods and Chattles, such Sum and Sums of Money as he hath received, and as ought by him to have been paid, and is not paid by reason of his Failure in doing his Duty, according to the Direction of this Act.

Commissioners when to issue their Warrants,

and Collectors to make Demand of the Rates, &c.

Collectors when to pay in the Monies.

Commissioners to hasten the Collectors,

and to distrain in case of Non-payment.

Collectors to give Copies of their Assessments and Collections to the Commissioners.

VIII. And be it further enacted, That for the better charging the Duties arising by this Act, the Collectors of the said Duties shall cause a Copy of the respective Assessments given to them, and of the Collection made by them, for such Division, Parish or Place for which they were appointed Collectors respectively, to be fairly written and signed by them, but with such Alterations therein as shall be necessary, by reason of any new Houses erected, or the Number of Windows in any House being increased, or by reason of the Change of Inhabitants or Occupiers of any House, or otherwise, or a true Duplicate thereof, signed as aforesaid, to be delivered unto three or more of such Commissioners for the respective Counties, Shires, Stewartries, Ridings, Cities, Towns, Divisions or Places for which they were appointed Collectors respectively, within the Space of ten Days after the first Meeting of the Commissioners yearly.

Commissioners to examine the Certificates, &c.

IX. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, shall, and they are hereby authorized and required strictly to peruse the Certificates or Assessments, which by this Act are before directed to be annually delivered to them, and also to examine the Assessors and Presentors thereof; and if the said Commissioners, or any three of them, within their several Limits or Divisions, shall, at the Time of the Delivery of such Certificates or Assessments, or within ten

Days after, have certain Knowledge or Cause to suspect that any Dwelling-house or Houses, or the Names of any Persons which ought to be charged by this Act, are omitted in the said Certificates, or the full Number of Windows in any House not set down, or that any Dwelling-house is under-charged, or not duly charged, according to the Directions of this Act, the said Commissioners, or any three of them, shall have Power to summon the Person or Persons inhabiting such Dwelling-house to appear before them at a Day and Place to be prefixed, to be examined touching the Rates and Duties aforesaid, or touching other Matters which may any way concern the Premisses; and if any Person or Persons summoned to be so examined shall neglect to appear, not having a reasonable Excuse for such his Default, every Person so making Default shall pay unto his Majesty double the Sum of the Rate he should or ought to have been set at; and moreover the said Commissioners, to whom such Certificates or Assessments shall be delivered, or any three of them, or any other three Commissioners of the respective Counties, Shires or Stewartries, where such Assessment shall be made, shall have Power, and are hereby required, by all lawful Ways and Means, to examine and enquire into and concerning the Number of Windows or Lights in any Dwelling-house thereby charged, or of any Dwelling-house omitted to be charged, and thereupon to enlarge, alter, abate or diminish the said Assessment so delivered to the said Commissioners, so that such Rate or Rates may be set and imposed upon every such Dwelling-house as shall be according to the Intent and Meaning of this Act; and the said Commissioners, or any three or more of them, shall, after such Perusal and Examination thereof, set their Hands to the said respective Assessments, testifying their Allowance thereof, and shall likewise nominate and appoint two of the Persons named in the said Certificate or Assessment to be Collectors, or any other two such Persons as they shall think able and responsible, for the respective Divisions and Places for which they were so presented; and shall forthwith deliver, or cause to be delivered, such Assessment so by them allowed of, unto the respective Persons by them nominated to be Collectors for the Year ensuing, who are hereby strictly enjoined and required to collect and pay the several Rates and Duties so rated and assessed, and to give Acquittances according to the Directions herein before contained for and touching the Collectors of the said Duties hereby granted, and under the several Penalties and Forfeitures hereby inflicted upon Collectors for Neglect or Non-performance of their Duty.

and on Suspicion of wrong Charge, to summon the Occupier.

Person summoned not appearing, to pay double Rate.

Commissioners to examine into the Number of Windows charged, and settle the Rates.

Commissioners to sign the Assessments, and nominate Collectors.

X. And be it enacted, That the Commissioners for putting this Act in Execution, shall cause true Duplicates of the said Assessments to be made out, within three Months at fartheſt after the twenty-fifth Day of *March* yearly (the Appeals being first heard and determined, and delivered unto the respective Receivers General) and also transmitted into the Offices of the King's Remembrancer, in the Exchequer in *England* and *Scotland* respectively; for which Duplicates the proper Officers shall give Acquittances *gratis*, so as every of them may be duly charged to answer their respective Collections and Receipts; and that the said Duplicates shall be made for the same Hundreds, Wards, Parishes or Places, for which distinct Duplicates are and have been usually made out for the Land Tax; and that in every such Duplicate, the said Commissioners shall cause to be inserted the Names and Sirnames of the several Assessors and Collectors for every such Hundred, Ward, Parish or Place as aforesaid; and that the respective Receivers General shall pay the several Sums of Money, by them received by virtue of this Act, into his Majesty's Receipt of Exchequer, by Quarterly Payments, upon the several Days herein before appointed for Payment thereof, or within forty Days after; and in case any such Receiver General or his Deputy, shall pay any Part of the Monies, paid to him or them by any Collector by virtue of this Act, to any Person or Persons whatsoever, other than into the Receipt of his Majesty's said Exchequer, and at or within the respective Times limited by this Act (except the necessary Charges of receiving, levying, managing, paying and accounting for the same, as is herein after directed) then such Receiver General shall, for every such Offence of himself, or his Deputy, forfeit the Sum of five hundred Pounds to him or them that shall sue for the same in any Court of Record, by Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law is to be allowed; and that if any Surveyor of the said Rates and Duties, appointed or to be appointed as aforesaid, shall knowingly or wilfully, through Favour or Malice, under-rate or over-rate, or omit to charge any Person or Persons liable to the Payment of the Rates and Duties by this Act granted, or shall be guilty of any corrupt or illegal Practices in the Execution of his Office, such Surveyor shall, for every such Offence as aforesaid, forfeit the Sum of one hundred Pounds, and be dismissed from his said Employment.

Commissioners to give in Duplicates to the Receiver General.

Duplicates to contain the Assessors and Collectors Names.

Receivers General to pay the Monies Quarterly into the Exchequer, &c.

Penalty 500l.

Surveyors making wrong Charges, &c.

forfeit 100l. &c.

XI. And be it further enacted, That every Receiver General shall have an Allowance of two Pence in the Pound, for all Monies which shall be by him paid into the Receipt of the Exchequer, and that every Collector shall have three Pence in the Pound for what Money he shall pay to the Receiver General, his Deputy or Deputies; and that for the careful writing and transcribing the said Assessments, Warrants, Estreats, and Duplicates in due Time, the Clerks of the Commissioners who shall respectively perform the same, shall, by Warrant under three or more of the Commissioners Hands, have and receive from the respective Receivers General, their Deputy or Deputies, three Halfpence in the Pound of all such Monies as he shall have received by virtue of such Warrants or Certificates, who is hereby appointed and allowed to pay the same accordingly; provided the said Warrants or Estreats be made out, and the Duplicates delivered to the said Receiver General, and into the respective Offices of the King's Remembrancer, as aforesaid, within the Times limited by this Act, and not otherwise; and if any Person or Persons shall refuse to pay the several Sum and Sums appointed by this Act for such Person to pay, upon Demand made by the Officer or Collector of the Place, according to the Precept or Estreats to him delivered by the Commissioners appointed by this Act, it shall and may be lawful to and for such Officer and Collector, who are hereby thereunto authorized and required, for Non-payment thereof, to distrain the Person or Persons so refusing, by his or their Goods or Chattles, and the Distress so taken to keep by the Space of four Days, at the Costs and Charges of the Owners thereof; and if the said Owners do not pay the respective Sums of Money due by this Act within the said four Days, then the said Distress to be appraised by two or more of the Inhabitants where the said Distress is taken, and there to be sold by the said Officer, for the Payment of the said Money, and the Overplus coming by the said Sale (if any be) over and above the Charges of taking and keeping the said Distress,

Allowance to the several Officers for levying, &c. the Taxes.

The Rate to be levied by Distress, &c.

Houſes may be broke open by Warrant;

Diſtreſs, to be immediately reſtored to the Owner thereof; and moreover, it ſhall and may be lawful to break open (in the Day-time) any Houſe, upon Warrant under the Hands and Seals of three or more of the ſaid Commiſſioners, calling to their Aſſiſtance the Conſtable, Tythingman, or Headborough, within the Counties, Shires, Stewartries, Cities, Towns, and Places where any Refuſal, Neglect, or Reſiſtance ſhall be made; which ſaid Officers are hereby required to be aiding and aſſiſting in the Premiſſes, as they will anſwer the contrary at their Peril; and if any Perſon or Perſons appointed to pay any of the Duties charged by this Act, ſhall refuſe or neglect to pay the ſaid Sum or Sums ſo appointed to be paid, by the Space of

and for want of Diſtreſs, the Perſon to be committed.

twenty Days after Demand, as aforeſaid, where no ſufficient Diſtreſs can or may be found, whereby the ſame may be levied, in every ſuch Caſe, three or more of the Commiſſioners by this Act appointed, for any ſuch City, County, or Place, are hereby authorized by Warrant under their Hands and Seals, to commit ſuch Perſon or Perſons to the common Goal, there to be kept without Bail or Mainprize, until Payment ſhall be made.

Notice to be given to the Collectors of the Time and Place of Appeals,

XII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any three or more of them, ſhall, and they are hereby required to give the Collectors of the ſaid Rates and Duties hereby granted, Notice at what Time or Times, Place or Places, the Appeals of any Perſon or Perſons, who ſhall think themſelves aggreived, by being over-rated by the ſaid Aſſeſſors, may be heard and determined; which Day or Days of Appeal, ſo to be appointed by the ſaid Commiſſioners, ſhall be within thirty Days from the reſpective Quarterly Days by this Act appointed for Payment of the ſaid Rates and Duties; and every

Collectors to give Notice in the Church.

ſuch Collector is hereby alſo required, within ten Days after ſuch Notice from the ſaid Commiſſioners, to cauſe Publick Notice to be given in every Pariſh Church or Chapel of Eaſe belonging to any ſuch Pariſh within his Diſtrict or Diviſion, immediately after Divine Service, on the Lord's Day (if any ſuch Divine Service ſhall be performed there within that Time) of the Time and Place ſo appointed by the ſaid Com-

Notices to be fixed on the Doors of Churches.

miſſioners for hearing and determining Appeals, as aforeſaid; and ſhall alſo cauſe the like Notices to be fixed in Writing upon the Door of each of the ſaid reſpective Pariſh Churches, or Chapels of Eaſe belonging to any ſuch Pariſhes, on the ſame Day, that all Perſons who ſhall think themſelves over-rated may know when and where to make their Appeal to the ſaid Commiſſioners; and the ſaid Commiſſioners, or any three or

Commiſſioners to examine upon Oath, &c.

more of them, ſhall examine the Parties complaining, upon his or her Oath, concerning the Number of Windows or Lights in the Dwelling-houſe or Houſes for which he or they is or are reſpectively charged; and upon due Examination or Knowledge thereof, ſhall abate, defalk, encreaſe, or enlarge the ſaid Aſſeſſment; and the ſame ſo increaſed or enlarged, on Non-payment thereof, ſhall be eſtreated by them into the Exchequer in Manner aforeſaid; and every Perſon ſo intending to appeal to the ſaid Commiſſioners ſhall

Appellant to give Aſſeſſors Notice.

and is hereby required to give Notice thereof in Writing to one or more of the Aſſeſſors of the Pariſh wherein he is rated, of ſuch his Intention to appeal, that ſuch Aſſeſſor or Aſſeſſors may then and there attend to juſtify the ſaid Aſſeſſment.

Appeals once heard to be final

XIII. And it is hereby declared, that all Appeals once heard and determined by the ſaid Commiſſioners, or any three or more of them, or the major Part of them then preſent, on the Day or Days by them appointed for hearing Appeals, as aforeſaid, ſhall be final, without any further Appeal upon any Pretence whatſoever.

No Perſons to be exempted.

XIV. And be it further enacted by the Authority aforeſaid, That no Letters Patents granted by the King's Majeſty, or any of his Royal Progenitors; or to be granted by his Majeſty to any Perſon or Perſons, Cities, Boroughs, or Towns Corporate within this Realm, of any manner of Liberties, Privileges, or Exemptions from Subſidies, Tolls, Taxes, Aſſeſſments, or Aids, ſhall be conſtrued or taken to exempt any Perſon or Perſons, City, Borough, or Town Corporate, or any the Inhabitants of the ſame, from the Burden and Charge of any Sum or Sums of Money granted by this Act, and all *Non-obſtantes*, in ſuch Letters Patents, made or to be made in Bar of any Act or Acts of Parliament for the Supply or Aſſiſtance of his Majeſty, are hereby declared to be void and of none Effect; any ſuch Letters Patents, Grants or Charters, or any Clauſe of *Non-obſtante*, or other Matter or Thing therein contained, or any Law or Statute to the contrary notwithſtanding.

Parents, &c. of Minors made liable, &c.

XV. And be it further enacted by the Authority aforeſaid, That where any Perſon or Perſons, chargable with any Rates or Aſſeſſments by this Act impoſed, ſhall be under the Age of one and twenty Years, in every ſuch Caſe the Parents, Guardians, and Tutors of ſuch Infants reſpectively, upon Default of Payment by ſuch Infants, ſhall be, and are hereby made liable to, and charged with the Payments which ſuch Infants ought to have made; and if ſuch Parents, Guardians, or Tutors ſhall neglect or refuſe to pay as aforeſaid, it ſhall and may be lawful to proceed againſt them, in like Manner as againſt any other Perſon or Perſons making Default of Payment, as herein before is mentioned; and all Parents, Guardians, and Tutors making Payment as aforeſaid, ſhall be allowed all and every the Sums paid for ſuch Infants upon his or their Accounts.

Collectors, on Nonpayment of Monies,

XVI. And be it further enacted and declared, That if any Collector that ſhall, by virtue of this Act, be appointed for the Receipt of any Sums of Money thereby to be aſſeſſed, ſhall neglect or refuſe to pay any Sum or Sums of Money which ſhall be by him received as aforeſaid, and to pay the ſame as in and by this Act is directed, and ſhall detain in his or their Hands any Money received by them, or any of them, and

the Commiſſioners to commit the Perſon, and ſeize his Eſtate.

not pay the ſame at ſuch Time as by this Act is directed, the Commiſſioners of each County, Shire, Stewartry, Riding, City or Town reſpectively, or any three or more of them, in their reſpective Diviſions, are hereby authorized and impowered to impriſon the Perſon, and ſeize and ſecure the Eſtate, as well Freehold as Copyhold, and all other Eſtate, both Real and Perſonal of ſuch Collector to him belonging, or which ſhall deſcend or come into the Hands or Poſſeſſion of his Heirs, Executors, or Adminiſtrators, whereſoever

Commiſſioners to appoint a Time of General Meeting, &c.

the ſame can be diſcovered and found; and the ſaid Commiſſioners who ſhall ſo ſeize and ſecure the Eſtate of any Collector or Collectors, ſhall be, and are hereby impowered to appoint a Time for a General Meeting of the Commiſſioners for ſuch County, Shire, Stewartry, Riding, City, Town or Place, and there to cauſe publick Notice to be given of the Place where ſuch Meeting ſhall be appointed, ten Days at leaſt before ſuch

General Meeting; and the Commissioners present at such General Meeting, or the major Part of them, in case the Monies detained by any such Collector or Collectors be not paid or satisfied as it ought to be, according to the Directions of this Act, shall be, and are hereby impowered and required to sell and dispose of all such Estates which shall be for the Cause aforesaid seized and secured, or any Part of them, to satisfy and pay into the Hands of the Receiver General the Sum that shall be so detained in the Hand of such Collector or Collectors, their Heirs, Executors, or Administrators respectively. and to make Sale of the Estates.

XVII. And be it further enacted, That in all privileged and other Places being extraparochial and not within the Constablewicks or Precincts of the respective Assessors to be appointed by virtue of this Act, the said Commissioners, or any three or more of them, shall, and they are hereby required to nominate and appoint two fit Persons, living in or near the said privileged or other Places as aforesaid, to be Assessors for the said Places, and to make and return their said Assessments, in like Manner as by this Act is appointed in any Parish, Tything or Place; and also to appoint two or more Collector or Collectors, who are hereby required to collect and pay the same, according to the Rates appointed by this Act, for collecting and paying all Sums of Money payable by this Act. In privileged Places the Commissioners to appoint Assessors, and Collectors.

XVIII. Provided also, That no Person inhibiting in any City, Borough or Town Corporate, shall be compelled to be an Assessor or Collector of or for any Part of the Rates and Assessments hereby granted in any Place or Places out of the Limits of the said City, Borough or Town Corporate. None obliged to collect, &c. out of the Limits.

XIX. And be it further enacted by the Authority aforesaid, That the Commissioners that shall be within any County, Shire, Stewartry, City or Place within the respective Limits, or the major Part of them, shall rate and assess every other Commissioner joined with them for or in respect of the Rates and Duties hereby granted, so as the Residence and usual Dwelling-place of such Commissioner so to be assessed, be within the Division of such Commissioners by whom he is assessed; and the Commissioners within their Division shall also assess every Assessor, for all and singular the Premisses for which by this Act he ought to be rated and assessed; and as well all Sums assessed upon every the said Commissioners and Assessors, as Assessments made and set by the Assessors aforesaid, shall be levied and gathered as the same should and ought to have been, if such Persons had not been named Commissioners. Commissioners to assess Commissioners and Assessors.

XX. Provided also, and be it further enacted, That no Stay of Prosecution, upon any Command, Warrant, Motion, Order or Direction by *Non vult ulterius prosequi*, shall be had, made, admitted, received, or allowed by any Court whatsoever, in any Suit or Proceeding, by Action of Debt, Bill, Plaint or Information, or otherwise, for the Recovery of all or any the Pains, Penalties or Forfeitures upon any Person or Persons by this Act inflicted, or therein mentioned, for or in order to the Conviction or Disability of any Person offending against this Act. No Stay of Prosecution.

XXI. And be it further enacted, That if any Assessor, Collector, or other Person appointed by the said Commissioners, shall wilfully neglect or refuse to perform his Duty in the due and speedy Execution of this Act, the said respective Commissioners, or any three or more of them, may and shall, by virtue of this Act, impose on such Person or Persons so refusing or neglecting their Duties, any Fine not exceeding the Sum of twenty Pounds, nor less than five Pounds for any one Offence; the same to be levied and certified as aforesaid, and given in Charge to the respective Receivers General amongst the Rates aforesaid; and the said Commissioners, or any three or more of them, may and shall, from time to time call for, and require an Account from the respective Receivers General, of all the Monies received by them of the said Collectors, and of the Payment thereof into his Majesty's Exchequer, according to the Directions of this Act; and in case of a Failure in the Premisses, the said Commissioners, or any three or more of them, are hereby required to cause the same to be forthwith levied and paid according to the true Intent and Meaning of this Act; and in case of any Controversy arising between the said Commissioners concerning the said Rates or Assessments, the Commissioners that shall be concerned therein shall have no Voice, but shall withdraw during the Debate of such Controversy until it be determined by the rest of the Commissioners; and all Questions and Differences that shall arise, touching any of the said Rates and Duties, shall be heard and finally determined by three or more of the Commissioners, upon Complaint thereof to them made by any Person or Persons thereby grieved, without further Trouble or Suit in Law; and the said Receiver General, his Deputy or Deputies, shall give Acquittances *gratis* to the said Collectors, for all Monies by them received in pursuance of this Act; which Acquittances shall be a full Discharge to the said Collectors respectively; and the said Collectors shall make and deliver to the said Receivers General, their Deputy or Deputies, a perfect Schedule fairly written in Parchment, under their Hands and Seals, signed and allowed by any three or more of the said respective Commissioners, containing the Names, Sirnames, and Places of Abode of every Person within their respective Collections, that shall make Default of Payment of any of the Sums that shall be rated or assessed on such Person, for such Rate or Duty by virtue of this Act, and the Sum and Sums charged on every such Person; the same to be by him returned into his Majesty's said Courts of *Exchequer* in *England* and *Scotland* respectively, whereupon every Person so making Default of Payment, may be charged by Process of Court, according to the Course thereof in that Behalf; and all and every the proper Officers respectively herein concerned, shall, and they are hereby required to take care, from time to time, that such Process be duly issued and made effectual, so that all such Sums as shall be in arrear and unpaid as aforesaid, may be speedily recovered and paid into his Majesty's Exchequer. Commissioners to fine Persons refusing to do their Duty. Commissioners to call for the Receivers General Accounts; and in case of Failure to levy. Commissioners concerned to have no Voice in Controversies, &c. Complaints to be determined by the Commissioners. Collectors to give in a Schedule of Arrears, &c. to be returned into the Exchequer, &c.

XXII. Provided always, and be it enacted, That all Constables and Headboroughs, Tythingmen and other his Majesty's Officers, shall, and are hereby required and enjoined to be respectively aiding and assisting in the Execution of this Act, and to obey and execute such Precepts or Warrants as shall be to them directed in that Behalf, by the respectve Commissioners hereby appointed, or any three or more of them. Constables, &c. to assist.

XXIII. And be it further enacted by the Authority aforesaid, That all Monies due and payable by this Act, shall be paid by the particular Collectors of the respective Counties, Shires Stewartries, Cities, Boroughs, Towns, Parishes and Places who shall collect the same, unto such Receiver General, to be appointed as aforesaid to receive the same, or the Deputy or Deputies of such Receiver General, to be appointed Collectors to pay to the Receiver General, &c.

pointed under his Hand and Seal, whereof Notice shall be given by the Receiver General unto the Commissioners, or any three or more of them, within their respective Divisions, within twenty Days after their first General Meeting, and so, from time to time, within twenty Days after every Death or Removal of any Deputy, if any such shall happen; and the Receipt of such Receiver General, his Deputy or Dputies, or any of them, shall be a sufficient Discharge unto every such Collector.

Collectors not to go above 10 Miles to make Payment.

XXIV. And be it further enacted, That the particular Collectors, for Payment of any Sums by them received, unto such Receiver General, or his Deputy, shall not be obliged to travel above ten Miles from the Place of their Habitations.

Receivers General setting Persons insuper, &c.

XXV. And for the better preventing such unjust Vexations, as might be occasioned by such Persons as shall be appointed Receivers General of any of the Sums of Money granted by this Act, and to the Intent the Receivers General may return a true Account into his Majesty's said Courts of *Exchequer* in *England* and *Scotland* respectively, of such Sums of Money as shall be received by them and every of them, their and every of their Deputy and Deputies; Be it further enacted by the Authority aforesaid, That if any such Receiver General shall return or certify unto the said Courts, any Sum or Sums of Money to be in arrear or unpaid, after the same have been received either by such Receiver General, or his Deputy or Deputies, or any of them, or shall cause any Person or Persons to be set *insuper* in the said Courts, for any Sum or Sums

to forfeit double Damages;

of Money that hath been so received, that then every such Receiver General shall forfeit to every Person and Persons that shall be molested, vexed or damaged, by reason of such unjust Certificate, Return or setting *insuper*, double the Damages that shall be thereby occasioned; the said Damages to be recovered by Action of Debt, Bill, Plaint or Information; in which no Essoin, Protection or Wager of Law shall be

and to the King double the Sum.

allowed, nor any more than one Imparlance; and shall also forfeit to his Majesty, his Heirs and Successors, double the Sum that shall be so unjustly certified or returned, or caused to be set *insuper*.

Receivers chargeable with the Arrears of their accounts, &c.

XXVI. And it is hereby provided, declared, and enacted by the Authority aforesaid, That no Receiver of any the Rates and Duties granted by this Act, or any Heirs, Executors, or Administrators of such Receiver, shall, in any Accounts of the Monies wherewith such Receiver shall be chargeable (unless such Account be declared and passed in the Exchequer, within two Years at the farthest, after the End of the Year for which such Rates and Duties shall be payable) be allowed or admitted to set *insuper*, or charge any County, Division or Place, for any Monies granted by this Act, which shall be in arrear and unpaid, but that the same shall remain a Debt upon every such Receiver, to be answered by him and his Securities, his and their Heirs, Executors and Administrators, Lands, Tenements, Goods and Chattles respectively; any thing herein contained to the contrary notwithstanding.

Commissioners exempted from the Penalties of 25 Car. 2. c. 2.

XXVII. And be it further enacted by the Authority aforesaid, That no Commissioner or Commissioners, who shall be employed in the Execution of this Act, shall be liable for or by reason of such Execution, to any of the Penalties mentioned in an Act made the five and twentieth Year of King CHARLES the Second, for preventing of Dangers which may happen from Popish Recusants.

Penalties how to be levied.

XXVIII. Provided always, and be it enacted, That all Penalties and Forfeitures, to be incurred for any Offences against this Act, for which there is no particular Way of levying herein before prescribed or appointed, shall be levied by Warrant under the Hands and Seals of three or more of the respective Commissioners of the Division or Place where any such Offence was or shall be committed, by Distress and Sale of the Goods of the Offender, rendering the Overplus to the Owner thereof after a Deduction of reasonable Charges for distraining the same.

Houses exempted.

XXIX. Provided always, and be it further enacted and declared, That such Dwelling-houses only where the Occupier or Occupiers thereof, by reason of his, her or their Poverty only is or are exempted from the usual Taxes, Payments and Contributions towards the Church and Poor, shall be construed or understood to be excepted out of this Act, or discharged of the Rates and Duties hereby granted, and that only in such Cases where the Dwelling-houses so occupied are Cottages, not containing above nine Windows or Lights in the whole; any thing herein contained to the contrary notwithstanding.

Surveyors and Inspectors to be appointed.

XXX. And for the better ascertaining and collecting the said several Rates and Duties upon Houses, be it enacted, That it shall and may be lawful to and for his Majesty, his Heirs and Successors, or the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, from time to time, to constitute and appoint such Person or Persons as his Majesty, his Heirs and Successors, or the said Commissioners of the Treasury, or High Treasurer for the time being, shall think meet, to be the Officer or Officers for the Survey and Inspection of the Rates and Duties by this Act granted, within the said Kingdom of *Great Britain*, and for viewing and numbering the several Windows or Lights in each House, and for the inspecting and examining the Assessments or Certificates thereof, made and to be made from time to time in pursuance of this Act, and doing all Things belonging to the same; which Officers, or any of them, shall have full Power to examine and supervise the Assessments of the Houses, Windows, or Lights rated in every Parish and Place, as aforesaid; and at seasonable Times, with a Constable, Headborough, Tythingman, or other Officer of the respective Parishes or Places within *Great Britain*, who are hereby required to assist such Officers accordingly, to view and examine whether there be any more Windows than are certified and rated in such Assessment, and shall have Liberty to pass through any House or Houses, in order to go into any Court, Yard or Backside thereunto belonging, and externally to view and inspect the Windows or Lights in any such House or Houses, that cannot be conveniently seen or numbered, without passing through such House or Houses; and shall also have Liberty to make like View, Examination and Inspection twice in the Year during the Continuance of this Act; and if upon or after such View, or Examination and Inspection of the Assessments, as aforesaid, such Officer or Officers shall find that any Person or Premisses are underrated, or not rated and charged, as by this Act is directed and appointed, such Officer or Officers shall certify the same to the said Commissioners, or any three or more of them, within the Division, Hundred, Parish or Place wherein such Neglect or Failure shall happen to be; which said Commissioners, or any three or more

more of them, shall and are hereby required to cause such Rate or Rates to be set upon every such Person and Premisses as shall be according to the true Intent and Meaning of this present Act.

A House inhabited by 2 Families how taxable.

XXXI. And be it also enacted and declared, That where any House shall be inhabited by two or more Person or Persons, or Family or Families, such House shall nevertheless be subject to, and shall in like Manner pay the Rates and Duties charged on Houses, Windows, or Lights, by this Act, as if such House was inhabited by one Person or Family only.

Apartments in Colleges,

XXXII. Provided always, That each distinct Chamber or Apartment, in any College or Hall in any of the Universities of *Great Britain*, shall be subject to the same Rates or Duties as if it were an entire House paying to Church and Poor.

Inns of Court, &c.

XXXIII. And be it enacted and declared by the Authority aforesaid, That every Edifice in any of the Inns of Court or *Chancery*, being severally in the Tenure or Occupation of any Person or Persons, shall be subject to the same Rates and Duties for the Number of Windows therein, as if it were an entire House; and every House, whereof the Keeping only is committed or left to the Care or Charge of any Person or Servant, who doth not pay to the Church and Poor, shall be subject to the like Rates and Duties, for the Windows or Lights therein, as if it were inhabited by the Occupier, or by a Tenant, and to be paid by the respective Occupiers or Tenants of the same.

and Houses left to the Care of Servants.

Arrears of Collectors to be re-assessed.

XXXIV. And be it further enacted by the Authority aforesaid, That in case there shall be any Arrear of the said Rates or Duties on Houses, Windows, or Lights, by reason of the Failure of any such Collector or Collectors, as aforesaid, for which any Parish or Place shall be answerable, it shall and may be lawful to and for any three or more of the Commissioners for the said Rates and Duties, to cause such Arrear to be re-assessed within the said Parish or Place respectively, on all such Houses, Windows or Lights, as are liable to the Payment of the said Rates and Duties, and to cause the same to be raised, and (for Default of Payment) to be levied by such Ways and Means, as the Rates and Duties on Houses, Windows or Lights, are by this Act directed to be raised and levied in such Parishes or Places respectively, and to cause the Money so raised or levied to be paid to the Receiver General of the said Rates and Duties, or into the Exchequer, for the respective Uses and Purposes whereunto such Arrears (if they had been duly paid by the said Collectors) are hereby appropriated.

In what Cases Landlords are liable.

XXXV. And be it enacted and declared by the Authority aforesaid, That where any Dwelling-house is or shall be lett in different Apartments, to several Persons, and the Landlord of such House pays other Taxes and Parish Rates for the same, such Landlord shall be deemed and taken to be the Occupier of such Dwelling-house, and be charged with, and liable to pay the said Rates and Duties for the same, as one entire House.

Collectors gathering by a false Book, &c.

XXXVI. And be it enacted by the Authority aforesaid, That no Collector or Collectors of the said Rates and Duties by this Act granted, shall collect or gather the same by any Rate or Book, other than such Rate and Book as shall be signed and allowed by the said Commissioners as aforesaid; and that in case any such Collector or Collectors shall collect the same by any other Rate or Book, or shall receive such Rates and Duties from any Person or Persons not charged therewith, or shall collect from any Person or Persons more Money than is actually charged in such Rate or Book, and not pay the whole Money by him collected, or fraudulently alter any such Rate or Book, after the same hath been signed and allowed by the said Commissioners as aforesaid; every such Collector or Collectors shall, for every such Offence, forfeit the Sum of twenty Pounds, to be levied as by this Act is directed.

forfeit 20*l.*

Surveyors to examine, &c. the Rates before signed by Commissioners.

XXXVII. And be it further enacted by the Authority aforesaid, That the Surveyors appointed or to be appointed as aforesaid, for the said Rates and Duties, shall be, and they are hereby impowered to inspect and examine the Rates and Assessments for any Parish or Place, before the Commissioners shall have signed and allowed the same, and to alter and amend such Rates and Assessments, if he or they shall see just Cause for so doing; and if any such Surveyor or Surveyors shall, after the said Rates or Assessments are signed and allowed as aforesaid, find or discover upon his or their Survey, that any Dwelling-houses, Windows or Lights, which should and ought to be charged with the said Rates and Duties, have been omitted to be charged therewith, or are under-rated, such Surveyor or Surveyors shall certify the same in Writing under his Hand, by way of Surcharge, to any three or more of the said Commissioners, in order to have such Omission or Under-rate certified in the said Assessment; and such Commissioners are thereupon to cause the same to be rectified, and the said Rates and Duties levied accordingly.

Omissions afterwards to be certified by way of Surcharge.

Windows in Frames how to be charged.

XXXVIII. And to obviate any Doubts which may arise about the charging of Windows or Lights, within the Meaning of this Act, when two or more Windows or Lights are fixed in one Frame; it is further enacted, That when a Partition or Division between such Windows or Lights is or shall be of the Breadth or Space of twelve Inches, the Windows or Lights on each Side of such Partition or Division, shall be deemed as a distinct Window or Light, and be rated accordingly; and that all Windows in Frames which are or shall be extended so far as to give Light into more Rooms than one, such Windows shall be reckoned and charged as so many separate Windows, as there are Rooms enlightened thereby.

Penalty.

Windows opened without Notice given,

'XXXIX. And whereas it hath been found by Experience, that the Duties upon Houses granted by 'former Acts of Parliament, have been greatly lessened by means of Persons frequently stopping up Win-'dows or Lights in their Dwelling-houses, in order to evade the Payment of the said Duties, and opening 'the same again;' It is hereby further enacted, That if any Occupier of any Dwelling-house shall open any Windows or Lights which have been stopped up as aforesaid, after the Assessments are settled, and the Warrants for collecting the said Rates and Duties are signed by the said Commissioners, without first giving or causing to be given Notice thereof in Writing to the Surveyor of the said Rates and Duties, every such Occupier or Occupiers of such Dwelling-house or Houses, shall forfeit the Sum of twenty Shillings for each respective Window or Light opened as aforesaid; to be levied as by this Act is directed.

'XL. And whereas it hath often happened, that several Assessments and Duplicates of the Duties on 'Houses, granted by the said before recited Acts of Parliament, have not been made out in due Time, to

'the Prejudice of the said Revenue, for want of a sufficient Number of acting Commissioners in the Parishes 'or Places where such Assessments or Duplicates ought to have been made;' It is hereby further enacted; That in all such Cases, it shall and may be lawful to and for the said Commissioners, appointed for putting this Act in Execution, living in any neighbouring Parish or Place within the same County, and they are hereby impowered, to make out and sign such Assessments or Duplicates, which are or shall be wanting for any such Parishes or Places as aforesaid.

Commissioners in the Neighbourhood to sign Assessments, &c.

'XLI. And whereas it may frequently happen, that Persons quitting their Dwelling-houses, may re- 'move to other Parishes or Places without first discharging or paying the Rates and Duties charged upon 'him, her or them for the House or Houses they so quitted, whereby the said Rates and Duties by this 'Act granted will be lost, unless such Person or Persons so removing can after such Removal be compelled 'to pay the same;' It is hereby enacted and declared, That the Commissioners acting by virtue of this Act, within such Parish or Place where such Rates and Duties are charged upon, and unpaid by the Person or Persons removing as aforesaid, shall sign and cause to be transmitted a Certificate thereof to the Commissioners acting within the Parish or Place where the Person or Persons making such Default of Payment shall happen to reside; which Commissioners, or any three or more of them, shall and are hereby impowered to raise and levy the said Rates and Duties charged upon the Party or Parties removed as aforesaid, and cause the Monies so raised and levied, to be paid to the Collectors of the Parish or Place from whence the said Person or Persons did or shall remove, so as the same may be paid and applied according to the true Intent and Meaning of this Act.

Tax how recoverable where the Occupier removes.

XLII. And be it further enacted by the Authority aforesaid, That the said Surveyors, and all other Officers and Persons who shall be employed in the Execution of this Act, shall observe and follow such Orders, Instructions and Directions, as they shall, from time to time, receive from the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, for the better Execution of the Powers and Authorities by this Act granted.

Officers to take Instructions from the Treasury.

XLIII. Provided also, and it is hereby enacted by the Authority aforesaid, That out of the Monies, from time to time arisen or to arise of or for the said Rates and Duties on Houses, Windows or Lights, it shall and may be lawful to and for the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, to settle and appoint such Salaries and Allowances for the Service, Pains and Labour of the Surveyors and other Officers to be employed in the Execution of this Act, and otherwise in relation thereto; and also to discharge such incident Charges and Expences as shall necessarily attend the Execution of this Act, as the said Commissioners of the Treasury, or any three or more of them, or the High Treasurer for the time being, shall think fit and reasonable in that Behalf.

Treasury to appoint Salaries.

XLIV. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the Receipt of Exchequer at *Westminster*, a Book or Books, in which all the Monies, hereby appointed to be paid into the said Receipts as aforesaid, shall be entered separate and apart from all other Monies paid or payable to his Majesty, his Heirs or Successors, upon any Account whatsoever; and the said Monies, so appointed to be paid into the said Receipt of Exchequer as aforesaid, shall be the yearly Fund for the several Purposes herein after mentioned.

Book of Entry to be kept.

XLV. And be it further enacted by the Authority aforesaid, That all and every the Annuities, which by this Act shall be granted and made payable, in respect of the Principal Sum of four millions, to be raised in such Manner and Form as is herein after directed, as also of the additional Capital of ten Pounds, herein after directed to be added to every one hundred Pounds, advanced towards raising the said Sum of four millions, until Redemption thereof by Parliament, shall be charged, and chargeable upon, and payable out of the several Rates and Duties by this Act granted to his Majesty; and the said several Rates and Duties shall be and are hereby appropriated for that Purpose accordingly.

Appropriation of this Fund.

'XLVI. And whereas several Persons, Natives or Foreigners, Bodies Politick or Corporate, have sub- 'scribed and agreed to advance the said Sum of four millions for the Publick Service, for the Purchase of 'Annuities after the Rate of four Pounds *per Centum per Annum*; and the said Subscribers or Contributors 'have, in pursuance of a Resolution of the Commons of *Great Britain* in Parliament assembled, deposited 'with the first or chief Cashier or Cashiers of the Governor and Company of the Bank of *England* for the 'Time being, the Sum of ten Pounds *per Centum* in Part of the Principal Sums by them respectively sub- 'scribed as aforesaid, and are desirous to pay the remaining Principal Sums by them subscribed, towards 'raising the said Sum of four millions, at such Times, and in such Manner as shall be appointed in that 'Behalf;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all and every such Contributor or Contributors, who have already deposited with the said Cashier or Cashiers of the said Governor and Company of the Bank of *England*, the said Sum of ten Pounds *per Centum* as aforesaid, to advance and pay unto the said Cashier or Cashiers, at or before the respective Days or Times, and in the Proportions herein after by this Act limited in that Behalf, the remaining Principal Sums by them subscribed towards the said Sum of four millions, for the Purchase of any certain Annuity or Annuities, to commence from the Feast of Saint *Michael* the Archangel, which shall be in the Year of our Lord one thousand seven hundred and forty-seven, and to be paid and payable to such Contributor or Contributors, or such as he, she or they shall nominate his, her or their Executors, Administrators, Successors or Assigns respectively, in Manner herein after mentioned; which Annuities before mentioned shall be computed at the Rate of four Pounds *per Annum* for every one hundred Pounds, and proportionably for any greater or less Sum so to be advanced and paid; and the remaining Purchase Money for every such Annuity, at the Rate aforesaid, is hereby appointed to be paid unto the said Cashier or Cashiers aforesaid, at or before the respective Days or Times herein after limited; that is to say, One tenth Part thereof on or before the seventeenth Day of *February* one thousand seven hundred and forty-six; one fifth Part thereof on or before the

Subscribers allowed 4 l. per Cent. Interest.

Annuities when to commence.

Times, &c. for paying the Purchase Money.

the ſeventeenth Day of *March* then next enſuing; one other fifth Part thereof on or before the nineteenth Day of *May* then next enſuing; one other fifth Part thereof on or before the fourteenth Day of *July* then next enſuing; and the remaining fifth Part thereof on or before the twenty-ſecond Day of *September* then next following: All which Annuities, ſo to be purchaſed, ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, the Feaſts of the Annunciation of the Bleſſed Virgin *Mary*, and of Saint *Michael* the Archangel, by even and equal Portions, or within ſix Days after every of the ſaid Feaſt Days; the firſt Payment thereof to be due and payable at the Feaſt Day of the Annunciation of the Bleſſed Virgin *Mary*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-eight, or within ſix Days after the ſaid Feaſt Day: Nevertheleſs, the ſaid Annuities ſhall be redeemable according to the Purport and true Meaning of a Proviſo or Condition herein after mentioned in that Behalf, and not otherwiſe; and the ſaid Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England* for the time being, is and are hereby authorized and required forthwith to give Receipts in Writing, ſigned by himſelf or themſelves, to ſuch Contributor or Contributors, for all Sums of Money by them depoſited with, or paid unto ſuch Caſhier or Caſhiers before the paſſing of this Act, as alſo for ſuch other Sum or Sums of Money as ſhall hereafter be advanced and paid to him or them by any ſuch Contributors or Payers thereof as aforeſaid (which Receipts ſhall be aſſignable by Endorſement thereupon made at any Time before the twenty-ſecond Day of *September* one thouſand ſeven hundred and forty-ſeven, and no longer;) provided the ſaid Caſhier or Caſhiers do firſt give Security to the good Liking of any three or more of the Commiſſioners of the Treaſury now being, or of the High Treaſurer, or Commiſſioners of the Treaſury for the Time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer all the Monies which he or they have already received, or ſhall hereafter receive, from time to time, of or for the ſaid Sum, not exceeding four millions, as faſt as he or they ſhall receive the ſame, or any Part thereof, and to account for all the Monies ſo to be advanced and paid to him or them, in his Majeſty's Court of Exchequer, according to the due Courſe thereof.

Annuities redeemable.

Caſhier of the Bank to give Receipts.

Receipts to be aſſignable.

Caſhier to give Security.

XLVII. And it is hereby enacted, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the time being, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entred the Names of all who ſhall be Contributors for ſuch Annuities, after the Rate of four Pounds *per Centum per Annum* as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sums ſo paid; and the ſaid Accomptant General is hereby alſo authorized and required, upon the full Payment of the Sum of four millions to the ſaid Caſhier or Caſhiers by ſuch Contributors as aforeſaid, forthwith to place to the Credit of every ſuch Contributor, in the ſame Book or Books as are herein before directed to be provided by the ſame Accomptant General, for entring the Names of all ſuch Contributors, and the Sums by them paid for the Purchaſe of the ſaid Annuities, an additional Capital of ten Pounds, to be added to every Sum of one hundred Pounds, by them reſpectively advanced for the Purpoſes aforeſaid, and ſo in Proportion for a greater or leſſer Sum; which ſaid additional Capital ſhall be attended with Annuities, after the Rate of four Pounds *per Centum per Annum*, and ſhall be charged upon, and paid out of the ſaid Rates and Duties by this Act granted, at the ſame Feaſt Days, and in the ſame Manner, as the Annuities herein before made payable, in reſpect of the ſaid Principal Sum of four millions, are to be paid and payable, and ſubject alſo to the ſame Proviſo of Redemption by Parliament herein after contained in that Behalf; and it ſhall and may be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, from time to time, and at all ſeaſonable Times, to have Reſort to, and inſpect the ſaid Book or Books without any Fee or Charge; and the ſaid Accomptant General for the time being, ſhall, on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-nine, tranſmit an atteſted Duplicate fairly written on Paper, of the ſaid Book or Books, into the Office of the Auditor of the Receipt of his Majeſty's Exchequer, there to remain for ever.

Book to be kept for entering Contributors Names, &c.

Contributors to be credited with an additional Capital of 10 l. for every 100 l.

to carry 4 l. per Cent. Intereſt.

Contributors to inſpect the Books gratis.

Duplicate of the Book to be in the Exchequer.

XLVIII. And be it further enacted by the Authority aforeſaid, That all and every Contributor and Contributors upon this Act, duly paying the whole Conſideration or Purchaſe Money, at the Rate aforeſaid, at or before the reſpective Days and Times in this Act limited in that Behalf, for ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint his, her or their reſpective Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall have, receive and enjoy, and be intitled by virtue of this Act, to have, receive and enjoy, the reſpective Annuity and Annuities ſo to be purchaſed, together with the Annuity or Annuities made payable by this Act, in reſpect to the ſaid additional Capital as aforeſaid, out of the Monies by this Act appropriated or appointed for Payment thereof as aforeſaid, and ſhall have good and ſure Eſtates and Intereſts therein for ever, ſubject only to the Proviſo or Condition of Redemption, in this Act afterwards contained concerning the ſame; and that all the ſeveral and reſpective Annuities, payable in purſuance of this Act, after the Rate of four Pounds *per Centum per Annum*, on all and every the principal Sums for which the ſame are payable, ſhall be free from all Taxes, Charges, and Impoſitions whatſoever.

Annuities enſured to the Contributors.

free from Taxes.

XLIX. And it is hereby provided and enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall become intereſted in, or intitled to any Annuity or Annuities, Part of the ſaid Sum of four millions ſubſcribed for in purſuance of this Act, who ſhall, before the paſſing of this Act, have advanced or paid, or ſhall hereafter advance and pay to the ſaid Caſhier or Caſhiers, the Whole, or any Part of the remaining Purchaſe Money, payable in reſpect thereof, before any of the reſpective Days or Times herein limited or appointed for Payment thereof, ſuch Perſon or Perſons ſhall be allowed Intereſt after the Rate of five Pounds *per Centum per Annum*, for all and every ſuch Sum and Sums of Money as ſhall be ſo advanced and paid to ſuch Caſhier or Caſhiers, by any ſuch Contributors as aforeſaid, from the reſpective Time or Times of their actual Payment thereof, to *Michaelmas* one thouſand ſeven hundred and forty-ſeven; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and required to cauſe the ſaid Intereſt to be paid upon ſuch reſpective Sums, as ſhall be ſo advanced

Monies paid before the Times limited,

to carry 5 l. per Cent. Intereſt.

On Payment of the whole Purchase Money, the Annuities to be transferrable.

vanced accordingly, out of the Monies to be contributed in pursuance of this Act; and in case any such Person or Persons shall compleat the Payment of the whole Purchase Money, payable for any such Annuities, he, she or they shall have such respective Sums, as they shall become interested in, or intitled unto, forthwith placed to the Credit of the said Contributors, and made transferrable in the Books of the Bank of *England*, by this Act appointed to be kept for that Purpose.

Contributors not paying within the Times limited,

L. Provided, That in case any such Contributors as aforesaid, who have already deposited with the said Cashier or Cashiers, one tenth Part of his, her or their Purchase Money, or his, her or their Executors, Administrators, Successors or Assigns, do not advance and pay to the said Cashier or Cashiers, one other tenth Part of his, her or their Consideration Money so to be paid for such respective Annuity or Annuities as aforesaid, on or before the seventeenth Day of *February* one thousand seven hundred and forty-six; and one fifth Part thereof on or before the seventeenth Day of *March* then next ensuing; and one other fifth Part thereof on or before the nineteenth Day of *May* then next ensuing; and one other fifth Part thereof on or before the fourteenth Day of *July* then next ensuing; and the remaining fifth Part thereof on or before the twenty-second Day of *September* then next following; then, and in every such Case respectively, so much of the Consideration Money, as shall have been actually paid in Part thereof only to the said Cashier or Cashiers for such respective Annuity, shall be forfeited for the Benefit of the Publick; any thing in this Act contained to the contrary notwithstanding.

to forfeit the Sum advanced.

Chief Cashier and Accomptant General to be appointed.

LI. And for the more easy and sure Payment of the several Annuities by this Act authorized to be purchased as aforesaid, amounting in the whole to the Sum of four millions, as also of the several Annuities payable in respect of the said additional Capital, it is hereby further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors shall, from time to time, until the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, shall be redeemed according to this Act, appoint and employ one or more sufficient Person or Persons, within their Office in the City of *London*, to be their chief Cashier or Cashiers, and one other sufficient Person within the same Office, to be their Accomptant General; and that so much of the Monies, from time to time arising into the said Receipt of the Exchequer for the said Rates and Duties by this Act appropriated for this Purpose, as shall be sufficient, from time to time, to answer the said several and respective Annuities and other Payments directed to be paid or discharged out of the same, shall, by order of the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer or Commissioners of the Treasury of his Majesty, his Heirs or Successors for the time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, from time to time, at the respective half-yearly Feast Days of Payment, in this Act before appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer to the said first or chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the time being, by way of Imprest and upon account, for the Payment as well of the said several and respective Annuities to be purchased upon this Act, as of the Annuities payable in respect of the said additional Capital as aforesaid, at such Time, and in such Manner and Form, as are by this Act prescribed in that Behalf; and that all and every such Cashier or Cashiers, to whom the said Monies shall from time to time be issued, shall, from time to time, without Delay, apply and pay the same accordingly, and render his Account thereof according to the due Course of the Exchequer; any thing herein contained to the contrary notwithstanding.

Monies for the Annuities to be issued from the Exchequer, &c.

Cashiers to make Payments.

Accomptant General to inspect the Cashier's Receipts.

LII. And it is hereby also enacted, That the said Accomptant General for the time being shall, from time to time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all and every Person and Persons whatsoever, who shall be intitled to any of the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, and all Persons lawfully claiming under them, shall be possessed thereof, as of a Personal Estate, and the same shall not be descendable to the Heir, and shall not be liable to any Foreign Attachment by the Custom of *London* or otherwise; any Law, Statute or Custom to the contrary norwithstanding.

Annuities to be a Personal Estate, &c.

The Monies contributed to be a Joint Stock, &c.

LIII. And be it further enacted by the Authority aforesaid, That all the Monies to be advanced or contributed, or to which any Person or Persons shall become intitled to, upon this Act, for or towards the said Sum, not exceeding four millions, together with the additional Capital of ten Pounds, herein before directed to be added to every one hundred Pounds advanced by such Contributors, shall be deemed, reputed, and taken to be one Capital or joint Stock, on which the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, shall be attending; and that all and every Person and Persons, and Corporations whatsoever, in Proportion to the Money by him, her or them advanced, or to which they shall become intitled, as aforesaid, upon this Act, shall have, and be deemed to have, a proportional Interest and Share in the said Stock, and in the Annuity attending the same, at the Rate aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferrable as this Act directs, and not otherwise;

transferrable.

Book to be kept for Transfers.

and that there shall constantly be kept, at all seasonable Times, in the Office of the said Accomptant General for the time being, within the City of *London*, a Book or Books, wherein all Assignments or Transfers of the said whole Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the same, at the Rate aforesaid, shall be entered and registered; which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if such Parties be absent, by his, her or their Attorney or Attornies thereunto lawfully authorized, in Writing under his, her or their Hands and Seals, to be attested by two or more credible Witnesses; and that the Person or Persons to whom such Transfer shall be made do under-write his, her or their Acceptance thereof; and that no other Method of assigning or transferring the said Stock, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good or available in Law.

Entries to be signed by the Parties transferring and accepting.

LIV. Provided

LIV. Provided always, That any Person or Persons possessed of such Stock, with the Annuity or Annuities attending the same, or any Estate or Interest therein, may devise the same, by Will in Writing, attested by two or more credible Witnesses; but that such Devisee shall receive no Payment thereupon, till so much of the said Will, as relates to the said Stock or Annuity, be entered in the said Office; and in Default of such Transfer or Devise, the said Stock and Annuities attending the same, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on the said Transfers or any of them; any other Law or Statute to the contrary notwithstanding. Annuities deviseable, &c. In Default of Devise, &c. to Executors.

LV. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors (notwithstanding the Redemption of all or any their own Funds, in pursuance of the Acts for establishing the same, or any of them) shall continue a Corporation, with all the Powers, Privileges and Advantages thereunto belonging, for the Purposes in this Act expressed, till all the Annuities to be purchased on this Act shall be redeemed by Parliament, according to the Proviso herein after contained in that Behalf; and the said Governor and Company, or any Members thereof, shall not incur any Disability, for or by reason of their doing any Matter or Thing in pursuance of this Act. The Bank to continue a Company till Redemption of the Annuities.

LVI. And it is hereby enacted by the Authority aforesaid, That no Fee or Gratuity whatsoever shall be demanded or taken of any of his Majesty's Subjects for receiving or paying the said Contribution-monies, or any of them, or for any Tallies or other Receipts concerning the same, or for issuing the Monies for paying the said several Annuities, or any of them; and that no Fee or Gratuity shall be demanded or taken for any Transfer of any Sum great or small, to be made in pursuance of this Act; upon Pain that any Officer or Person offending, by taking or demanding any Fee or Gratuity contrary to this Act, shall forfeit the Sum of twenty Pounds to the Party grieved; to be recovered with full Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*. No Fee for Payment of Contribution-money. Transfers to be gratis. Penalty.

LVII. Provided always, and be it enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power, and they are hereby authorized to settle and appoint such Allowances (out of the Contributions to the Annuities granted by this Act) as they shall think just and reasonable, for the Service, Pains and Labour of the Cashier or Cashiers of the Governor and Company of the Bank of *England*, for receiving and accounting for the said Contributions; and also such further Allowances (out of the said several Rates and Duties by this Act appropriated) as they shall think just and reasonable, for receiving, paying and accounting for the several and respective Annuities payable in respect thereof; and also for the Service, Pains, and Trouble of the Accomptant General of the said Governor and Company for performing the Duty and Trust incumbent on him by this Act: All which Allowances hereby impowered to be made as aforesaid, in respect of the Service, Pains, and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any thing herein contained to the contrary notwithstanding. Salaries for Cashiers, &c.

'LVIII. And whereas the said Duties upon Houses granted by the first herein recited Act of the seventh 'and eighth Years of the Reign of his late Majesty King WILLIAM the Third, are (together with sundry 'other Duties and Revenues, commonly called *The General or Aggregate Fund)* charged with, and liable to 'pay several Annuities and other Payments, to several Corporations and other Persons intitled thereunto; 'and it may so happen, that by repealing the said Rates and Duties upon Houses, the Funds charged with 'the Payments aforesaid may prove deficient: And whereas by a Medium of five Years, computed from 'the twenty-ninth Day of *September* one thousand seven hundred and forty-one, the Sum of ninety-one 'thousand four hundred eighty-five Pounds and six Pence three Farthings, is taken to have been the annual 'Produce of the said Rates and Duties upon Houses to the said Fund, towards answering the several Pay'ments aforesaid:' To the end therefore that no Person or Persons, Bodies Politick or Corporate whatsoever, who are intitled to any Part, Share, or Interest in the Monies arising by the said Rates and Duties upon Houses, may be Losers, or receive any Prejudice by the repealing thereof as aforesaid; Be it enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-seven, there shall be reserved and set apart at the Exchequer, and applied to the said *General* or *Aggregate Fund* in the first Place, out of the Monies to arise into the said Receipt, of or for the Rates and Duties by this Act granted, the yearly Sum of ninety-one thousand four hundred eighty-five Pounds and six Pence three Farthings, being the aforesaid Medium of what hath been annually produced to the said *General* or *Aggregate Fund*, by the said Rates and Duties upon Houses, by this Act repealed as aforesaid, towards Payment of the several Annuities, and other Payments charged on the said Fund; any thing herein contained to the contrary thereof in any wise notwithstanding. 91,485 l. 6 d. three Farthings for Annuities to be set apart on the Aggregate Fund.

LIX. And be it further enacted by the Authority aforesaid, That after reserving, or setting apart the said yearly Sum of ninety-one thousand four hundred eighty-five Pounds, and six Pence three Farthings, herein before directed to be applied to the said *General* or *Aggregate Fund*, out of the said Rates and Duties by this Act granted as aforesaid, all the rest and residue of the Monies arising into the Exchequer of or for the said Rates and Duties, shall, from time to time, be issued and applied to satisfy and pay the several and respective Annuities, and other Charges by this Act charged upon and made payable out of the same, at such Times, and in such Manner, as is herein before directed in that Behalf, until Redemption thereof by Parliament as aforesaid. The Surplus Monies how to be applied.

'LX. And whereas a certain Annuity or yearly Sum of seventy-four thousand three hundred thirty-four 'Pounds, and eleven Pence, is now charged upon, and payable to the *South-Sea* Company, out of the 'Rates and Duties upon Coals, Culm and Cinders, and the said additional Rates and Duties upon Houses 'granted by the before recited Act of the eighth Year of the Reign of her said late Majesty Queen ANNE:

'And whereas it may ſo happen, that by the repealing the ſaid additional Rates and Duties upon Houſes, 'the Monies ariſing by the ſaid Duties upon Coals, Culm, and Cinders only, may not be ſufficient to an- 'ſwer and pay the ſaid Annuity, or yearly Sum of ſeventy-four thouſand three hundred thirty-four Pounds 'and eleven Pence, to the ſaid Company; and it being juſt and reaſonable, that Proviſion ſhould be made 'by this Act, for making good any ſuch Deficiency that may happen therein;' Be it therefore enacted and declared by the Authority aforeſaid, That if the Monies ariſing into the Receipt of his Majeſty's Exchequer, of or for the ſaid Duties upon Coals, Culm and Cinders, as aforeſaid, ſhall be at any Time or Times, from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſeven, be ſo low or deficient, as not to anſwer and pay to the ſaid *South Sea* Company the ſaid Annuity, or yearly Sum of ſeventy-four thouſand three hundred thirty-four Pounds, and eleven Pence, charged thereupon as aforeſaid; in all and every ſuch Caſe and Caſes, it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, and they are hereby reſpectively authorized and required to cauſe ſuch Deficiencies, as ſhall, from time to time, happen in the Produce of the ſaid Rates and Duties upon Coals, Culm and Cinders, to be made good out of the Monies ariſen or to ariſe into the ſaid Receipt of Exchequer, of or for the ſaid Rates and Duties by this Act granted (except ſuch Monies as are or ſhall be reſerved and ſet apart for the Uſe and Purpoſe herein before mentioned.)

Deficiencies of the Fund for Payment of the Annuity of 74,334 l. 11 d. to the South Sea Company,

See farther concerning this Company 24 *Geo.* 2. *c.* 2 & 11. 26 *Geo.* 2. *c.* 16.

to be made good out of theſe Duties.

LXI. Provided always, That whatever Monies ſhall be iſſued out of the ſaid Rates and Duties by this Act granted, for making good any ſuch Deficiencies as aforeſaid, the ſame ſhall be replaced by and out of the firſt Supplies to be granted in Parliament, next after ſuch Deficiency ſhall have been made good; any thing herein before contained to the contrary in any wiſe notwithſtanding.

The Monies to be replaced.

LXII. And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times, the Produce of the ſaid Rates and Duties by this Act granted, as aforeſaid, ſhall happen to be ſo low or deficient, as that the Monies ariſing thereby into the Exchequer, ſhall not be ſufficient to pay and diſcharge the ſeveral and reſpective Annuities, and other Charges by this Act directed to be paid thereout, at the End of either of the reſpective half-yearly Days of Payment, at which the ſame are hereby directed to be paid, then, and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall or may be ſupplied out of the Overplus Monies, that ſhall or may happen to ariſe, and be paid into the Exchequer in any ſubſequent Half-years, as the ſaid ſeveral and reſpective Annuities ſhall, from time to time, become due and payable; and in caſe ſuch Overplus Monies ſhall not be ſufficient to ſatisfy the Deficiencies hereby intended from time to time to be paid thereout, that then, and in every ſuch Caſe, the Deficiencies ſo from time to time happening, ſhall from time to time be anſwered, and made good out of the firſt Supplies which ſhall be granted in Parliament, next after ſuch Deficiencies ſhall appear; and in caſe no ſuch Supplies ſhall be granted within ſix Months next after ſuch Deficiencies ſhall happen, then the ſame ſhall be made good out of any the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, or Overplus Monies commonly called *The Sinking Fund* (except ſuch Monies of the ſaid *Sinking Fund* as are appropriated to any particular Uſe or Uſes, by any former Act or Acts of Parliment in that Behalf) and ſuch Monies of the ſaid *Sinking Fund* ſhall and may be, from time to time, iſſued and applied accordingly.

Deficiencies of theſe Duties, &c. how to be made good.

LXIII. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid *Sinking Fund*, ſhall, from time to time, be replaced by and out of the firſt Supplies, to be then after granted by Parliament.

Sinking Fund to be replaced.

LXIV. Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the Monies, ariſing by the ſaid Rates and Duties, after the ſaid ſeveral and reſpective Annuities, and other Payments or Charges by this Act directed to be paid thereout, and all Arrears thereof are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe, ſuch Surplus or Remainder ſhall, from time to time, be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by Authority of Parliament, and as ſhall be directed by any future Act or Acts of Parliament; any thing in any former or other Act or Acts of Parliament to the contrary notwithſtanding.

Surplus how to be applied.

LXV. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That at any Time, upon one Year's Notice, to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* of *London*, by Authority of Parliament, at any of the half-yearly Feaſt Days, for Payment of the ſaid ſeveral and reſpective Annuities, and upon Repayment by Parliament of the Principal Sum of four millions, and alſo upon Payment of the ſaid additional Capital of four hundred thouſand Pounds, amounting together to the Principal Sum of four millions four hundred thouſand Pounds, for which the ſaid reſpective Annuities are payable to ſuch reſpective Perſons or Corporations as ſhall be intitled to the ſame Annuities, and alſo upon full Payment of all Arrearages of the ſame Annuities; then, and not till then, the ſaid reſpective Annuities ſhall ceaſe and determine, and be underſtood to be redeemed; and from and after ſuch Redemption, the Monies ariſing from the ſaid ſeveral Rates and Duties by this Act granted, as aforeſaid, ſhall not be iſſued or applied to any Uſe or Purpoſe, but as ſhall be directed by any future Act or Acts of Parliament; any thing in this, or any former Act or Acts of Parliament to the contrary notwithſtanding; and that any Vote or Reſolution of the Houſe of Commons, ſignified by the Speaker in Writing, to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* of *London*, as aforeſaid, ſhall be deemed and adjudged to be ſufficient Notice within the Words and Meaning of this Act.

Clauſe of Redemption.

LXVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued or proſecuted for any thing by him or them done or executed in purſuance of this Act, or of any Matter or Thing in this Act contained; ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then

General Iſſue.

such Defendant or Defendants shall have Treble Costs to him or them awarded against such Plaintiff or Plaintiffs. Treble Costs. *Enforced, explained and amended by* 20 *Geo.* 2. *c.* 42. 21 *Geo.* 2. *c.* 10. 26 *Geo.* 2. *c.* 17. *And see farther* 31 *Geo.* 2. *c.* 22. 32 *Geo.* c. 2. 33.

CAP. IV.

An Act to continue, explain, and amend an Act made in the last Session of Parliament, intituled, *An Act to enable his Majesty to make Rules, Orders and Regulations, more effectually to prevent the spreading of the Distemper which now rages amongst the Horned Cattle in this Kingdom.*

Amendment of 19 Geo. 2. c. 5. *Farther continued and amended by* 21 *Geo.* 2. *c.* 33. 22 *Geo.* 2. *c.* 46. 23 *Geo.* 2. *c.* 23. 24 *Geo.* 2. *c.* 54. 25 *Geo.* 2. *c.* 31. 26 *Geo.* 2. *c.* 34. 27 *Geo.* 2. *c.* 14.

CAP. V.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*; and for applying a certain Sum of Money therein mentioned, towards the Supply for the Service of the Year one thousand seven hundred and forty-seven. EXP. *See* 27 *Geo.* 2. *c.* 2.

CAP. VI.

An Act to continue and make more effectual two Acts of Parliament; one passed in the twelfth Year of the Reign of her late Majesty Queen *Anne*, and the other in the first Year of the Reign of his present Majesty, for reparing the Highways between the *Bear Inn* in *Reading* and *Puntfield* in the County of *Berks*; and for amending other Roads in the last Act mentioned. PR.

The Acts 12 Ann. and 1 Geo. 2. c. 7. continued for 21 Years.

CAP. VII.

An Act for enlarging the Term and Powers granted by an Act passed in the twelfth Year of the Reign of his late Majesty King *George* the first, intituled, *An Act for repairing the Roads leading from the Western Part of the Parish of* Shenfield, *to* Harwich *in the County of* Essex, *and the Road leading from* Chelmsford *in the said County, to* Sudbury *in the County of* Suffolk, *and from* Margretting *to* Malden *in the County of* Essex, *and from* Colchester *to* Langham *in the same County*; and for repairing other Roads adjoining to the same Roads. PR.

The Act 12 Geo. 1. c. 23. continued for 21 Years.

CAP. VIII.

An Act for enlarging the Term and Powers granted by an Act passed in the thirteenth Year of the Reign of his late Majesty King *George* the First, for repairing, widening and amending the Road leading from *Warrington* to *Wigan* in the County of *Lancaster*; and also for amending and repairing the Road leading from a Place called *Earl's Kill*, in *Warrington* aforesaid, to the Toll-Bars in *Wallgate*, in *Wigan* aforesaid. PR.

The Act 13 Geo. 1. c. 10. continued for 21 Years.

CAP. IX.

An Act for repairing the High Road leading from the North End of the *Cow Causey*, near the Town of *Newcastle* upon *Tyne*, to the Town of *Belford*, and from thence to *Buckton Burn*, in the County of *Northumberland*. PR.

Certain Tolls granted for 21 Years.

CAP. X.

An Act for granting to his Majesty several Rates and Duties upon Coaches, and other Carriages therein mentioned; and for raising the Sum of one million, by way of Lottery, to be charged upon the said Rates and Duties.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies, which we have granted to your Majesty in this Session of Parliament, in the most safe, easy and expeditious Manner we are able, have voluntarily resolved to give and grant unto your Majesty the several and respective new Rates and Duties herein after expressed; and to that End and Purpose do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-seven, there shall be raised, levied, collected and paid, unto and for the Use of his Majesty, his Heirs and Successors, for and upon every Coach, Berlin, Landau, Chariot, Calash, Chaise Marine, Chaise, Chair and Caravan, or by what Name soever such Wheel Carriages now are, or hereafter may be called or known, that shall be kept by or for any Person, for his or her own Use, or to be lett out to Hire, the respective annual Rates or Duties herein after expressed; that is to say,

For former Provisions concerning Coaches, &c. refer to 9 *Ann. c.* 23. 10 *Ann. c.* 19. *sect.* 158. 12 *Ann. stat.* 1. *c.* 14. 1 *Geo.* 1. *c.* 57. 12 *Geo.* 1. *c.* 12.

For

Duties upon Coaches and other Carriages.

For and upon every Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise Marine, Chaise with four Wheels, and Caravan, or by what Name soever such Carriages now are, or hereafter may be called or known, that shall be kept by or for any Person, for his or her own Use, or to be lett out to Hire (other than and except such Coaches and other Carriages, as now are, or hereafter may be, licensed by the Commissioners for the Duties arising by Hackney Coaches) the yearly Sum of four Pounds for every such Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise Marine, Chaise with four Wheels, and Caravan, or by what Name soever such Carriages now are, or hereafter may be called or known, so to be kept as aforesaid.

And for and upon every Calash, Chaise and Chair with two Wheels, or by what Name soever such Carriages now are, or hereafter may be called or known, to be drawn by one or more Horses, that shall be kept by or for any Person or Persons, for his, her or their own Use, or to be lett out to Hire, the yearly Sum of forty Shillings for every Calash, Chaise or Chair with two Wheels, so to be kept as aforesaid.

Which said several and respective Rates and Duties for and upon every such Coach, Berlin, Landau, Chariot, Calash, Chaise Marine, Chaise, Chair and Caravan, or by what Name soever such Carriages now are, or hereafter may be called or known, shall be paid by the Person or Persons who keep the same.

No Person to pay for more than five Carriages, except they be kept for Hire.

II. Provided nevertheless, That no Person shall be obliged to pay the said yearly Sum of four Pounds for more than five such Carriages on which the said Duty of four Pounds a Year is hereby charged, to be kept by or for him or her, for his or her own Use only; nevertheless it is the true Intent and Meaning of this Act, that all Persons who shall keep the same for supplying any Waiting Jobb, by the Day, Week, Month, Quarter, or any other Time, or otherwise to be lett out to Hire, shall pay the said yearly Sum of four Pounds for every such Coach, Berlin, Landau, Chariot, Calash with four Wheels, Chaise Marine and Chaise with four Wheels, or by what Name soever such Carriages now are, or hereafter may be called or known, so to be kept by him, her or them, to be lett out for Hire, as aforesaid, though exceeding the Number of five; and that every Person, who shall keep any Calash, Chaise or Chair with two Wheels, or by what Name soever such Carriages now are, or hereafter may be called or known, to be drawn by one or more Horses, to be lett out for Hire, shall pay the said yearly Sum of forty Shillings for every Calash, Chaise or Chair so to be kept by him or her, to be lett out for Hire, as aforesaid, though exceeding the Number of five.

Duties upon Coaches, &c. chargeable in England to be under the Management of the Officers of Excise in England; and those in Scotland under like Officers there.

III. And for the better ascertaining, charging, levying and securing the several Duties by this Act imposed, and for preventing all Frauds concerning the same; Be it further enacted by the Authority aforesaid, That such of the said Duties by this Act granted, as are or shall be chargeable upon such Coaches, Berlins, Landaus, Chariots, Calashes, Chaise Marines, Chaises, Chairs and Caravans, or by what Names soever such Carriages now are, or hereafter may be called or known, that shall be kept by or for any Persons for his, her or their own Use, or to be lett out to Hire in *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, shall be under the Management of the Commissioners and Officers of the Excise in *England*, for the Time being; and such of the said Duties as are imposed by this Act upon such Coaches, Berlins, Landaus, Chariots, Calashes, Chaise Marines, Chaises and Chairs, or by what Names soever such Carriages now are, or hereafter may be called or known, that shall be kept by or for any Persons for his, her or their Use, or to be lett out to Hire in *Scotland*, shall be under the Management of the Commissioners and Officers of the Excise in *Scotland* for the Time being, who are hereby respectively impowered to appoint proper Officers for charging, collecting and receiving the same; and all Monies arising by the said Duties (the necessary Charges of raising and accounting for the same excepted) shall, from time time, be paid into the Receipt of his Majesty's Exchequer at *Westminster*, distinctly and apart from all other Branches of the Publick Revenues, for the Purposes herein after mentioned.

Commissioners to appoint Officers for collecting the Duties.

Persons keeping Coaches, &c. to give Notice at the Excise Office.

IV. And it is hereby enacted by the Authority aforesaid, That all and every Person and Persons, who from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-seven, shall have or keep any Coach, Berlin, Landau, Chariot, Calash, Chaise Marine, Chaise, Chair or Caravan, or by what Name soever such Carriage now is or hereafter may be called or known, for his, her or their own Use, or the Use of any Person of or for whom he, she or they is, are or shall be Committees, Trustees or Guardians, or to lett out to Hire in *London*, *Westminster*, or in any Parts within the Limits of the Weekly Bills of Mortality, shall, within thirty Days after the said twenty-fifth Day of *March* one thousand seven hundred and forty-seven, or within twenty Days after he or she shall begin to keep such Coach, Berlin, Landau, Chariot, Calash, Chaise Marine, Chaise, Chair or Caravan, or by what Name soever such Carriage now is, or hereafter may be called or known, give Notice in Writing at the Chief Office of Excise in *London*; and all and every Person and Persons, who from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-seven, shall keep any Coach, Berlin, Landau, Chariot, Calash, Chaise Marine, Chaise, Chair or Caravan, or by what Name soever such Carriage now is, or hereafter may be called or known, for his or her own Use, or for the Use of any Person of or for whom he, she or they shall be Committees, Trustees or Guardians, or to lett out to Hire in any other Part of *Great Britain*, shall, within sixty Days after the said twenty-fifth Day of *March* one thousand seven hundred and forty-seven, or within twenty Days after he, she or they shall begin to keep such Carriage, and from time to time within twenty Days after beginning to keep any other such Carriages respectively, not being in the Place of the former, give Notice in Writing at the Office of Excise, next to the Place where such Person or Persons, for whose Use the same shall be so kept, shall respectively inhabit, of his, her or their keeping the same, and of the Number of the Coaches, Berlins, Landaus, Chariots, Calashes with four Wheels, Chaise Marines, Chaises or Chairs with four Wheels, or Caravans and Calashes, Chaises and Chairs with two Wheels, or by what Name soever such Carriages now are, or hereafter may be called or known, so by him, her or them respectively kept as aforesaid, and of the Parish or Place where he or she respectively resides, and shall at the

the same Time pay down the respective annual Rates and Duties so imposed as aforesaid, for the keeping the same. Duties when to be paid.

V. And be it further enacted by the Authority aforesaid, That all and every Person or Persons that shall give, or be obliged to give such Notice as aforesaid, is and are hereby required at or within twenty Days after the Expiration of twelve Calendar Months, after the Times of giving or being obliged to give such first Notices, to give a fresh Notice in Manner aforesaid, and pay down the respective annual Rates and Duties above mentioned, according to the Number of Coaches, Berlins, Landaus, Chariots, Calashes with four Wheels, Chaise Marines, Chaises and Chairs with four Wheels, or Caravans and Calashes, Chaises and Chairs with two Wheels, or by what Names soever such Carriages now are, or hereafter may be called or known, so by him, her or them respectively then kept, and in the same Manner to renew such Notice, and make such Payment from Year to Year, as long as he, she or they shall so keep any such Carriages; and if any Person or Persons shall so keep any Coach, Berlin, Landau, Chariot, Calash, Chaise Marine, Chaise, Chair or Caravan, or by what Name soever such Carriage now is, or hereafter may be called or known, as aforesaid, without giving such first Notice, and making such Payments as aforesaid, or without renewing such Notice and Payments yearly, in Manner as aforesaid, he, she or they shall respectively forfeit and lose the Sum of twenty Pounds for each Offence. Notice to be given every Year, and the Duties paid. Penalty.

VI. And be it further enacted by the Authority aforesaid, That upon the Payment of the said respective Rates and Duties so hereby granted, at the said respective Offices of Excise, by the respective Owners or Proprietors thereof as aforesaid, the Names of the Persons so paying the same, and the Number of the Coaches, Berlins, Landaus, Chariots, Calashes with four Wheels, Chaise Marines, Chaises and Chairs with four Wheels, and Caravans and Calashes, Chaises and Chairs with two Wheels, or by what Names soever such Carriages now are, or hereafter may be called or known, by him or her respectively kept, and the Name of the Parish or Place where he or she, and any Person of or for whom he, she or they shall be Committee, Trustee or Guardian, resides, shall be entered in a Register to be kept at the said respective Offices of Excise for that Purpose by the Person so receiving the same; and a Receipt (of which an indented Duplicate shall be kept by the Person receiving the said Money) shall be given to every Person so paying such respective Rates by the said Person so receiving the same; which Receipt shall contain the Number of the said Register, the Number of the Coaches, Berlins, Landaus, Chariots, Calashes, Chaise Marines, Chaises, Chairs and Caravans, or by what Names soever such Carriages now are, or hereafter may be called or known, so respectively paid for, the Sum so paid, and the Time for which such Sum shall have been so paid, and be a Discharge to the respective Owner for such Number of Coaches, Berlins, Landaus, Chariots, Calashes, Chaise Marines, Chaises, Chairs and Caravans, wheresoever the same are respectively used. Names of the Owners and the Number of Coaches, to be register'd. Form of the Receipts.

VII. And be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to charge with the said Duty of four Pounds *per Annum*, by this Act imposed upon Coaches, and other Carriages, any publick Stage Coach, which is constantly employed in carrying Passengers for Hire to and from different Places within this Kingdom, on certain Days in every Week fixed for that Purpose, and not used or lett out to Hire by way of By-jobb, for a Day, or any longer Time. Stage Coaches,

VIII. Provided also, That this Act shall not extend to charge with the said Duty of forty Shillings *per Annum*, by this Act imposed upon Chaises and Chairs with two Wheels, any Post Chaise that now is, or hereafter shall be kept for Hire by his Majesty's Post-master General, or by any Deputy Post-master in *Great Britain*, authorized by him to keep such Post Chaises. and Post Chaises exempted.

IX. Provided nevertheless, That all and every the Post Chaises, so to be kept by such Post-master General, or any Deputy Post-masters, for Hire, as aforesaid, shall, within thirty Days after the said twenty-fifth Day of *March* one thousand seven hundred and forty-seven, or within thirty Days after the letting out of such Chaises for Hire, be entered by the Owners thereof at the Office of Excise next to the Place where such Persons inhabit; and shall (besides his Majesty's Arms to be painted upon every such Post Chaise) have such Figure or Mark of Distinction fixed thereupon, as shall be appointed by the said Commissioners for that Purpose; and in case any such Post-master shall, from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-seven, lett out to Hire any such Post Chaise before the same shall have been entered, or shall have such Arms painted, or such Mark or Figure fixed thereupon, as aforesaid, every such Deputy Post-master and Post-master shall, for every such Offence, forfeit the Sun of twenty Pounds. Post Chaises to be entered at the Excise Office, and to have a Mark. Penalty 20l.

X. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners to cause such Figure or Mark of Distinction as they shall think proper to appoint, to be fixed upon every such Coach, Berlin, Landau, Chariot, Calash, Chaise Marine, Chaise, Chair or Caravan, or by what Name soever such Carriage now is, or hereafter may be called or known, that shall be so lett out to Hire as aforesaid; and in case any Person or Persons whatsoever shall let out to Hire any such Carriage which shall not have such Figure or Mark of Distinction fixed thereupon as aforesaid, or shall take off the same when fixed to any such Carriage, every such Person shall, for every such Offence, forfeit and lose the Sum of twenty Pounds. Coaches, &c. lett out to Hire to carry a Figure, &c. Penalty 20l.

XI. And it is hereby further enacted, That nothing in this Act contained shall extend to charge with any of the said Rates and Duties, any Coach which shall be licensed by the Commissioners for regulating and licensing Hackney Coaches within the Cities of *London* and *Westminster*, and the Suburbs thereof, and have the proper Figure or Number thereon, and which shall not be employed in carrying any Person or Persons more than ten Miles from the said Cities respectively. Licensed Coaches exempted.

XII. Provided also, and it is hereby declared, That nothing in this Act contained shall extend to charge with any of the said Duties, any Coach, Berlin, Landau, Chariot, Calash, Chaise Marine, Chaise, Chair or Caravan, or by what Name soever such Carriage now is, or hereafter may be called or known, kept for Sale, and remaining unsold in the Possession of the Owner thereof, or of any Coachmaker the Purchaser thereof; and no such Carriage shall at any Time, whilst in such Possession, be employed for his or her own Coaches kept for Sale not to be taxed.

Penalty on letting out such Coaches.

Use, or for the Use of any other Person, other than such Person whose like Carriage shall be then mending or repairing by such Coachmaker, or be lett out to Hire; on Pain of forfeiting the Sum of twenty Pounds for every Time that such Carriage shall be so employed or lett out to Hire as aforesaid.

Concerning Coaches, &c. see farther 30 *Geo.* 2. *c.* 22. *sect.* 6. 33 *Geo.* 2, *c.* 25.

Prosecutions where to be.

XIII. And be it further enacted by the Authority aforesaid, That all the Rates and Duties hereby granted, as also all Forfeitures and Offences made and committed against this Act, or any Clause or Article therein contained, shall be heard, adjudged and determined by such Person and Persons, and in such Manner and Form as hereafter in and by this Act is directed and appointed; that is to say, All Prosecutions for the Recovery of the Duties hereby granted, and also for all Forfeitures and Offences made and committed within the immediate Limits of the Chief Office of Excise in *London*, shall be heard, adjudged, and determined by the said Commissioners of Excise, or the major Part of them, or by the Commissioners for Appeals, or the major Part of them, in case of Appeal, and not otherwise; and all Prosecutions for the Recovery of the Duties hereby granted, and also for all Forfeitures and Offences made and committed within all or any other the Counties, Shires, Stewartries, Cities, Towns or Places within the Kingdom of *Great Britain*, shall be heard and determined by any two or more of the Justices of the Peace residing near to the Place where such Forfeitures shall be made, or Offence committed; and if the Party finds himself aggrieved by the Judgment given by two or more Justices, he shall and may appeal to the Justices of the Peace at the next Quarter-Sessions, who are hereby authorized and impowered to hear and determine the same, whose Judgment therein shall be final; which said Commissioners for Appeals, and regulating this Duty, and the said Commissioners of Excise, and all Justices of the Peace aforesaid respectively, are hereby authorized, and strictly enjoined and required, upon Complaint or Information upon Oath, exhibited and brought of any Forfeiture made, or Offence committed, contrary to this Act, to summon the Party accused, and upon his Appearance, or Contempt, to proceed to the Examination of the Matter of Fact, and upon due Proof made thereof, either by the voluntary Confession of the Party, or by the Oath of one or more credible Witness or Witnesses (which Oath they, or any two or more of them, have hereby Power to administer) to give Judgment or Sentence thereupon, and to award and issue out Warrants under their Hands, for the levying such Forfeitures and Penalties as are by this Act imposed, for any such Offence committed, upon the Goods and Chattles of the Offender, and to cause Sale to be made of the said Goods and Chattles, if they shall not be redeemed within fourteen Days, rendering to the Party the Overplus, if any be; and for want of sufficient Distress, to imprison the Party offending till Satisfaction be made.

Commissioners, &c. upon Complaint, to summon the Party,

and give Judgment, &c.

and for want of Distress, to commit the Offender.

Forfeitures how to be disposed, &c.

XIV. And it is hereby further enacted, That all Forfeitures and Penalties mentioned in this Act (all necessary Charges for the Recovery thereof being first deducted) shall be employed, one Moiety thereof to and for the Use of his Majesty, and the other Moiety thereof to the Discoverer or Informer of the same.

None to be prosecuted, where the Duties are paid, &c. before Information given.

XV. Provided always, and be it enacted by the Authority aforesaid, That in every Case where the Duty or Duties required by this Act to be paid, by any Person chargeable with the same, shall be paid, and Entry made as aforesaid, before any Information laid of such Entry or Payment not having been made, although not strictly within the Time for that Purpose mentioned, no Person having made such Payment and Entry, shall be afterwards prosecuted for not having made such Payment or Entry within the Time limited by this Act.

Successors of deceased Persons, who have paid the Duties, not to be charged for the Residue of the Year.

XVI. Provided always, and be it further enacted by the Authority aforesaid, That if any Person having made due Entry and Payment of the Duty for any Coach or Coaches, or other Carriage or Carriages mentioned in this Act, according to the true Intent and Meaning thereof, shall die before the End of the Year for which such Entry and Payment shall be made; in every such Case, it shall be lawful for every Person claiming Title to any such Coach or Coaches, Carriage or Carriages aforesaid, by, from or under such deceased Person, to make use of such Coach or Coaches, Carriage or Carriages, for or in respect whereof such Entry and Duty shall have been made and paid as aforesaid, during the Residue of the Year for which such Payment shall have been made, in like Manner as such deceased Person might have done, if living.

Books to be kept for entering the Monies coming in.

XVII. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the said Receipt of Exchequer at *Westminster*, a Book or Books, in which all the Monies hereby appointed to be paid into the said Receipt, shall be entered separate and apart from all other Monies paid or payable there to his Majesty, his Heirs or Successors, upon any Account whatsoever; and the said Money so appointed to be paid into the said Receipt of Exchequer as aforesaid, shall be the yearly Fund for the Uses and Purposes herein after mentioned.

Appropriation of the Duties.

XVIII. And be it further enacted by the Authority aforesaid, That all and every the Annuities which by this Act shall be granted and made payable, in respect of the principal Sum of one million, to be raised towards the Supply for the Service of the Year one thousand seven hundred and forty-seven, in such Manner and Form as herein after is directed, until Redemption thereof by Parliament, shall be charged and chargeable upon, and payable out of the said Rates and Duties by this Act granted to his Majesty; and the said Rates and Duties shall be, and are hereby appropriated for that Purpose accordingly.

1,000,000 l. to be raised by Lottery, for Purchase of Annuities at 4 l. per Cent.

to be charged on the Rates.

'XIX. And whereas it is intended, That the said Sum of one million shall be raised by way of a Lottery, for the Purchase of Annuities, after the Rate of four Pounds *per Centum per Annum*, in Manner 'hereafter mentioned;' Be it therefore enacted by the Authority aforesaid, That the Annuities becoming due and payable to the Contributors to the Lottery herein after mentioned, their Executors, Administrators and Assigns, at the Rate of four Pounds *per Centum per Annum*, in respect of the said principal Sum of one million, in Manner hereafter in this Act expressed, until Redemption thereof by Parliament, according to the Proviso herein after contained in that Behalf, shall be charged upon the said Rates and Duties, from the Feast Day of the Nativity of Saint *John* the Baptist, which shall be in the Year of our Lord one thousand seven hundred and forty-seven, and shall, from Time to Time, be paid half yearly, at the Feasts of the Birth of our Lord Christ, and the Nativity of Saint *John* the Baptist, by even and equal Portions, the first

first Payment thereof to be due and payable for the Half-year ending at the Feast of the Birth of our Lord Christ one thousand seven hundred and forty-seven.

Any Person may advance 10 l. or more.

XX. And be it further enacted by the Authority aforesaid, That for or towards raising the said Sum of one million, it shall and may be lawful for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute by paying at or before the respective Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpose, as is herein after mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds upon this Act; and that every such Contributor or Adventurer for every such Sum of ten Pounds, which he, she or they shall so advance, shall be interested in such Lot or Share of and in the Joint Stock of Annuities, established by this Act, as is herein after mentioned and appointed in that Behalf; and the same entire Sums of ten Pounds each, are hereby appointed to be paid unto such Receiver or Receivers, at such Time or Times, and in such Proportions at a Time, as are herein after mentioned in that Behalf; that is to say, One fourth Part thereof, upon such Day as shall be appointed by the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being; one other fourth Part thereof, on or before the twenty-third Day of *June* one thousand seven hundred and forty-seven; one other fourth Part thereof, on or before the twentieth Day of *August* then next ensuing; and the remaining fourth Part thereof, on or before the sixteenth Day of *October* then next following.

Times of advancing the Sums.

" Managers to be appointed by the Treasury. There shall be printed 50,000 Tickets. Where any Ticket " shall be a Prize, the Ticket of the like Number shall be a Prize of like Value. Treasury to appoint " Receivers, and take Security. Managers to examine the Books of Tickets, and deliver them to the Re- " ceivers. Receivers shall deliver Tickets to the Contributors; of which 7150 shall be Fortunate; and " shall be written upon in Manner following, *viz.* Upon two, 10,000 *l.* upon three, 5000 *l.* upon five, 2000 *l.* " upon fifteen, 1000 *l.* upon thirty-one, 500 *l.* upon one hundred and fifty-one, 100 *l.* upon three hundred " and ninety-eight, 50 *l.* upon six thousand five hundred and forty-five, 20 *l.* which Sums, with 500 *l.* to the " First drawn Ticket, and 1000 *l.* to the Last drawn, will amount to 242,900 *l.* which being added to " 257,100 *l.* on the remaining 42,850 Blank Tickets at 6 *l.* each, amount together to 500,000 *l.* which " with the like Sum payable in respect of the 50,000 corresponding Tickets, amount together to 1,000,000 *l.* " to be converted into Annuities. Manner of drawing the Lottery. Prizes to be entered in a Book. A " List of the Prizes to be printed. Counterfeiting of Tickets, Certificates, or the Numbers of them, Fe- " lony. Guardians may adventure Infants Money in the Lottery; so as such Infants Names be in the " Receipts and Tickets. Limitation of Sale of Chances, *&c.* Persons selling Shares in Tickets of which " they are not possessed, to forfeit 500 *l.* The Tickets to be exchanged for Certificates." EXP.

Accomptant General to give Credit for the Sums named in the Certificates;

which may be transferred,

and carry 4 per Cent. Interest.

XL. And be it further enacted by the Authority aforesaid, That the said Accomptant General of the Bank of *England* for the Time being, to whom the said Certificates are to be directed as aforesaid, shall, upon receiving and taking in the said Certificates, or any of them, give Credit to the Persons named therein, in a Book or Books to be by him provided and kept for that Purpose, for the Principal Sums contained in every such Certificate; and the Persons to whose Credit such Principal Sums shall be entered in the said Book or Books, his, her or their Executors and Administrators shall and may have Power to assign and transfer the same, or any Part, Share or Proportion thereof, to any other Person or Persons, Bodies Politick or Corporate whatsoever, in other Books, to be prepared and kept by the said Accomptant General for that Purpose; and the Principal Sums so assigned and transferred, shall carry the said Annuity of four Pounds *per Centum per Annum*, and shall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authority herein after mentioned, until the Redemption thereof as aforesaid; and the said Accomptant General of the Bank of *England* for the Time being, is hereby authorized and directed to cancel and file the Certificates, as they shall from time to time be received and taken in by him, and to give the Persons bringing in the same a Note under his Hand, testifying the principal Money for which they shall have Credit in the said Book or Books, by Reason or Means of the Certificates so received, taken in and cancelled as aforesaid, and of the Annuities attending the same.

Certificates to be cancelled, and Notes given in lieu thereof.

XLI. And for the more easy and sure Payment of the several and respective Annuities, amounting in the Whole to one million, by this Act authorized to be purchased as aforesaid; it is hereby further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall from time to time, until the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, shall be redeemed according to this Act, appoint and employ one sufficient Person or Persons within their Office in the City of *London*, to be their Chief or First Cashier or Cashiers, and one other sufficient Person, within the same Office, to be their Accomptant General; and that so much of the Monies, from time to time arising into the Receipt of the Exchequer, for the said several Rates and Duties by this Act appropriated for this Purpose, as shall be sufficient, from time to time, to answer the said several Annuities, and other Payments directed to be paid or discharged out of the same, shall, by Order of the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or Commissioners of the Treasury of his Majesty, his Heirs or Successors for the time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, from time to time, at the respective half yearly Feast Days, or Days of Payment, in this Act before appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer, to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the time being, by way of Imprest, and upon Account for the Payment of the said several Annuities to be purchased upon this Act, at such Times, and in such Manner and Form, as are by this Act prescribed in that Behalf; and that all and every such Cashier or Cashiers, to whom the said Monies shall from time to time be issued, shall from time to time,

Chief Cashier and Accomptant General to be appointed.

Monies for Payment of the Annuities to be issued from the Exchequer by way of Imprest, &c.

Cashiers to make Payments.

time, without Delay, apply and pay the same accordingly, and render his Account thereof according to the due Course of the Exchequer; any thing herein contained to the contrary notwithstanding.

Accomptant General to inspect the Cashiers Receipts.

XLII. And it is hereby also enacted, That the said Accomptant General for the time being, shall, from time to time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence, or Delay; and that all and every

Annuities to be a Personal Estate, &c.

Person and Persons whatsoever, who shall be intitled to any of the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, and all Persons lawfully claiming under them, shall be possessed thereof as of a Personal Estate, and the same shall not be descendible to the Heir, and shall not be liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Statute or Custom to the contrary notwithstanding.

The Monies contributed to be a Joint Stock, &c.

XLIII. And be it further enacted by the Authority aforesaid, That all Monies to be advanced or contributed, or to which any Person or Persons shall become entitled upon this Act, for or towards the said Sum not exceeding one million, shall be deemed, reputed, and taken to be one Capital or Joint Stock, on which the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, shall be attending; and that all and every Person and Persons, and Corporations whatsoever, in Proportion to the Money by him, her or them advanced, or to which they shall become intitled as aforesaid, upon this Act, shall have, and be deemed to have a proportional Interest and Share in the said Stock, and in the Annuity attending the same, at the Rate aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferrable as this Act directs, and not otherwise; and that there shall be constantly kept at all seasonable Times, in the Office of the said Accomptant General for the time being, within the City of *London*, a Book or Books, wherein all Assignments or Transfers of the said whole Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the same, at the Rate aforesaid, shall be entered and registered; which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if such Parties be absent, by his, her or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be attested by two or more credible Witnesses; and that the Person or Persons, to whom such Transfer shall be made, do underwrite his, her or their Acceptance thereof; and that no Method of assigning or transferring the said Stock, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good or available in Law.

transferable.

Book to be kept for Transfers.

Entries to be signed by the Parties transferring and accepting.

Annuities devisable, &c.

XLIV. Provided always, That any Person or Persons possessed of such Stock, with the Annuity or Annuities attending the same, or any Estate or Interest therein, may devise the same by Will, in Writing, attested by two or more credible Witnesses; but that such Devisee shall receive no Payment thereupon, till so much of the said Will, as relates to the said Stock or Annuity, be entred in the said Office; and in Default of such Transfer or Devise, the said Stock and Annuities attending the same, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on the said Transfers, or any of them; any other Law or Statute to the contrary notwithstanding.

in Default of Devise, &c. to Executors.

The Bank to continue a Company till Redemption of the Annuities.

XLV. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, (notwithstanding the Redemption of all or any their own Funds, in pursuance of the Acts for establishing the same, or any of them) shall continue a Corporation, with all the Powers, Privileges and Advantages thereunto belonging, for the Purposes in this Act expressed, till all the Annuities to be purchased on this Act shall be redeemed by Parliament, according to the Proviso herein after contained in that Behalf; and the said Governor and Company, or any Members thereof, shall not incur any Disability for or by Reason of their doing any Matter or Thing in pursuance of this Act.

No Fee for Payment of Contribution-Money.

XLVI. And it is hereby enacted by the Authority aforesaid, That no Fee or Gratuity whatsoever, shall be demanded or taken of any of his Majesty's Subjects, for receiving or paying the said Contribution-monies, or any of them, or for any Tallies or Receipts concerning the same, or for issuing the Monies for paying the said several Annuities, or any of them; and that no Fee or Gratuity shall be demanded or taken for any

Transfers to be made gratis.

Transfer of any Sum, great or small, to be made in pursuance of this Act; upon pain that any Officer or Person offending, by taking or demanding any Fee or Gratuity contrary to this Act, shall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*.

Penalty.

Treasury to pay the Charges of executing this Act, out of the Duties,

XLVII. Provided always, and be it enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall have Power, and they are hereby authorized, out of the said several Rates and Duties by this Act granted and appropriated as aforesaid, to discharge all such incident Charges, as shall necessarily attend the Execution of this Act, in such Manner, as to them shall seem just and reasonable; and also to settle and appoint such Allowances, out of the Contributions aforesaid, as they shall think just and reasonable, for the Service, Pains and Labour of the Receiver or Receivers of the

and appoint Salaries for the Cashiers and other Officers.

Contributions to the said Lottery, for receiving and accounting for the same; and also such further Allowances, out of the said several Rates and Duties by this Act appropriated, as they shall think just and reasonable, for the Service, Pains and Labour of the Cashier or Cashiers of the Governor and Company of the Bank of *England*, for receiving, paying and accounting for the several and respective Annuities, payable in respect thereof; and also for the Service, Pains and Labour of the Accomptant General of the said Governor and Company, for performing the Duty and Trust incumbent on him by this Act; all which Allowances hereby impowered to be made as aforesaid, in respect to the Service, Pains and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any thing herein contained to the contrary notwithstanding.

XLVIII. And

XLVIII. And it is hereby enacted by the Authority aforesaid, That if at any Time or Times the Produce of the said several Rates and Duties shall happen to be so low or deficient as that the Monies arising therefrom into the Exchequer, shall not be sufficient to pay and discharge the several and respective Annuities, and other Charges directed to be paid thereout, at the End of any or either of the respective half-yearly Days of Payment, at which the same are hereby directed to be paid, then, and so often, and in every such Case, such Deficiency or Deficiencies shall and may be supplied out of the Overplus Monies, that shall or may happen to arise and be paid into the Exchequer in any of the subsequent half Years, as the said respective Annuities shall, from time to time, become due and payable; and in case such Overplus Monies shall not be sufficient to satisfy the Deficiencies hereby intended from time to time to be paid thereout, that then, and in every such Case, the Deficiencies so from time to time happening, shall, from time to time, be answered and made good by and out of the first Supplies which shall be granted in Parliament next after such Deficiencies shall appear; and in case no such Supplies shall be granted within six Months next after such Deficiencies shall happen, then the same shall be made good out of any of the Monies which at any Time or Times shall be or remain in the Receipt of the Exchequer, of the Surplusses, Excesses, or Overplus Monies, commonly called *The Sinking Fund* (except such Monies of the same Sinking Fund as are appropriated to any particular Use or Uses by any former Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be from time to time issued and applied accordingly; and if at any Time or Times before any Monies of the said several Rates and Duties hereby granted shall be brought into the Exchequer as aforesaid, there shall happen to be a Want of Money for paying the several Annuities aforesaid, which shall be actually incurred and grown due at any of the said half-yearly Days of Payment before mentioned, that then, and in every such Case, the Money so wanted shall and may be supplied out of the Monies of the said Sinking Fund (except as before excepted) and be issued accordingly. Deficiencies, &c. to be made good.

XLIX. Provided always, and be it enacted by the Authority aforesaid, That whatsoever Monies shall be so issued out of the said Sinking Fund, shall from time to time be replaced by and out of the first Supplies, to be then after granted in Parliament. Sinking Fund to be replaced.

L. Provided always, and be it further enacted by the Authority aforesaid, That in case the Monies arisen, or to arise into the Receipt of his Majesty's Exchequer, of or for the Rates and Duties by this Act granted, shall be more than sufficient to answer and pay the several Annuities by this Act charged thereupon, it shall and may be lawful to and for the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, and they are hereby respectively authorized and required, from time to time, to issue and pay, out of the Surplus Money of the said Rates and Duties by this Act granted as aforesaid, so much Money as shall, from time to time, be wanting to make good any Deficiency that shall or may happen in the Produce of the Rates and Duties upon Houses, Windows or Lights, granted to his Majesty, his Heirs and Successors, by one other Act of this present Session of Parliament; any thing herein contained to the contrary in any wise notwithstanding. Surplus Monies how to be applied.

LI. Provided also, and be it further enacted by the Authority aforesaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the half yearly Feast Days, for Payment of the said respective Annuities, and upon Repayment by Parliament, of the respective Principal Sums, for which the said respective Annuities shall be payable to such respective Persons or Corporations, as shall be intitled to the same Annuities, and also upon full Payment of all Arrearages of the same Annuities; then, and not till then, the said respective Annuities shall cease and determine, and be understood to be redeemed; and from and after such Redemption, the Monies arising from the said several Rates and Duties, shall not be issued or applied to any Use or Purpose, but as shall be directed by any future Act or Acts of Parliament; and that any Vote or Resolution of the House of Commons signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice, within the Words and Meaning of this Act. Clause of Redemption.

LII. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall be molested or prosecuted for any thing done by virtue or in pursuance of this Act, or any the Clauses therein contained, such Person or Persons shall and may plead the General Issue, and give this Act, and the Special Matter in Evidence for his, her or their Defence; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his or their Action, or be nonsuited, or Judgment shall be given against him or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have treble Costs to them awarded against such Plaintiff or Plaintiffs. General Issue. Treble Costs.

CAP. XI.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. XII.

An Act for repairing the High Road leading from the City of *Durham*, in the County of *Durham*, to *Tyne Bridge* in the said County. PR.

Certain Tolls granted for 21 Years.

CAP.

CAP. XIII.

An Act for repairing the Road from *Sunderland near the Sea*, to the City of *Durham*, in the County of *Durham*. P R.

Certain Tolls granted for 21 Years.

CAP. XIV.

An Act for opening, cleanſing, repairing, and improving the Haven of *Southwould* in the County of *Suffolk*. P R.

'WHEREAS there hath been, for Time out of Mind, a Sea-port or Harbour for Shipping at *Southwould* in the County of *Suffolk*, which is ſituated very conveniently, not only for the Safeguard and Preſervation of Ships and Veſſels navigating in the *Britiſh* Seas, but alſo for the Importation and Exportation of many uſeful Wares and Commodities, and for the Benefit of Trade and Commerce in general: And whereas the Road or Haven, lying before and without the ſaid Port or Harbour, is ſo choaked up or obſtructed with Sand, as to prevent any loaded Ships or Veſſels (except ſuch as are of very ſmall Tonnage or Burthen) from paſſing into or out of the ſaid Harbour:' To the end therefore that the ſaid Haven, Port or Harbour may be opened, cleanſed, repaired and improved, ſo as to render the ſame ſafe and commodious for Shipping, and of publick Benefit and Utility to the Trade and Commerce of this Kingdom; be it enacted, *&c.*

"From 25 *March* 1747, for 21 Years, *&c.* there ſhall be paid, for every *Engliſh* Veſſel which ſhall ſail into the Harbour, and neither load nor unload there, 1 *d.* 2 *q. per* Ton, according to their Light Bills. For every Chaldron of Coals, Culm and Cinders, landed from any *Engliſh* Ship in the ſaid Port, 1 *s.* For every Laſt of Wheat, Rye, Barley, Malt, Oats and other Grain, exported or imported, 1 *s.* For every Ton of Rock Salt, 1 *s.* For every Hogſhead of Wine, Brandy or other Spirituous Liquor, 1 *s.* For every Ton of Chalk, other than for improving Land, 1 *d.* For every Firkin of Butter and Weigh of Cheeſe, 1 *d.* For every Ton of Grocery Wares, and other Goods (Fiſh, Butter and Cheeſe excepted) 1 *s.* 6 *d.* For every Ton of Lead, 1 *s.* For every Foreign Ship which ſhall ſail into the Harbour, and not load nor unload there, and for all Goods exported or imported, out of any Foreign Ship in the Port, double Duties. Duties may be levied by Diſtreſs and Sale. No Ship to be cleared at the Cuſtom-houſe, 'till a Certificate is produced of the Payment. Monies to be applied towards cleaning and improving the Harbour. Truſtees to ſtate their Accounts yearly. Bailiffs, *&c.* of *Southwould* to be preſent at the making up the Accounts. Truſtees may contract for cleanſing, *&c.* the Harbour; and may borrow Money on the Duties. New Truſtees may be choſe in the Room of thoſe who are dead, *&c.* No Perſon to throw Rubbiſh into the Harbour, under Penalty of 40 *s.*"

CAP. XV.

An Act for repairing, improving, and maintaining the publick Conduits, and other Water-works, belonging to the Town of *Southampton*. P R.

CAP. XVI.

An Act for enlarging the Term and Powers granted by ſeveral Acts of Parliament paſſed for repairing the Highways between *Wymondham* and *Attleborough*, and from *Wymondham* to *Hetherſet*, and from the Mouth of *Wigmore Lane*, to *Hall Walk Gate* in *Attleborough*, in the County of *Norfolk*; and for amending the other Roads adjoining to the Highways directed to be repaired by the ſaid former Acts, and making the ſaid Acts more effectual. P R.

Former Acts 7 *Will.* 3. *c.* 26. *&c.* continued for 21 Years.

CAP. XVII.

An Act for enlarging the Term and Powers granted by two Acts of Parliament for laying a Duty of two Pennies *Scots* upon every Pint of Ale and Beer brewed and vended within the Town of *Dundee*, and the Liberties and Suburbs thereof, for the Purpoſes in the ſaid Acts and this preſent Act mentioned. P R.

A Duty of Exciſe continued to the Town for 25 Years.

CAP. XVIII.

An Act for the better Preſervation and Improvement of the River *Wear*, and Port and Haven of *Sunderland*, in the County of *Durham*. P R.

3 Geo. 1. private.

'WHEREAS the Town of *Sunderland* near the Sea, ſituate on the River *Wear*, in the County of *Durham*, is well inhabited by rich and able Merchants and Tradeſmen, and may be of great Importance, as well for his Majeſty's Service and Revenue, as for the publick Benefit of the Kingdom, having a Port or Haven capable of containing many hundred Sail of Ships at one Time, and from whence may be loaded and ſent great Numbers of Ships with Coals, Salt, Glaſs, and other Merchandizes to di-

'vers Places within this Realm, and also to foreign Parts; and divers Kinds and Sorts of Merchandizes may 'be imported in the said Port or Haven, whereby not only a great Revenue will yearly arise to his Majesty, 'but there will be also a constant Nursery and Supply of able Seamen to serve on board the Royal Navy, 'and great Numbers of poor People may be constantly employed in and about the Work and Trade of the 'said River and Port: And whereas by an Act passed in the third Year of the Reign of his late Ma-'jesty King GEORGE the First, intituled, *An Act for the Preservation and Improvement of the River* Wear, '*and Port and Haven of* Sunderland, *in the County of* Durham, certain Persons in the said Act named, were 'named, constituted and appointed Commissioners of the said River, Port and Haven, within the Limits, 'with the Powers, and for the Purposes therein mentioned, for and during the Term of twenty-one Years; 'and for the effectual cleansing and preserving the said River, Port and Haven, certain Duties were by the 'said Act granted and made payable from and after the twenty-fourth Day of *June*, which was in the 'Year of our Lord one thousand seven hundred and seventeen, and to have Continuance for the Space of 'twenty-one Years then next following: And whereas another Act passed in the thirteenth Year of the 'Reign of his late Majesty King GEORGE the First, *For the more effectual Preservation and Improvement of* 13 Geo. 1. pri-vate. '*the River* Wear, *and Port and Haven of* Sunderland, *in the County of* Durham, whereby divers additional 'Powers were granted to the said Commissioners: And whereas the said Commissioners, in pursuance and 'in Execution of the Powers by the said Acts given to them, did, before the Expiration of the said Term 'thereby limited (which was on the twenty-fourth Day of *June* in the Year of our Lord one thousand 'seven hundred and thirty-eight) at a very great Charge, erect a Pier and a Key at or near the Mouth of 'the said River, on the South-side thereof, and did divers other Acts, for the opening, cleansing, scouring, 'and improving of the said River, Port and Haven, from whence some Benefits and Advantages have arose; 'and in order to have more effectually cleansed, scoured and preserved the same, the said Commissioners 'proposed and intended to have lengthened the said Pier, and also to have built a Pier or Piers, Key or 'Keys, Wall or Walls, Jettee or Jettees, on the North-side of, and to have made and done other Works 'near the Mouth of the said River, Port or Haven; but the Money arising from the Duties laid and made 'payable by the said first mentioned Act, not being sufficient to make and perform such additional Works 'within the Term by the said former Acts limited, the Mouth of the said River, Port or Harbour, for 'want thereof, is still very much choaked by Sand thrown up, and brought into, and lodged in the said 'Harbour by the Sea; and also by means of great Banks of Sand, Gravel, Rubbish, and other gross Matter 'washed and brought down to, and lodged in the same, by Land Floods, and other Accidents; and also by 'throwing Ballast, Coal Ashes, Rubbish, and other gross Matter within the said River, Port or Harbour; 'and by the irregular and low Building, and want of repairing of Wharfs, Staiths and Keys, on or near 'the said River; but more especially for want of such Pier or Piers, Key or Keys, Wall or Walls, Jettee or 'Jettees, at or near the Mouth of the said River, Port or Haven to scour and cleanse the same, so that 'the Depth of Water at the Mouth of the said River is not yet sufficient for loaden Ships and Vessels to 'come into, or go out of the same, whereby the Navigation and Trade of and in the said River, Port or 'Haven, is very much prejudiced, hindered and obstructed: And whereas the lengthening the present 'Pier, and erecting and building a Pier or Piers, Key or Keys, Jettee or Jettees, and making and perform-'ing other Works at or near the Mouth of, and on other convenient Parts of the said River, will be a 'Means of deepening, cleansing, and rendering the same more navigable; and the preventing Ballast, Coal 'Ashes, Stone, Sand, Rubbish, and other gross Matter, being washed into the said River, Port or Haven, 'and the removing and preventing other the Abuses and Inconveniencies aforesaid, will be a Means of pre-'serving the said River, Port or Haven, so that, at all Times thereafter, loaden Ships or Vessels of a con-'siderable Burden may ride in, and sail into, and out of, the same, at all Tides; which will be a Means of 'reducing and keeping low the Prices of Coals at *London*, and other the Delivering-ports within this King-'dom, and will very much tend to the Encouragement and Increase of Navigation and Trade; which said 'Undertaking and Works, to finish and complete the same, will cost a very considerable Sum of Money: To the end therefore that the said River, Port and Haven of *Sunderland* aforesaid may be further improved, and the said Pier already built, lengthened, and such other Pier or Piers, Key or Keys, Jettee or Jettees, and other Works may be erected, built, made and performed, as at any Time hereafter shall, by the Commissioners hereby or hereafter to be appointed, be adjudged for the Advantage or Improvement of the said River, Port or Haven; and that the same may be preserved and kept in Repair; may it please your Majesty, that it may be enacted, *&c.*

"Commissioners appointed for 21 Years. Not less than 7 Commissioners to be at a Meeting. Commission-"ers impowered to remove and appoint Officers. No Commissioner to hold any of the Offices. In case "of Death or Incapacity new Commissioners to be chosen. Commissioners may purchase or take Leases of "Lands, *&c.* and lengthen and erect Piers, *&c.* on such Lands, *&c.* and employ Workmen and Keels, *&c.* "to remove Obstructions; provided no Grounds, *&c.* are damaged, nor the Highway from *Monk Wear-*"*mouth* to *Whitburne* stopped. Commissioners to determine all Differences. River to be made navigable "between *Biddick* Ford and *Newbridge*. Commissioners, in Cases of Abuses, *&c.* to summon the Persons "complained of. Jury to enquire into the Offences. Commissioners, on the Jury's Verdict, to order Per-"sons offending to remove Obstructions, *&c.* on Penalty of 5 *l. per* Month. Landlords, when ordered to "remove Obstructions, not to be guilty of Trespass, *&c.* Indictments in Cases of Nusances, *&c.* may be "preferred as before this Act passed. Penalty on Person offending by emptying Rubbish, not to exceed 5 *l.* "Persons emptying Rubbish, *&c.* from one Vessel to another, *&c.* to have proper Stages, or Port Sails. "The Coal Owners shall pay any Sum not exceeding 1 *d.* 2 *q.* for every Chaldron, during 21 Years, brought "down for them to the River; and in Proportion for any greater or less Quantities. The Fitters not ex-"ceeding 2 *q.* Commissioners impowered to borrow Money on the Duties. Works erected by this Act, "becoming ruinous, not to be deemed Nusances. Commissioners may make By-Laws, *&c.* to be approved

"of

" of by the Justices; and to be in Force till repealed by the Commissioners, &c. Saving Clause in Fa-
" vour of the Bishop of *Durham*, and of the Owners of Ferry-boats, &c.

CAP. XIX.

An Act for the better adjusting and more easy Recovery of the Wages of certain Servants; and for the better Regulation of such Servants, and of certain Apprentices.

5 *El. c.* 4. 1 *Jac.* 1. *c.* 6.

'WHEREAS the Laws now in being, for the better Regulation of Servants, and for the Payment of Wages to them, and to Artificers, Handicraftsment and Labourers, are insufficient and defective:' For Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March*, which will be in the Year of our Lord one thousand seven hundred and forty-seven, all Complaints, Differences and Disputes, which shall happen and arise between Masters or Mistresses, and Servants in Husbandry, who shall be hired for one Year, or longer, or which shall happen or arise between Masters and Mistresses, and Artificers, Handicraftsmen, Miners, Colliers, Keelmen, Pitmen, Glassmen, Potters, and other Labourers employed for any certain Time, or in any other Manner, shall be heard and determined by one or more Justice or Justices of the Peace of the County, Riding, City, Liberty, Town Corporate or Place, where such Master or Mistress shall inhabit, although no Rate or Assessment of Wages has been made that Year by the Justices of the Peace of the Shire, Riding or Liberty, or by the Mayor, Bailiffs or other Head Officer, where such Complaints shall be made, or where such Differences or Disputes shall arise; which said Justice or Justices is and are hereby impowered to examine upon Oath, any such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, or other Labourer, or any other Witness or Witnesses, touching any such Complaint, Difference or Dispute, and to make such Order for Payment of so much Wages to such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter or other Labourer, as to such Justice or Justices shall seem just and reasonable, provided that the Sum in Question do not exceed ten Pounds with regard to any Servant, nor five Pounds with regard to any Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, or Labourer; and in case of Refusal or Nonpayment of any Sums so ordered, by the Space of one and twenty Days next after such Determination, such Justice and Justices shall and may issue forth his and their Warrant to levy the same by Distress and Sale of the Goods and Chattles of such Master or Mistress, or Person employing such Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, or other Labourer, rendering the Overplus to the Owners, after Payment of the Charges of such Distress and Sale.

Differences between Masters and certain Servants, to be determined by a Justice of Peace where the Master resides.

Justices to examine Servants, &c. upon Oath,

and make Order for Payment of Wages due, if under a certain Sum.

On Nonpayment, to be levied by Distress and Sale.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such Justice or Justices, upon Application or Complaint made, upon Oath, by any Master, Mistress, or Employer, against any such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, or Labourer, touching or concerning any Misdemeanor, Miscarriage or Ill-behaviour, in such his or her Service or Employment (which Oath such Justice or Justices is and are hereby impowered to administer) to hear, examine and determine the same; and to punish the Offender by Commitment to the House of Correction, there to remain and be corrected, and held to hard Labour for a reasonable Time, not exceeding one Calendar Month, or otherwise by abating some Part of his or her Wages, or by discharging such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter or Labourer, from his, her or their Service or Employment: And in like Manner also it shall and may be lawful to and for such Justice or Justices, upon any Complaint or Application, upon Oath, by any such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter or other Labourer, against such Master, Mistress or Employer, touching or concerning any Misusage, Refusal of necessary Provision, Cruelty or other Ill-treatment of, to or towards such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, or other Labourer, and to summon such Master, Mistress or Employer, to appear before such Justice or Justices, at a reasonable Time to be prefixed in such Summons; and such Justice or Justices shall and may examine into the Matter of such Complaint, whether such Master, Mistress or Employer shall appear or not; Proof being made, upon Oath, of his or her being duly summoned; and upon Proof thereof made, upon Oath, to his or their Satisfaction, to discharge such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter or other Labourer, of and from his said Service and Employment; which Discharge shall be given under the Hand and Seal, or Hands and Seals of such Justice or Justices *gratis*.

Justices to hear Masters Complaints on Oath;

and to punish the Offender by Commitment, Abatement of Wages, or Dismission,

Justices to hear Servants Complaints on Oath,

and to summon the Master, &c.

and upon satisfactory Proof to discharge the Servant.

III. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any two or more such Justices, upon any Complaint or Application by any Apprentice put out by the Parish, or any other Apprentice, upon whose binding out no larger a Sum than five Pounds of lawful *British* Money was paid, touching or concerning any Misusage, Refusal of necessary Provision, Cruelty or other Ill-treatment of or towards such Apprentice, by his or her Master or Mistress, to summon such Master or Mistress to appear before such Justices at a reasonable Time to be named in such Summons; and such Justices shall and may examine into the Matter of such Complaint; and upon Proof thereof made, upon Oath, to their Satisfaction (whether the Master or Mistress be present, or not, if Service of the Summons be also, upon Oath, proved) the said Justices may discharge such Apprentice, by Warrant or Certificate under their Hands and Seals; for which Warrant or Certificate no Fees shall be paid.

Justices upon Complaint of certain Apprentices,

to summon the Master, &c.

and upon satisfactory Proof, to discharge the Apprentice.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such Justices, upon Application or Complaint made, upon Oath, by any Master or Mistress, against any such Apprentice, touching or concerning any Misdemeanor, Miscarriage, or Ill-behaviour, in such his or her Service (which Oath such Justices are hereby impowered to administer) to hear, examine and determine the same, and to punish the Offender by Commitment to the House of Correction, there to remain and be cor-

Justices upon Complaint of Masters against Apprentices, and Proof upon Oath.

corrected; and held to hard Labour for a reasonable Time not exceeding one Calendar Month, or otherwise by discharging such Apprentice, in Manner and Form before mentioned. to punish the Offender by Commitment, &c.

V. Provided nevertheless, That if any Person or Persons shall think himself, herself, or themselves aggrieved by such Determination, Order or Warrant of such Justice or Justices as aforesaid (save and except any Order or Commitment) he, she or they may appeal to the next General Quarter-Sessions of the Peace to be held for the County, Riding, Liberty, City, Town Corporate or Place where such Determination or Order shall be made; which said next General Quarter-Sessions is hereby impowered to hear and finally determine the same, and to give and award such Costs to any of the respective Persons, Appellant or Respondent, as the said Sessions shall judge reasonable, not exceeding forty Shillings; the same to be levied by Distress and Sale, in Manner before mentioned. Persons aggrieved may appeal. Exception. Costs not to exceed 40 s.

VI. Provided also, and be it further enacted by the Authority aforesaid, That no Writ of *Certiorari*, or other Process, shall issue or be issuable to remove any Proceedings whatsoever, had in pursuance of this Act, into any of his Majesty's Courts of Record at *Westminster*. No Writ of Certiorari.

VII. Provided always, That nothing in this Act contained shall extend to the Stannaries in the Counties of *Devon* and *Cornwall*. Stannaries not included. This Proviso is repealed by 27 Geo. 2. c. 6.

For the Power and Duty of Justices, see farther 24 *Geo.* 2. *c.* 44 & 55. 26 *Geo.* 2. *c.* 14 & 27. 27 *Geo.* 2. *c.* 16 & 20. 1 *Geo.* 3. *c.* 13. *And see* 31 *Geo.* 2. *c.* 11. *Which extends this Act to all Servants in Husbandry, tho' hired for less than a Year.*

CAP. XX.

An Act for Relief of such of his Majesty's loyal Subjects, in that Part of *Great Britain* called *Scotland*, whose Title Deeds and Writings were destroyed or carried off by the Rebels in the late Rebellion. P R.

'WHEREAS a most audacious and wicked Rebellion was lately raised and carried on against his Majesty, in favour of a Popish Pretender, and in Prosecution thereof many Persons assembled in a traiterous and hostile Manner, marched into several Parts of this Kingdom, took Possession of several Towns, and raised Contributions upon the Country, and committed many Ravages and Devastations upon the Estates and Effects of his Majesty's faithful Subjects, in support of their rebellious Insurrection; and in that Part of *Great Britain* called *Scotland*, proceeded in a malicious, cruel and barbarous Manner, against several of his Majesty's Subjects, who distinguished themselves by their Zeal and Loyalty to his Majesty's Person and Government at that critical Juncture, by destroying or carrying off the Rights and Securities of their Lands and Heretages, and by destroying or carrying off their other Writs and Evidents, the Instructions of the Payment, and Extinction of the Debts and Incumbrances, affecting their Persons and Estates, to the Ruin of his Majesty's said loyal Subjects, and of their Families and Posterity, and to the Discouragement of the like Zeal and Loyalty to his Majesty, and his Royal Successors in future Times, unless a proper Remedy is provided by Authority of Parliament;' Be it therefore enacted, &c. *Amended by* 21 *Geo.* 2. *c.* 17.

"Persons in *Scotland*, who continued in their Duty to his Majesty, and whose Houses were invaded by the Rebels, may on or before 1 *July* 1750. petition the Court of Session. The Court of Session to intimate the same; and summon Persons interested. Execution of Summons to be recorded. The Day of Compearance elapsed, the Court to take Probation of the Facts. Petitioners Oath to be taken. Original Petitioner dying, the Oath of his Heir to be admitted. Lords of the Session, upon Proof of the Premisses, to decern the Extracts of the Charters, &c. to be valid as the Originals. Court of Session to make up the Tenor of the Dispositions upon which the Petitioner's Infeftments proceeded, &c. Extracts of the Charters, &c. authorized by the Lords of Session, to be good in Law. Persons interested may object to the authorizing the Extracts, &c. Claims to his Majesty, or any other Persons, preceding 1 *August* 1745, against the Person or Estate of any loyal Subjects, whose Dwelling-houses were invaded by the Rebels, and whose Writs were carried off or destroyed, upon which no Process has been already commenced, or shall not be brought on or before the 15th of *November* 1748, are discharged, unless the Claim be proved by the Oath of the Defendant. Determinations to be recorded. [Amended by 21 Geo. 2. c. 17.]

CAP. XXI.

An Act for holding the Summer Assizes, and Sessions of the Peace, for the County of *Norfolk*, in the City and County of *Norwich*, until a new Shire House can be built for the said County of *Norfolk*; and for building a new Shire House on the Castle Hill in the same County; and for raising Money on the said County for that Purpose. P R.

'WHEREAS the Shire House of the County of *Norfolk*, late situate on the Castle Hill in the said County, in which the Summer Assizes, and General Quarter-Sessions of the Peace of and for the said County, have been always holden, and other publick Business of the said County transacted, hath, by Accident, been lately entirely burnt down: And whereas it is absolutely necessary, that a new Shire House should be erected there for the Purposes aforesaid; but the same cannot be rebuilt, completed, and finished, against the next Summer Assizes to be holden for the said County of *Norfolk*, which will be in the Year of our Lord one thousand seven hundred and forty-seven; and there is no Place so convenient for the holding such Summer Assizes, and the General Quarter-Sessions of the Peace, and for transacting

'other Publick Business for the said County of *Norfolk*, as the City of *Norwich*, which lies in or near the 'Centre of the said County; but the said City being a County of itself, distinct from the said County of '*Norfolk*, the said Assizes or Sessions of the Peace for the said County of *Norfolk*, cannot, by any Law 'now in being, be held within the said City and County of *Norwich*: And whereas the Mayor, Sheriffs, 'Citizens and Commonalty of the said City of *Norwich*, in Common Council assembled, have consented 'to the holding of the said Assizes and Sessions within the City and County of *Norwich* aforesaid;' Be it therefore enacted, &c.

"The Summer Assizes and Sessions of the Peace for the County of *Norfolk* to be held at *Norwich*. The "Shire House of *Norfolk* to be rebuilt, &c. at the County Charge. Quarter-Sessions to contract for build- "ing thereof. Money to be raised by a general Rate."

CAP. XXII.

An Act for building a Bridge cross the River *Thames*, from the Parish of *Walton* upon *Thames* in the County of *Surrey*, to *Shepperton* in the County of *Middlesex*. *Samuel Dicker* Esquire, impowered to build a Bridge from *Walton* to *Shepperton*. Open Passage to be left for the Water to pass 212 Feet. Burning or destroying the Bridge, or taking away, &c. any of the Works, Felony. Pontage to be paid. For every Coach or other Vehicle, drawn by 6 Horses, 2*s*. by 4 Horses, 1*s*. 6*d*. by less than 4 Horses, 1*s*. For every Waggon, Cart or Carriage drawn by 4 Horses or Oxen, 1*s*. 6*d*. and by less than four, 1*s*. For every Horse, &c. not drawing, 1*d*. For every Foot Passenger, 2*q*. For every Drove of Neat Cattle, 12*d*. *per* Score. For every Drove of Calves, Hogs, Sheep or Lambs, 6*d*. *per* Score. Tolls vested in Mr. *Dicker*, to be paid but once a Day. Owners Names to be set on the Outside of every Vessel, and the Name of the Town and Parish where he belongs. The Bridge to be deemed extraparochial. *Surrey* and *Middlesex* exempted from repairing the Bridge. Rights of the Mayor of the City of *London* saved. PR.

CAP. XXIII.

An Act for repairing the Road leading from *Cirencester* in the County of *Gloucester*, to *Birdlip's Hill* in the said County. PR.

Certain Tolls granted for 21 Years.

CAP. XXIV.

An Act for the better securing the Payment of Shares of Prizes taken from the Enemy, to the Royal Hospital at *Greenwich*; and for preventing the Ebezzelement of Goods and Stores belonging to the said Hospital.

13 Geo. 2. c. 4. 'WHEREAS by an Act made in the thirteenth Year of his present Majesty's Reign, intituled, *An 'Act for the more effectual securing and encouraging the Trade of his Majesty's* British *Subjects to* America; *and for the Encouragement of Seamen to enter into his Majesty's Service*, the sole Interest and Property 'of and in all and every Ship, Vessel, Goods and Merchandizes taken from the *Spaniards* is given to the 'Flag Officers, Commanders, and other Officers, Seamen, Marines and Soldiers on Board every Ship and 'Vessel of War in his Majesty's Pay, and Privateer; (being first adjudged lawful Prize in any of his Majesty's Courts of Admiralty in *Great Britain*, or in his Plantations in *America* or elsewhere) and divers 'Rules and Regulations are therein established for the Adjudication and Condemnation of Prizes taken from 'the *Spaniards*; and by the said Act a Bounty is given to the Officers, Seamen, Marines, Soldiers, or others, 'that shall have been actually on Board such of his Majesty's Ship or Ships of War, or Privateer or Privateers, in any Action where any Ship or Ships of War, or Privateer shall be taken from the Enemy, 'sunk, burnt or otherwise destroyed: And whereas by an Act made in the seventeenth Year of his said
17 Geo. 2. c. 34. 'present Majesty's Reign, intituled, *An Act for the better Encouragement of Seamen in his Majesty's Service, 'and Privateers, to annoy the Enemy*; it was found necessary, that the same Encouragement should be given 'for the Captors of *French* Ships, Vessels, Goods and Merchandizes, and the same Rules and Regulations 'should be observed in the Adjudication and Condemnation of Prizes taken from the *French*: And to the 'end that his Majesty's most gracious Intentions might have full Force and Effect, and for the better carrying on the said War against *France* with Vigour, and for the Encouragement of the Officers and Seamen of his Majesty's Ships of War, and the Officers and Seamen of all other *British* Ships and Vessels, 'having Commissions or Letters of Marque; and for inducing all *British* Seamen, who might be in any 'Foreign Service, to return into this Kingdom, and become serviceable to his Majesty; and for the more 'effectual securing and extending the Trade of his Majesty's Subjects, it was enacted, That the Flag Officers, Commanders and other Officers, Seamen, Marines and Soldiers on Board every Ship and Vessel of 'War in his Majesty's Pay, should have the sole Interest and Property of and in all and every Ship, Vessel, 'Goods and Merchandizes, which they had taken on or since the twenty-ninth Day of *March* in the Year 'of our Lord one thousand seven hundred and forty-four, or should thereafter take (being first adjudged 'lawful Prize in any of his Majesty's Courts of Admiralty in *Great Britain*, or his Plantations in *America*, 'or elsewhere) to be divided in such Proportions, and after such Manner, as his Majesty, by his Declaration bearing Date the twenty-ninth Day of *March* one thousand seven hundred and forty-four, had ordered and directed, or in such Proportions, and after such Manner, as his Majesty, his Heirs and Successors, should think fit to order and direct by Proclamation or Proclamations thereafter to be issued for that 'Purpose; and by the said Act a Bounty is likewise given to the Officers, Seamen, Marines, Soldiers or 'others, that shall have been actually on Board such of his Majesty's Ship or Ships of War, or Privateer

or

'or Privateers, in any Action where any Ship or Ships of War, or Privateers should be taken from the 'Enemy, sunk, burnt or otherwise destroyed: And it was further enacted, That after the Sale or Sales of 'such Prize or Prizes as should be taken from the Enemy by any of his Majesty's Ships of War, publick 'Notification should be given by the Persons or Agents appointed, as thereby is directed, of the Day ap-'pointed for the Payment of the several Shares of the Captors aforesaid; after which publick Notification, 'if any Mens Shares should remain in the Hands of the Persons or Agents appointed as aforesaid, either 'belonging to such Men as should be run from his Majesty's Service, or which should not be legally demanded 'within three Years; then such Share or Shares so remaining in the Persons or Agents Hands, or belong-'ing to such Men as should run from his Majesty's Service, should go and be paid to the Use of *Greenwich* '*Hospital:* And whereas by the above recited Act of the thirteenth Year of his present Majesty, the Shares 'of Prizes belonging to Run-men are not expressly granted to *Greenwich Hospital*, whereby the said Hospital 'loseth the Benefit of such Shares of Run-men, of and in all Prizes taken from the *Spaniards*, on or since 'the fourth Day of *January* in the Year of our Lord one thousand seven hundred and thirty-nine in *Europe*; 'and on or since the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and 'forty, in any other Part of the World; and some Doubt may arise whether the Shares of Prizes belong-'ing to Men running from their Ships, after Adjudication and Condemnation of such Prizes, shall be for-'feited by the said Clause in the said last recited Act:' For Remedy whereof, and to the Intent that all and every the Shares of Prizes belonging to Run-men, as well after as before Adjudication and Condemnation, and as well those taken from his Majesty's Enemies, on or since the fourth Day of *January* in the Year of our Lord one thousand seven hundred and thirty-nine in *Europe*, and on or since the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and forty, in any other Part of the World, as those taken on or since the twenty-ninth Day of *March* one thousand seven hundred and forty-four, may be given, and go to, and be paid to the Use of *Greenwich Hospital* aforesaid; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person or Persons who, on the fourth Day of *January* in the Year of our Lord one thousand seven hundred and thirty-nine, or at any Time since did belong, or now does or do belong, or at any Time hereafter shall belong, to any of his Majesty's Ships or Vessels of War, or to any Merchant Ship employed in his Majesty's Service, and hath or have, at any Time heretofore, or shall at any Time hereafter, run away, or withdraw him or themselves from the Ship or Vessel by which any Prize or Prizes shall be taken from any of his Majesty's Enemies, or otherwise from his Majesty's Service, before or after Notification shall be given by the Persons or Agents appointed as aforesaid, of the Day appointed for the Payment of the several Shares to the Captors of the said Prize or Prizes, shall have, or be intitled to have or claim any Interest in, or Benefit of the said Share or Shares of the said Prize or Prizes, or the Bounty-money aforesaid, or any Part thereof; but such Share and Shares of such Prize and Prizes, and Bounty-money, shall go and be paid to the Use of *Greenwich Hospital*.

Persons serving on Board the Fleet, &c. since 4 Jan. 1739,

who shall quit their Ships,

to forfeit their Claim,

to the Use of Greenwich Hospital.

II. Provided always, That if any Person or Persons shall or do run away, or withdraw him or themselves from any such Ship or Vessel as aforesaid, after Notification given as aforesaid, he or they shall only forfeit and lose such Part of his and their Share and Shares of the said Prize and Prizes, and Bounty-money, as shall be remaining in the said Agent or Agents Hands, at the Time of his and their running away, or withdrawing him or themselves; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Share of the Prize Money in the Agents Hands to be only forfeited.

'III. And as several Persons may have bought the Shares of Prizes of Run-men, for a Consideration a 'great deal under the real Value thereof, which hath much encouraged Seamen to quit and leave their 'Ships, and his Majesty's Service;' Be it enacted by the Authority aforesaid, That the Vendee or Vendees, Assignee or Assigns of such Share and Shares, and Bounty-money, or either of them, as is and are, or shall be, on or before the first Day of *June* in the Year of our Lord one thousand seven hundred and forty-seven, *bona fide* actually bought and assigned, shall, on the Payments of the same, be allowed the full Consideration-money, he and they really and *bona fide* gave for the same, and Interest after the Rate of five Pounds *per Centum*, which shall have accrued due from the Day of the Payment of the said Consideration-money, to the Time or Times of Payment of such Share or Shares, and Bounty-money, according to the Direction of this Act, or the several Acts herein recited, or any of them, and no more; and that the Surplus of the said Share and Shares, and Bounty-money in the said Agents Hands, after the real Consideration and Interest for the same shall have been paid and satisfied, shall be paid to the Treasurer of the said Royal Hospital at *Greenwich*, or his Deputy or Agent, for the Use of the same; and for the better ascertaining the whole and true Sum of the Consideration-money *bona fide* paid, the Vendee or Assignee of every such Share of Run-men now actually bought, if living, and if dead, then his and their respective Representative and Representatives to the best of their Knowledge and Belief, shall make an Affidavit before some or one of the Judges of the Courts of *King's Bench* or *Common Pleas* at *Westminster*, or before some or one of the Barons of the *Exchequer*, or some Commissioner of the same Courts in the Country in *Great Britain*, and in any other Parts of his Majesty's Dominions, before some or one of the Judges of the Courts of Law or Equity there, or before some other Person or Persons authorized by those Courts to take Affidavits, of the real Consideration-money paid for the said Share or Shares, and of the true and real Days and Times of the Execution of such Assignments by the Assigners thereof, and which Affidavits so sworn and taken, shall be filed in the said Courts where sworn; and all Persons who shall wilfully and corruptly swear falsly in such Affidavits, shall be guilty of, and tried and punished as for wilful and corrupt Perjury; and that no Bill of Sale or Assignment now made and executed, or which shall be made and executed on or before the said first Day of *June*, of the Share and Shares of any Prize or Bounty-money to which such Persons as aforesaid are or shall, before the said first Day of *June* be intitled, shall be deemed good and valid in Law or Equity, wherein the true or real Sum and Sums of Money given and paid for such Share and Shares to the said Cap-

Persons who bought the Shares of Prizes of Run-men,

on or before 1 June 1747, to be allowed the Consideration Money, and interest at 5l. per Cent. the Surplus of such Shares, &c. to be paid to the Treasurer of Greenwich Hospital.

Affidavit to be made of the Sum of Consideration Money paid;

and the Time of executing the Assignments.

Penalty on making false Affidavits.

No Bill of Sale, &c. to be valid, where the Consideration-mo-

ney is not inserted, and attested on Oath.

tor or Captors, Vendor or Vendors thereof, hath or have not been, or shall not be inserted in the said Bill of Sale or Assignment before the Execution thereof, and proved on Oath in Manner aforesaid.

Bills of Sale, &c. of Prizes, made after 1 June 1747, to be void.

IV. And for the future preventing such Impositions on Seamen, Marines and Soldiers, and thereby encouraging them to quit and leave their Ships, and his Majesty's Service; and for better Encouragement of Seamen, Marines and Soldiers to continue in his Majesty's Service, be it further enacted, That all and every Bargain, Sale, Bill of Sale, Contract, Agreement and Assignment whatsoever, of, for or concerning any Share or Shares of any Prize or Prizes taken or to be taken from any of his Majesty's Enemies, by any of his Majesty's Ships or Vessels of War, or by any Merchant Ship employed in his Majesty's Service, or having Letters of Marque, or of, for or concerning any Share or Shares of any Bounty-money given in and by the said recited Acts, where any Ship or Ships of War or Privateers belonging to his Majesty's Enemies should be taken, sunk, burnt or otherwise destroyed, which shall at any Time after the said first Day of *June* be made or entered into, shall be, and is and are hereby declared to be void and of none Effect, to all Intents and Purposes whatsoever; any Law, Statute, Custom or Usage to the contrary thereof in any wise notwithstanding.

Agents to pay the Captors, &c. their Shares, &c. without Regard to Bills of Sale, &c.

V. And the said Persons or Agents for Prizes, appointed as by the said recited Acts are directed, are hereby respectively authorized, directed and required to pay, or cause to be paid to all such Seamen, Marines and Soldiers as shall appear in Person, or in their Absence to their lawful Attornies, impowered by them respectively, in the Manner as is herein after directed, or to the Executors or Administrators of such Seamen, Marines and Soldiers, or their respective Attorney or Attornies, duly authorized in such Manner as is herein after directed, the respective Share or Shares of such Prize or Prizes, and Bounty-money as aforesaid, respectively due to them, without regard to any Bargain, Sale, Bill of Sale, Contract, Agreement or Assignment whatsoever, hereafter to be made of, for or concerning the same.

After 1 June 1747, Letters of Attorney to be made revocable;

VI. And be it further enacted, That no Letter of Attorney, from and after the said first Day of *June* made by any Seaman, Marine or Soldier, belonging to any of his Majesty's Ships or Vessels of War, or to any Merchant Ship in his Majesty's Service, or otherwise in the Service of his Majesty, his Heirs or Successors, or having Letters of Marque, or belonging to any Privateer, or by the Executors or Administrators of any such Seaman, Marine or Soldier, in order to impower and intitle any Person or Persons to receive any Share or Shares of any Prize or Prizes, or Bounty-money as aforesaid, of any Kind whatsoever now due, or at any Time hereafter to grow due to any Seaman, Marine or Soldier, shall be good and valid, and sufficient for that Purpose, unless such Letter of Attorney be made revokeable, and for the Use of such Seaman, Marine or Soldier making the same, and unless the same be signed and executed before, and attested by the Captain or Commander, and one other of the Warrant or Signing Officers of the Ship to which such Seaman, Marine or Soldier making the same shall belong, or the Clerk of the Cheque of one of his Majesty's Dock-yards, or the Mayor or Chief Magistrate of some Corporation.

and attested by the Captain, &c.

'VII. And whereas neither by the said recited Act of the thirteenth Year of his present Majesty's Reign, 'nor by the said Act passed in the said seventeenth Year of his said Majesty, any sufficient Provision is 'made to oblige such Agents or other Persons, to discover and duly account for the Money remaining in 'their Hands, due or to become due and payable to the said Hospital:' Now for the better and more effectual preserving and securing all such Interest and Shares of the said Prizes, given and granted by the above recited Acts, or either of them, and hereby given and granted to and for the Use of the said Hospital, and for the more certain collecting and receiving the same; Be it enacted by the Authority aforesaid, That all and every Person and Persons, Agent and Agents, and others, who have sold and disposed of, or shall hereafter sell or otherwise dispose of, any Prize or Prizes so taken as aforesaid, or which hereafter shall be so taken from any of his Majesty's Enemies, shall, within the Space of three Calendar Months next after the Day to be appointed for the first Payment or Distribution to the Captors of such Prize or Prizes, made in pursuance of such publick Notification, make out and transmit, or deliver unto the Treasurer of the said Royal Hospital at *Greenwich* for the Time being, or to such Person or Persons as he shall for that Purpose depute or appoint, a true State and Account in Writing, under the Hand or Hands of such Agent or Agents or Person or Persons so employed, of the Produce of all such Prize and Prizes as aforesaid, together with an Account of the Payments of the several Shares to the Captors, as shall then have been really and *bona fide* by him or them respectively paid; and also that all and every Person and Persons authorized and appointed by the said Acts, or this present Act, to receive Bills for the Bounty granted by the said recited Acts, shall, within the like Space of three Calendar Months next after the Day appointed for the first Payment or Distribution of such Bills for the Bounty as aforesaid, in like Manner make out and transmit, or deliver to the Treasurer for the time being of the said Hospital, or to his sufficient Deputy, a true State and Account in Writing, under his or their Hand or Hands, of the Payment and Distribution of such Bills; and further, that all and every Person and Persons, Agents and others, that by virtue of the said Acts hath or have sold and disposed of, or that shall hereafter sell or dispose of any Prize or Prizes taken from the Enemy, or which shall at any Time or Times hereafter be taken from the said Enemy by any of his Majesty's Ships or Vessels of War, or that shall receive or dispose of any Bill or Bills for Bounty, such Person and Persons, Agents and others, so selling and disposing thereof, shall, within the Space of three Calendar Months next after the Expiration of the Term of three Years limited by the said Acts, make out an exact Account in Writing, of the Produce of such Prize and Prizes, Bill and Bills for Bounty, as also of the Payments of the several Shares to the respective Captors, together with a true and just Account upon Oath, to be taken before the Treasurer of the said Hospital for the time being, or any other Person or Persons by him for that Purpose deputed and authorized in Writing, under his Hand and Seal (which Oath the said Treasurer of the said Hospital, and his sufficient Deputy and Deputies authorized as aforesaid, is and are hereby authorized and impowered to administer) of all Sum and Sums of Money as shall be then remaining in such Agent or Agents, or Persons Custody, Power or Possession; and shall at the same Time deliver or cause to be delivered to the Treasurer of the said Hospital for the Time being, or to his sufficient Deputy or Agent, the said Accounts

Agents, &c. to transmit an Account to the Treasurer of Greenwich Hospital, within 3 Months after the first Payment, of the Produce of the Prizes;

and of the Payments of the Shares.

Persons appointed to receive Bills for Bounty, to transmit a like Account;

Agents, &c. within 3 Months after the Expiration of the 3 Years limited, to make out an Account of the Produce of Prizes, and Payments of Shares;

and to deliver the same, with the Sums re-

Accounts so attested upon Oath as aforesaid, together with all such remaining Sum and Sums of Money, then so left and remaining in his or their Hands as aforesaid, taking from the said Treasurer, or his proper Deputy or Agent, his or their Acquittance or Acquittances for the same.

maining in their Hands to the Treasurer of Greenwich Hospital, &c.

VIII. And be it further enacted, That all and every the Person and Persons hereby directed to transmit or deliver all or any the Accounts beforementioned, who shall neglect or refuse to transmit or deliver all or any such Account or Accounts to the Treasurer of the said Hospital, or his said Deputy or Agent, within the Times before limited and appointed, in Manner and Form as is herein before mentioned, or who shall neglect or refuse to pay over all and every such Sum and Sums of Money as shall remain in his or their Hand or Hands, Power, Custody or Possession, after the Term of three Years, to be accounted as aforesaid, shall, for every such Offence, forfeit the Sum of one hundred Pounds, over and above the Money then in such Agents Hands; one third Part whereof shall belong to his Majesty, and the remaining two thirds to the said Royal Hospital; to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record; in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

under Penalty of 100 l.

Disposal of the Forfeitures.

IX. And be it further enacted, That if any Fraud, Collusion or Deceit shall be wittingly or willingly made, used, committed, permitted, done or suffered in making, stating or ballancing any such Accounts; then every Person or Persons who shall be thereof duly convicted, and his and their Aiders and Abettors, shall forfeit and pay for every such Offence, over and above the Penalties and Punishments inflicted by this or any other or former Law, the Sum of one hundred Pounds; one third Part whereof to be to the Use of his Majesty, and one other third to the Use of the said Hospital, and the other third to the Informer who shall sue for the same; to be recovered with Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any Court of Record; in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

Persons convicted of making false Accounts, to forfeit 100 l.

Disposal of the Forfeiture.

'X. And whereas by the above recited Acts made in the thirteenth and seventeenth Years of his said pre-
'sent Majesty's Reign respectively, as a further Encouragement to the Officers, Seamen, Marines, Soldiers,
'and others on Board any of his Majesty's Ships of War, as also of Privateers, to attack, take and destroy
'any Ships of Force belonging to the Enemy, it was enacted, That there should be paid by the Treasurer
'of his Majesty's Navy, upon Bills to be made forth by the Commissioners of the Navy, to be paid ac-
'cording to the Course thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers, or
'others, that should have been actually on Board such of his Majesty's Ships of War, or Privateer or Pri-
'vateers, in any Action where any Ship or Ships of War, or Privateers should have been taken from the
'Enemy, sunk, burnt or otherwise destroyed, five Pounds for every Man which was living on Board any
'Ship or Ships so taken, sunk, burnt or otherwise destroyed, at the Beginning of the Engagement between
'them, the Numbers of such Men to be proved by the Oaths of three or more of the chief Officers or
'Men, which were belonging to the said Ship or Ships of War, or Privateers of the Enemy, or belonging
'to any of them at the Time of her or their being taken as Prize, sunk, burnt or otherwise destroyed, be-
'fore the Mayor or other chief Magistrate of the Port within any of his Majesty's Dominions, whereunto
'any Prize or Officers, or Men of such Ships as were sunk, burnt or otherwise destroyed, should be
'brought, or before the *British* Consul, or Vice Consul, residing at any Neutral Port, to which such
'Prize or Officers, or Men should be brought, which Oaths the said Mayor or other chief Magistrate of
'any such Port or Consul, or Vice Consul, were thereby impowered and required to administer, and shou'd
'forthwith grant a Certificate thereof, without Fee or Reward, directed to the Commissioners of the Navy,
'upon producing which Certificate to the Commissioners of his Majesty's Navy, together with an authen-
'tick Copy of the Condemnation of such Ship so taken, or if such Ship be sunk, burnt or otherwise de-
'stroyed, on producing only a Certificate from the Mayor, or other chief Magistrate, or Consul, or Vice Con-
'sul, as aforesaid, the said Commissioners of his Majesty's Navy, or such Person or Persons as they should
'appoint for that Purpose, should according to the Course of the Navy, within fifteen Days make out Bills
'for the Amount of such Bounty, directed to the Treasurer of the Navy, payable to, and to be divided
'amongst the Officers, Seamen, Marines and Soldiers on Board his Majesty's Ships of War, in Manner,
'Form and Proportion as by his Majesty's Proclamation to be issued for that Purpose, should be directed
'and appointed; and amongst the Owners, Officers and Seamen of any private Vessel or Ship of War, in
'such Manner and Proportion as by any Agreement in Writing they should have entered into for that Pur-
'pose, should be directed: And whereas some Doubt has arisen whether such Oaths, relating to the said
'Bounty-money, and the Certificate thereon granted, could be administered and granted by any Mayor or
'chief Magistrate, Consul, or Vice Consul of any Port, other than the first Port to which such Prize or
'Prizes, or Officers or Men should be first brought; and it has sometimes happened, that such Oath and
'Certificate could not be administered and granted at the first Port where such Prize or Prizes or Officers or
'Men have been brought, whereby the Officers, Seamen, Marines and Soldiers of his Majesty's Ships and
'Vessels of War, Privateer and Privateers, by which the Ships of his Majesty's Enemies have been taken,
'burnt, sunk or otherwise destroyed, have been totally deprived of the Benefit of the said Bounty-money:'
For Remedy whereof, be it enacted by the Authority aforesaid, That in all such Cases, where such Oath and Certificate could not, or hereafter cannot be administered and granted at the said first Port, such Oath or Oaths relating to any Prize or Prizes taken or to be taken, or to any Ships of his Majesty's Enemies sunk, burnt or otherwise destroyed, or hereafter to be sunk, burnt or otherwise destroyed, shall and may be administered and taken by and before the Mayor and other chief Magistrate of any Port within any of his Majesty's Dominions, or by or before the *British* Consul, or Vice Consul, residing at any Neutral Port, whereunto any Prize or Prizes, or Officers or Men of any Ships belonging to his Majesty's Enemies, as have been or shall be taken, sunk, burnt or otherwise destroyed, shall at any Time hereafter be brought (Proof being first made by Affidavit before such Person or Persons, of the Inability of making such Oath or Oaths, and obtaining such Certificate at the said first Port) and the Mayor and other chief Magistrate, Consul or Vice

13 Geo. 2. c. 4. §. 15. 17 Geo. 2. c. 34. §. 18.

Where an Oath and Certificate cannot be granted at the first Port, they may be taken before the Magistrate of any other.

Proof to be made of their Inability of making the Oath, &c. in

the first Port, Certificate to be granted thereon.

Vice Consul, shall thereupon grant such Certificate and Certificates, as by the said recited Acts are directed; which Certificate and Certificates shall be good and effectual to all Intents and Purposes, as if the same were granted by the Mayor or chief Magistrate, Consul or Vice Consul of the Port to which such Prize or Prizes, Officers or Men as aforesaid, have been or shall be first brought; any thing in the said recited Acts to the contrary thereof in any wise notwithstanding.

18 Geo. 2. c. 31. §. 6.

'XI. And whereas by an Act passed in the eighteenth Year of his present Majesty's Reign, it was enacted, That all and every Person and Persons who since the Commencement of the present War against *Spain*, had or had been, or then were, or thereafter should be, appointed Agent or Agents for any Prize or Prizes taken by any Ship or Ships of War belonging to his Majesty, or for receiving the said Bounty-money, and which Prize or Prizes had been or should be condemned in the High Court of Admiralty of *England*, should exhibit, and cause to be registered in the said High Court of Admiralty, his or their respective Letter or Letters of Attorney, appointing him or them Agent or Agents (who had not already done the same) and if any Person or Persons, so as aforesaid appointed Agent or Agents (who had not already done the same) should refuse or neglect so to do on or before the first Day of *August* one thousand seven hundred and forty-five; or if any Person or Persons thereafter to be appointed Agent or Agents for the Purposes aforesaid, should refuse or neglect to exhibit, and cause to be registered in the said High Court of Admiralty, his or their respective Letter or Letters of Attorney, appointing him or them Agent or Agents as aforesaid, for the Space of six Calendar Months after Sentence of Condemnation of any Prize should be given in the said High Court of Admiralty, for the Care and Distribution of which he or they shall be appointed Agent or Agents; such Person or Persons so refusing or neglecting, shall forfeit the Sum of five hundred Pounds, to be recovered by him or them who shall sue for the same, by Action of Debt, Plaint or Information, in any Court of Record in *Great Britain*, in which no Essoin, Protection or Wager of Law, or more than one Imparlance should be allowed: And whereas the last above recited Clause does not extend the Benefit of this Registry, or require the Agents of Prizes in his Majesty's Plantations in *America* or elsewhere, to exhibit and cause to be registered their Letters of Attorney in the Courts of Admiralty there, as is done here in *England*; by which Means the said Royal Hospital does not receive the whole Benefit accruing to it from Prizes, nor is the Purpose of making such Letters of Attorney Evidence of the Agency of such Person or Persons, to whom the same is made, in his Majesty's Courts of Record thereby fully answered;' Be it therefore enacted by the Authority aforesaid, That all and every Person and Persons, who since the Commencement of the present War against *Spain* and *France* respectively has or have been, or now is or are, or hereafter shall be appointed Agent or Agents for any Prize or Prizes taken by any Ship or Ships, Vessel or Vessels of War, or by any Merchant Ship or Ships employed in his Majesty's Service, or having Letters of Marque, or for receiving the Bounty-money by the said recited Acts granted, and which Prize or Prizes hath or have been, or hereafter shall be condemned in the High Court of Admiralty in *Great Britain*, or in any of the Courts of Admiralty in any of his Majesty's Plantations in *America*, or in any other of his Majesty's Dominions, or elsewhere, shall exhibit and cause to be registered in the High Court of Admiralty in *Great Britain*, or in the respective Courts of Admiralty in *America*, or in any other of his Majesty's Dominions or elsewhere, where the said Prize and Prizes, and every of them, hath or have been or shall be condemned, appointing him or them Agent or Agents for the Purposes aforesaid, unless he or they have respectively done the same; and if any Person or Persons, so as aforesaid appointed Agent or Agents (who have not already done the same) shall refuse or neglect so to do, on or before the first Day of *August* one thousand seven hundred and forty-seven, in *Great Britain*, and on or before the first Day of *October* one thousand seven hundred and forty-seven, in *America* or other his Majesty's Dominions; or if any Person or Persons hereafter to be appointed Agent or Agents for the Purposes aforesaid, shall refuse or neglect to exhibit and cause to be registered in any of the Courts of Admiralty aforesaid, his or their respective Letter or Letters of Attorney, appointing him or them Agent or Agents as aforesaid, for the Space of six Calendar Months after Sentence of Condemnation of any Prize or Prizes shall be given in any of the said Courts of Admiralty, for the Care and Distribution of which he or they shall be appointed Agent or Agents; such Person or Persons, Agent or Agents refusing or neglecting, shall forfeit the Sum of five hundred Pounds; to be recovered by him or them who will sue for the same, by Action of Debt, Bill, Plaint or Information, in any Court of Record in *Great Britain*, *America*, or in any other of his Majesty's Dominions or elsewhere; in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

Agents to register their Letters of Attorney in the Court of Admiralty in Great Britain, before 1 Aug. 1747.

and in America, &c. before 1 Oct. 1747, or where the Prizes shall be condemned,

within six Months after Condemnation; under Penalty of 500l.

Agents appointed after Condemnation of a Prize, to register their Letters of Attorney within six Months, &c.

XII. Provided always, That if any Agent or Agents shall be appointed after the Time any Sentence of Condemnation in any of the said Courts of Admiralty shall be given, such Agent or Agents, shall, under the aforesaid Penalty, register or cause to be registered in Manner aforesaid, his or their respective Letter or Letters of Attorney, appointing him or them Agent or Agents as aforesaid, within the Space of six Calendar Months after the Date of his or their said Letter or Letters of Attorney.

Registers, in the Courts of Admiralty in America, &c. shall yearly transcribe all Letters of Attorney registered in such Courts, &c. and transmit the same to the Treasurer of Greenwich Hospital;

XIII. And be it further enacted by the Authority aforesaid, That the Register or Registers of all and every the Court and Courts of Admiralty in any of his Majesty's Plantations in *America*, or elsewhere, in any other of his Majesty's Dominions, shall, yearly and every Year upon the twenty third Day of *October*, or within three Calendar Months next after the same, make out and transcribe true Copies of all and every such Letter and Letters of Attorney as shall be so registered in the said Court or Courts, to which the Judge and Judges of the said Court and Courts shall affix his and their Seal of Office; and then the said Register and Registers shall transmit the same to the Treasurer of the said Royal Hospital at *Greenwich*, to be there registered, and to be inspected by any Person *gratis*, the Charges of which Copies, and affixing the Seal or Seals thereto, and transmitting the same to the Treasurer of the said Hospital, shall be paid by the said Agent or Agents at the Time of making such Registry as aforesaid; and in case such Register or Registers shall neglect or refuse to transcribe and transmit such Copy and Copies of the said Letter and Letters of Attorney in Manner aforesaid (any Ship or Ships in that Time sailing from such Port or Place to any Port or

Ports

Ports in *Great Britain*) such Register and Registers so neglecting or refusing, shall forfeit the Sum of five hundred Pounds, to be recovered by him or them who will sue for the same, by Action of Debt, Bill, Plaint or Information, in any Court of Record in *Great Britain* or *America*, or in any other of his Majesty's Dominions or elsewhere; in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed. Penalty 500l.

XIV. And for the more effectual making such Letters of Attorney Evidence of the Agency of the Person or Persons to whom the same are made, Be it further enacted by the Authority aforesaid, That true Copies of such Letter and Letters of Attorney, and of Transcripts under Seal, transmitted by the said Register or Registers of the Court and Courts of Admiralty of his Majesty's Plantations in *America*, and elsewhere within his Majestys Dominions, and registered by the said Treasurer of *Greenwich Hospital*, shall, from time to time and at all Times hereafter, be good and sufficient Evidence of the Agency of the Person or Persons to whom such Letter of Attorney is or shall be made, and from time to time and at all Times hereafter shall be admitted, without further or other Proof thereof, to be legal Evidence in all his Majesty's Courts of Record of Law or Equity; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding. Copies of the Letters of Attorney, &c. good Evidence.

'XV. And whereas several of the Agents for Prizes have, since the twenty-ninth Day of *March* one 'thousand seven hundred and forty-four, being vexatiously sued by Persons who have been made Run in the 'Lists of the Names of the Officers, Seamen, Marines, Soldiers or others who were actually on Board 'such of his Majesty's Ships or Vessels of War at the taking of such Prize or Prizes, and which said Lists 'were duly certified after the Condemnation of such Prize or Prizes, and transmitted to the said Agents, 'though the Plaintiffs in such Suits knew, that by the several Acts of Parliament herein before recited, 'and passed in the thirteenth and seventeenth Years of his present Majesty, their respective Shares of such 'Prizes were forfeited by their running away from the Service, and granted to the Use of *Greenwich Hospital*, and that the said Agents are but the Receivers thereof, and have the Care and Custody of the Monies arising by such Shares, to and for the Benefit of the said Hospital, till the End of three Years limited 'by the said Acts, and within three Calendar Months after the Expiration of which three Years the said 'Agents are obliged by the said Acts to account for, and pay over the same to the Use of the said Hospital, 'under certain Penalties in the said Acts contained; which said Run-men very often commence these Suits 'before all the Times appointed for the Payment of the said Shares are expired, and being generally Paupers, they often discontinue the said Suits and abscond, whereby the said Agents are put to great Costs in 'the Defence of the same, and have no Means of recovering the same, and therefore deduct such Costs 'out of the Monies arising from such Shares remaining in their Hands at the Time of their accounting 'with and paying it to the Treasurer of the said Hospital or his Deputy, who are not authorized by the 'said Acts to allow the same; nor can the Governor and Directors of the said Hospital enter into the Defence of the said Suits, whilst the said Monies remain in the said Agents Hands, till it becomes payable to 'the said Hospital, according to the Directions of the said Acts;' Be it therefore enacted by the Authority aforesaid, That no Agent or Agents shall be liable to be sued, impleaded or arrested by any Person or Persons who shall hereafter be made Run from his Majesty's Service, in the said Lists transmitted to them of the Names of the Officers, Seamen, Marines, Soldiers or others intitled to such Shares, till the End of three Months next after the Expiration of three Years, limited by the Acts aforesaid, unless the Person or Persons so made Run, shall obtain a Certificate before any Action brought from the Commissioners of his Majesty's Navy, who subscribed and transmitted the said Lists, the said Agent or Agents, or some of them, or their proper Officer or Officers, that the *R* or *R's* are taken off, and the Forfeitures of such Share or Shares discharged, and the said Agent or Agents, on the producing such Certificate or Certificates shall refuse to pay the same, in case the same be due and payable, according to the Directions in his Majesty's said Declaration within two Months after Demand made on such Certificate. Agents not liable to be sued by Persons made Run, till 3 Months after the 3 Years limited, unless Certificates be first obtained of the R's being taken off, &c.

'XVI. And whereas several of the common Pensioners and Nurses in the said Royal Hospital of late have 'pawned or otherwise disposed of the Wearing Clothes, Linen and other Goods delivered to them to wear 'and use during their being Pensioners or Nurses of the said Hospital, and continuing therein, and put the 'said Hospital to great Charge in redeeming or purchasing the same, and are much encouraged by Pawn-'brokers and other ill-disposed Persons, for Lucre's Sake so to do, though they know the Person or Per-'sons who pawn or sell such Clothes and Linen, by the Colour, Make and Marks of and in the said Clothes 'and Linen have no absolute or legal Interest or Property in the same; and that the said Pensioners and 'Nurses do often desert and run away from the said Hospital, and carry away their Cloths and Linen with 'them;' Therefore for preventing such Practices for the future, Be it enacted by the Authority aforesaid, That if any Pawnbroker or other Person or Persons shall take to pawn, buy, exchange or receive any Clothes, Linen and other Goods or Stores belonging to his Majesty, his Heirs or Successors, or to the Governor and Directors of the said Hospital, appropriated to and for the Wear of the said Pensioners or Nurses during their Continuance in the said Hospital, or belonging thereto, and to the Use of the said Hospital, from any of the said Pensioners, Nurses or other Person or Persons upon any Account or Pretence whatsoever, or cause the Colour of such Clothes, Linen or Goods to be changed, or the Marks thereon to be taken out or defaced, the Person or Persons so offending shall forfeit for every such Offence the Sum of five Pounds upon Conviction thereof, by the Oath of one or more credible Witness or Witnesses, before any of his Majesty's Justices of the Peace of the County wherein the said Offence or Offences shall be committed; which Penalty or Penalties of five Pounds shall be levied by Warrant under the Hand and Seal, or Hands and Seals of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattles of the said Offender or Offenders; one Moiety of which said Penalty or Penalties shall be paid to the Informer or Informers, and the other Moiety shall go and be paid to the Use of the said Hospital; and in case any such Offender or Offenders, who shall be convicted as aforesaid, of having bought, exchanged, received or taken in Pawn any such Clothes, Linen or other Goods or Stores as aforesaid, or of having caused the Colour Persons taking to pawn Clothes, &c. belonging to the Hospital, or changing the Colour or Marks, to forfeit 5l. to be levied by Distress and Sale. Disposal of the Forfeiture. For want of Distress Offender to

be committed for 3 Months;

lour of such Clothes, Linen or Goods to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattles, whereon Distress may be made, to the Value of the Penalty or Penalties recovered against him, her, or them, for such Offence or Offences, or shall not pay such Penalty or Penalties within four Days after such Conviction, then, and in such Case, such Justice of the Peace shall and may, by Warrant under his Hand and Seal, either commit such Offender or Offenders to the common Goal of the County where such Offence or Offences shall be committed, there to remain without Bail or Mainprize for the Space of three Months, or cause such Offender or Offenders to be publickly whipt, at the Discretion of such Justice; and that if any Pensioner or Nurse of the said Hospital, shall desert or run away from the same, and carry away with them any Clothes, Linen, Stores or Goods delivered to him, her or them, to wear and use whilst they, or any of them, was or were Pensioners or Nurses of or belonging to the said Hospital, or any other Clothes, Goods or Stores belonging thereto; such Person or Persons being lawfully convicted thereof, by the Oath or Oaths of one or more credible Witness or Witnesses, shall be committed to the common Goal or House of Correction, where he, she or they shall be apprehended, for the Space of six Months, without Bail or Mainprize.

or to be publickly whipt.

Pensioners or Nurses going off with the Hospital Clothes &c. to be committed for six Months.

Persons sued on this Act, &c.

XVII. And be it further enacted by the Authority aforesaid, That if at any Time or Times hereafter, any Person or Persons shall be sued for any Matter or Thing done in the Execution of this Act, or if the Governor, Master, Lieutenant Governor, Directors, Captains or any other Officers of the said Royal Hospital at *Greenwich*, commonly called the Officers of the House, who now are, or at any Time hereafter shall be concerned in the Government of the said Hospital or House, or any Steward, Minister, Servant or Agent employed or to be employed by the Governor, Master, Lieutenant Governor or Directors, in collecting or receiving the Rents and Revenues of the said House, or in any other Matter or Thing relating to the said House, or any or either of them, shall be sued for any Matter or Thing done in the Execution of this Act, or in any wise relating to the said Hospital or House, such Governor, Master, Lieutenant Governor, Directors, Captains and Officers of the said House, and their Stewards, Ministers, Servants and Agents, and each and every of them, shall and may plead the general Issue, and give the special Matter in Evidence; and if upon Trial the Plaintiff or Plaintiffs shall become nonsuit, or if a Verdict shall be given against him or them, the Defendant or Defendants shall recover treble his and their Costs of Suit, and may levy the same by Execution, to be awarded out of the Court where such Action or Actions shall be brought.

to plead the General Issue. Treble Costs.

See farther c. 38. *and* 22 *Geo.* 2. *c.* 52. 24 *Geo.* 2. *c.* 47. 31 *Geo.* 2. *c.* 10.

CAP. XXV.

An Act for repairing the High Road leading from the Town of *Stockton upon Tees* to *Darlington*, and from thence through *Winston* to *Barnard Castle*, in the same County. P R.

Certain Tolls granted for 21 Years. Enlarged by 22 Geo. 2. c. 51.

CAP. XXVI.

An Act for reviving and continuing an Act passed in the sixth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for laying a Duty of two Penny* Scots, *or one sixth Part of a Penny Sterling, upon every* Scots *Pint of Beer or Ale vended or sold within the Town of* Bruntisland, *and Liberties thereof, for increasing the publick Revenue of the said Town, and for other Purposes therein mentioned.* P R.

The Act 6 Geo. 2. c. 8. revived and continued for 31 Years.

CAP. XXVII.

An Act for founding and building a Chapel in *Wednesfield* in the Parish of *Wolverhampton*, in the County of *Stafford*. P R.

CAP. XXVIII.

An Act for repairing the Road leading from *Catherick Bridge* in the County of *York*, to *Yarm* in the said County; and from thence to *Stockton* in the County of *Durham*; and from thence through *Sedgefield*, in the said County of *Durham*, to the City of *Durham*. P R.

Certain Tolls granted for 21 Years.

CAP. XXIX.

An Act to confirm an Agreement made by the Rector and Vestrymen of the Parish of *Saint James* within the Liberty of *Westminster*, for enlarging the Curchyard of the said Parish, and for other Purposes therein mentioned. P R.

CAP. XXX.

An Act for allowing Persons impeached of High Treason, whereby any Corruption of Blood may be made, or for Misprision of such Treason, to make their full Defence by Council.

For former Laws concerning Treason, refer to 25 *Ed.* 3. *stat.* 5. *c.* 2. 11 *H.* 7. *c.* 1. 26 *H* 8. *c.* 13. 33 *H.* 8. *c.* 20. 35 *H.* 8. *c.* 2. 1 *Ed.* 6. *c.* 12. 5 & 6 *Ed.* 6. *c.* 11. 1 *Mar. stat.* 1. *c.* 1. 1 *Mar. stat.* 2. *c.* 6. 1 & 2 *P. & M. c.* 10 & 11. 5 *El. c.* 11. 14 *El. c.* 3. 18 *El. c.* 1. 23 *El. c.* 1. 29 *El. c.* 2. 7 *W.* 3. *c.* 3. 13 & 14 *W.* 3. *c.* 3. 1 *Ann. stat.* 2. *c.* 17. 2 & 3 *Ann. c.* 20. 6 *Ann. c.* 7. 7 *Ann. c.* 21. 17 *Geo.* 2. *c.* 39.

'WHEREAS it is thought reasonable, that Persons impeached by the House of Commons of High Treason, whereby any Corruption of Blood is made, or for Misprision of such Treason, should have the same Benefit and Advantage in making their Defence, as they may have on Indictments or other Prosecutions:' The Commons therefore humbly pray your Majesty that it may be enacted, and be it enacted

acted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June* in the Year of our Lord one thousand seven hundred and forty-seven, all and every Person and Persons whatsoever, who shall be impeached by the Commons of *Great Britain* of any High Treason, whereby any Corruption of Blood may or shall be made to any such Offender or Offenders, or to any the Heir or Heirs of any such Offender or Offenders, or for Misprision of such Treason, shall be received and admitted to make his or their full Defence by Council Learned in the Law, not exceeding two Council, who shall be assigned for that Purpose, on the Application of the Party or Parties impeached, at any Time after the Articles of Impeachment shall be exhibited by the Commons.

Council allowed to Persons impeached of High Treason by the Commons.

See farther 20 *Geo.* 2. *c.* 46.

And 21 *Geo.* 2. *c.* 19. 22 *Geo.* 2. *c.* 48. *for regulating Trials for High Treason in Scotland.*

CAP. XXXI.

An Act for continuing the Term and enlarging the Powers granted by an Act passed in the twelfth Year of his late Majesty's Reign, intituled, *An Act for repairing and widening the Roads from the City of* Glouceſter *to the City of* Hereford; and for repairing other Roads in the County of *Glouceſter*. P R.

The Act 12 Geo. 1. c. 13. continued for 21 Years.

CAP. XXXII.

An Act for uniting the two Colleges of *Saint Salvator* and *Saint Leonard*, in the University of *Saint Andrews*, pursuant to an Agreement for that Purpose. P R.

'WHEREAS the College of *Saint Salvator*, in the Universty of *Saint Adrews*, consists of a Provost or Principal Master, three Professors of Philosophy, a Professor of *Greek*, and a Professor of Humanity, with small Salaries annexed to each Professorship; and *Saint Leonard's* College in the same Universty is likewise composed of a Principal Master, three Professors of Philosophy, a Professor of *Greek*, and a Professor of Humanity, who teach the same Arts and Sciences, and the said Colleges have different large Fabricks and Rents and Emoluments under separate Managements: And whereas the Parliament of *Scotland*, in Consideration of the low Condition of the Revenues of this and the other Universities, and of the mean and incompetent Provisions of the Masters and Professors thereof, and from a Desire of giving all due Encouragement to these Seminaries, did, by an Act of Parliament dated the tenth Day of *September* one thousand six hundred and seventy-two, grant the Stipends and Benefices of Churches that should happen to be vacant for seven Years next ensuing the Date of the said Act, to be employed for the Use of the said Universities and Colleges, the Proportion whereof allocated to the said two Colleges, being no more than fourteen Pounds thirteen Shillings and four Pence yearly; and the said Parliament of *Scotland*, considering the small and incompetent Provisions and Salaries then possessed by the Masters and Professors of his Majesty's famous and ancient Universty of *Saint Andrews*, did, for Encouragement and Advancement of Learning, by another Act of the seventeenth of *September* one thousand six hundred and eighty-one, enact and ordain, that Half a Month's Cess should be imposed upon the Land Rent in *Scotland*, to be paid in and stocked for the Use of the said Universty of *Saint Andrews*, and divided in its just Proportions to the several Masters and Professors in the several Colleges therein, by the Advice of his Majesty's Privy Council, from which the Sum of one hundred and seventeen Pounds fourteen Shillings and four Pence yearly, arises to the said two Colleges: And whereas his late Majesty King WILLIAM was graciously pleased, by a Grant bearing Date the twenty-ninth Day of *April* one thousand six hundred and ninety-five, to grant to the said Principals, Professors and Masters in the said Universty of *Andrews*, and to their Successors in Office, the yearly Sum of three hundred Pounds, out of the Rents and Revenues of the Bishopricks in *Scotland*, and to be applied and distributed among them in Manner therein mentioned, to commence from *Whitsunday* one thousand six hundred and ninety-four, and to continue in time coming, and to be paid yearly to the Factors of the several Colleges of the said Universty for the time being, for the Use and Behoof of the said Principals, Professors and others in Manner therein appointed, of which the Sum of one hundred and forty Pounds was the Share allocated to the Principals and Professors of the said two Colleges of *Saint Salvator* and *Saint Leonard*: And whereas his present Majesty was graciously pleased, from his pious and princely Zeal for the good and flourishing State of the said Universty of *Saint Andrews*, by his Royal Grant bearing Date the ninth Day of *April* one thousand seven hundred and twenty-nine, to grant to the several Principals and Professors in the said Universty, and to their Successors in Office, the yearly Sum of two hundred and ten Pounds, to be distributed in Manner therein set forth, to be placed on the Establishment for Civil Affairs, in that Part of the United Kingdom, to commence from *Christmas* one thousand seven hundred and twenty-seven, and from thence forth to be paid and accounted for to the said several Principals and Professors, and their Successors in Office, during his Majesty's Pleasure; of which the Sum of one hundred and fifty-seven Pounds, sixteen Shillings and eleven Pence and one third of a penny, was the Share allocated to the Principals and Professors of the said two Colleges last mentioned: And whereas the present Salaries payable to the Masters and Professors of the said two Colleges are as follows, *viz.* to the Provost or Principal of *Saint Salvator's* College, the yearly Sum of eighty-three Pounds, six Shillings and eight Pence, including the Sum of eighteen Pounds, as his Share of his present Majesty's said Bounty; to the three Professors of Philosophy and Professor of *Greek*, the yearly Sum of forty-six Pounds each, including the Sum of eleven Pounds one Shilling and six Pence Half-penny, as the Share for each of his Majesty's said Bounty; to the Professor of Humanity, the yearly Sum of thirty-nine Pounds fourteen Shillings and six Pence and one third of a Penny, including the Sum of eleven Pounds one Shilling and six Pence Half-penny, as his

'Share of the ſaid Bounty; to the Principal of *Saint Leonard's* College, the yearly Sum of one hundred 'and thirty Pounds two Shillings and five Pence and one ſixth of a Penny, including the Sum of eighteen 'Pounds, as his Share of the ſaid Bounty; to the ſeveral Profeſſors in the ſame College, the ſame Salaries 'reſpectively, with the Correſpondent Profeſſors in the ſaid College of *Saint Salvator*, and including the 'like Sums, as their ſeveral Shares of the ſaid Bounty; to the Profeſſor of Mathematicks, the yearly Sum 'of ſixty-one Pounds, including the Sum of eleven Pounds one Shilling and ſix Pence Half-penny, as his 'Share of the ſaid Bounty; and to the Profeſſor of Medicine, the yearly Sum of fifty Pounds: And whereas 'the Revenues of the ſaid two Colleges have, from time to time, been diminiſhed by various Accidents, 'and particularly by Augmentations of Stipends, out of the Tithes of certain Pariſhes which were anci- 'ently appropriated to the ſaid two Colleges, whereby, and by Means whereof, the Monies ariſing from the 'ancient and late Grants made to the ſaid Univerſity, is not more than ſufficient to ſatisfy and diſcharge the 'ſaid ſmall Salaries, and other incident Expences, and there is no Fund ſufficient to maintain or ſupport the 'Fabricks of the ſaid Colleges: And whereas the preſent Maſters and Profeſſors in both the ſaid Colleges, 'taking into their Conſideration, that the Meanneſs of the preſent Salaries will diſcourage Men of Learn- 'ing and Abilities from accepting of vacant Profeſſorſhips, and that in the preſent ruinous State and Con- 'dition of one of the Fabricks, the ſame cannot be repaired or ſupported without an Expence far exceeding 'what the publick Funds of the ſaid College can afford; and conceiving it to be proper, when they cannot 'immediately apply a full Remedy to this growing Evil, at leaſt to attempt laying a Foundation which 'hereafter may ſupport this ſinking, though once flouriſhing Univerſity, and give Hopes of reſtoring it again 'to its former Luſtre; and after mature Deliberation, finding no Expedient more probable than the uniting 'of the ſaid two Colleges, and their Rents and Revenues under one common Management, and uniting 'alſo the Correſpondent Profeſſorſhips in the ſaid two Colleges, as the ſame ſhall become vacant by Death 'or Reſignation; the ſaid preſent Maſters and Profeſſors in both the ſaid Colleges, have therefore come to 'an Agreement to unite and incorporate the ſaid two Colleges, upon ſuch Terms as they conceive may be 'of general publick Benefit, and tend to promote the Advancement of Learning and better Education of 'Youth in the ſaid ancient Univerſity: But as ſuch Union cannot be effected without the Aid and Autho- 'rity of an Act of Parliament;' May it therefore pleaſe your moſt Excellent Majeſty, upon the humble Petition of *David Young*, Profeſſor of Philoſophy, in Behalf of himſelf, and of the Provoſt and Principal Maſters and Profeſſors in the ſaid Colleges of *Saint Salvator* and *Saint Leonard*, in the ſaid Univerſity of *Saint Andrew's*, That it may be enacted, *&c.*

"The two Colleges of *St. Salvator* and *St. Leonard* united. The Lands, *&c.* belonging thereto, put under "the Management of a Principal and Maſters. The Funds for the Salaries to be one common Stock. "The ſeveral Powers, *&c.* of the Colleges reſerved. Perſons appointed to be the Principal, and Profeſſors "of the United College. His Majeſty's Bounty made revocable at Pleaſure. Privileges granted to the Prin- "cipal of the United College.

CAP. XXXIII.

An Act to enable the Pariſhioners of the Pariſh of *Saint Andrew, Holborn*, in the City of *London* and County of *Middleſex*, to purchaſe a convenient Piece of Ground, for an additional Burying-Ground, for the Uſe of the ſaid Pariſh; and to enable the ſaid Pariſhioners to raiſe ſuch Sum and Sums of Money as ſhall be neceſſary for that Purpoſe. P/R.

CAP. XXXIV.

An Act to enable his Majeſty to allow to the Reſiduary Legatees of Sir *Joſeph Jekyll* Knight, late Maſter of the Rolls, deceaſed, Part of the Legacy given by his Will to the Uſe of the *Sinking Fund*.

22 Car. 2. c. 36. 'WHEREAS by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act impowering the Maſter of the Rolls for the time being to make Leaſes for Years, in order to new build the old Houſes belonging to the Rolls*, reciting, That the Manſion-houſe, Ground and Tenements, with the Appurtenances, belonging to the Maſter of the Rolls, as Maſter of the Rolls, were much out of Repair, and not capable of Improvement, in regard the former Maſters of the Rolls were not enabled to grant ſuch Leaſes, and for ſuch Terms, as might encourage Tenants to build and to repair, it was enacted, That the Maſter of the Rolls for the time being, and his Succeſſors, Maſters of the Rolls, ſhould have good Right, full Power, and lawful Authority, during the Time he or they ſhould continue Maſters of the Rolls, by Writing indented, under Hand and Seal, to grant and make Leaſes for one and forty Years, or for any leſſer Term, to commence from the making of any ſuch Leaſes, of all and ſingular the Premiſſes, or any Part thereof (the Chapel of the Rolls, with a convenient Manſion-houſe, Court-yard, Garden, Stable, Coach-houſe, and other Out-houſes and Buildings, fit for the Uſe and Habitation of the Maſter of the Rolls only excepted) and that ſuch Leaſe and Leaſes ſo to be made, ſhould be good and effectual in Law, to all Intents and Purpoſes, as if ſuch Maſter of the Rolls for the time being, as ſhould ſo make the ſame, had been ſeiſed of the Premiſſes of a good Eſtate in Fee-ſimple, in which Act there is a Proviſo, That the Maſter of the Rolls for the time being, or any ſucceeding Maſter of the Rolls, after the Premiſſes had been once letten, according to the Power given as aforeſaid, ſhould not make or grant any new or concurrent Leaſe, until within ſeven Years of the Expiration of the Leaſe then in being, nor for any leſſer Rent than was reſerved upon the former Leaſe, nor for any longer Term, than for the Term of twenty-one Years from the making ſuch new Leaſe: And whereas Sir *Harbottle Grimſton*, Baronet, Maſter of the Rolls, did, by virtue of the Powers given to him by the ſaid Act as Maſter of the Rolls, grant Building Leaſes of Part of the ſaid Ground belonging to the Rolls, for the

'Term of forty-one Years, and other Leaſes of other Parts thereof, for the Term of twenty-one Years: 'And whereas Sir *Joſeph Jekyll*, Knight, deceaſed, was by Letters Patent, under the Great Seal of *Great* '*Britain*, bearing Date the thirteenth Day of *July* in the third Year of the Reign of his late Majeſty 'King GEORGE the Firſt, appointed Maſter of the Rolls, and ſoon after ſuch his Appointment, finding 'the Houſes built on the Ground belonging to the Rolls, in a ruinous Condition, did, from time to time, 'rebuild ſeveral of the ſaid Houſes in a ſubſtantial Manner, and at a very great Expence, and afterwards 'granted Leaſes of the ſaid Ground and Houſes, for the Term of forty-one Years, in Truſt for himſelf, 'conceiving that he was impowered by the ſaid Act to grant ſuch Leaſes: And whereas the ſaid Sir *Joſeph* '*Jekyll* died on or about the nineteenth Day of *Auguſt* in the Year of our Lord one thouſand ſeven hundred 'and thirty-eight, and by his laſt Will and Teſtament, in Writing, bearing Date the fourth Day of *May* 'in the ſaid Year, bequeathed ſeveral pecuniary Legacies and Annuities for Life, to ſeveral of his Relations, 'and directed that the *Eaſt India* and *South Sea* Stock, which he ſhould be poſſeſſed of at the Time of his 'Death, ſhould not be transferred, or altered by his Executor, during the Life of Dame *Elizabeth* his Wife '(who is ſince alſo deceaſed) but after her Death, he gave his ſaid *Eaſt India* and *South Sea* Stock to his 'Majeſty, his Heirs and Succeſſors, Kings or Queens of *England*, to be applied to the Uſe of the *Sinking* '*Fund*, in ſuch manner, as ſhould be directed by Act of Parliament; and all the reſt and Reſidue of his Eſtate 'both Real and Perſonal, he gave and deviſed unto *Thomas Jekyll*, *John Jekyll*, *Joſeph Jekyll*, *Edward Jekyll*, '*Richard Blackett Jekyll*, *Mary Jekyll* and *Hannah Jekyll*, Children of *John Jekyll*, late of *New England* de-'ceaſed, and to *Joſeph Jekyll* Grocer, the Son of *Thomas Jekyll*, and to *Nicholas Roberts*, *Thomas Heſter*, '*Tryphena Baldwin* and *Tryphoſa Sanders*, and to their Heirs, Executors and Adminiſtrators, as Tenants in 'Common; and he appointed the ſaid *Joſeph Jekyll* Executor of his Will; and he alſo gave his ſaid Execu-'tor Power to renew Leaſes, from time to time, of the Houſes held of the Maſter of the Rolls, with his 'Succeſſor or Succeſſors, Maſters of the Rolls for the Time being: And whereas the ſaid Sir *Joſeph Jekyll* 'did before, and till the Time of his Death, ſhew great Affection and Regard for ſeveral of his Relations, 'whom he ſo made Reſiduary Legatees by his ſaid Will, and ſeveral Times expreſſed his Intention to make 'a competent Proviſion for their Support, and for that End and Purpoſe deviſed to them all the Reſidue of 'his Real and Perſonal Eſtate, in manner as before-mentioned: And whereas it having appeared ſince the 'Death of the ſaid Sir *Joſeph Jekyll*, that the Ground belonging to the Rolls which he demiſed together 'with the Meſſuages built thereon for the Term of forty-one Years, were demiſeable for the Term of 'twenty-one Years only, the ſaid Reſiduary Legatees were neceſſitated to enter into an Agreement with '*John Verney* Eſquire, deceaſed, late Maſter of the Rolls, by which Agreement all the ſaid Leaſes granted 'as aforeſaid, for the Term of forty-one Years, were to be cancelled, and the ſaid *John Verney* was to ex-'ecute, for the Benefit of the ſaid Reſiduary Legatees, other Leaſes of the ſaid Meſſuages, for the Term of 'twenty-one Years, and by Reaſon of ſuch Agreement the Value of the Eſtate bequeathed to the ſaid Le-'gatees, is ſo reduced, that ſeveral of them will be expoſed to Indigence and Diſtreſs, unleſs ſome Relief 'be granted to them by Parliament;' Therefore we your Majeſty's moſt dutiful and loyal Subjects, the Commons, of *Great Britain*, in Parliament aſſembled, having taken the Premiſſes into Conſideration, do moſt humbly beſeech your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, by Warrant or Order under his or their Sign Manual, to permit the ſaid *Joſeph Jekyll*, his Executors, Adminiſtrators or Aſſigns, to ſell ſo much of the *Eaſt India* and *South Sea* Stock, deviſed as aforeſaid, as will enable him or them to raiſe for the Benefit of the ſaid Reſiduary Legatees, the Sum of thirteen thouſand five hundred and eighty-two Pounds nine Shillings and two Pence; which ſaid Sum of thirteen thouſand five hundred eighty-two Pounds nine Shillings and two Pence ſhall be applied by him or them in the ſame Manner, as the Real and Perſonal Eſtate of the ſaid Sir *Joſeph Jekyll* is, by his ſaid Will, directed to be applied.

Mr. Jekyll permitted to raiſe 13,582 l. 9 s. 2 d. out of the Eaſt India and South Sea Stock, given by Sir Joſeph Jekyll for the Uſe of the Sinking Fund; to be applied, as Sir Joſeph Jekyll's Eſtate.

CAP. XXXV.

An Act to indemniſy Perſons who have omitted to regiſter their Letters of Attorney, appointing them Agents for Prizes within the Time limitted by Law; and for allowing further Time for that Purpoſe. EXP.

Time given to 1 Aug. 1747.

CAP. XXXVI.

An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and forty-ſeven; and alſo for enabling his Majeſty to raiſe a further Sum of Money for the Uſes and Purpoſes therein mentioned; and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for applying a certain Sum of Money for defraying the Charge of the Allowances to ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and three Regiments of Horſe, lately reduced, for the Year one thouſand ſeven hundred and forty-ſeven; and for continuing the Bounties on the Exportation of *Britiſh* and *Iriſh* coarſe Linens.

Moſt Gracious Sovereign,

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have cheerfully granted to your Majeſty

jesty in this Session of Parliament, for the Service of the Year one thousand seven hundred and forty-seven, in the easiest Manner we are able, for the Benefit of your Majesty's Subjects, and also to use such Ways and Means therein, as that your Majesty may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto your Majesty the Sum of one million, out of the Surpluses, Excesses and Overplus Monies, commonly called *The Sinking Fund:* And to that End and Purpose do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are, or shall from time to time be and remain in the Receipt of the Exchequer, of the said Surpluses, Excesses or Overplus Monies, commonly called *The Sinking Fund* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may be issued and applied, a Sum not exceeding the said Sum of one million, for and towards the Supply granted to his Majesty for the Service of the said Year one thousand seven hundred and forty-seven; and the Commissioners of his Majesty's Treasury, or any three of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, are hereby authorized and impowered to issue and apply the same accordingly.

One million granted out of the Sinking Fund.

II. And it is hereby enacted by the Authority aforesaid, That in case the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall think it advisable to raise the said Sum of one million, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money not exceeding the said Sum of one million upon the Credit of the said Surpluses, Excesses or Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Interest after a Rate not exceeding four Pounds *per Centum per Annum*, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them now being. or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, who are hereby authorized to issue their Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service; and moreover that no Money so to be lent on the Security of this Act shall be rated or assessed to any Tax or Assessment whatsoever.

Clause of Loan at 4 l. per Cent.

III. And be it further enacted, That all and every Person and Persons who shall lend any Money upon the Credit of this Act as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tally, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, not exceeding the said Rate of four Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Monies so to be lent shall be registered in Course according to the Dates respectively; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registered in the said Register Books, so as the Person or Persons, Natives or Foreigners, his, her or their Executors, Administrators or Assigns, who shall have his, her or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surpluses, Excesses or Overplus Monies; and he, she or they who shall have his, her or their Order or Orders next entered, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in, of or for the said Surpluses, Excesses or Overplus Monies, commonly called *The Sinking Fund*, as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors or Assigns respectively, without any undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever (other than such Uses and Purposes as are appointed by any other Act or Acts of Parliament in that Behalf as aforesaid;) and that no Fee, Reward, or Gratuity directly or indirectly shall be demanded or taken of any of his Majesty's Subjects for providing or making of any such Books or Registers, or any Entries, Views or Searches in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with Full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made either in Point of Registery or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt with Full Costs of Suit to the Party grieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Place or Office; and in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Order, according to each Person's due Place and Order as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending, to be liable to such Action, Debt, Damages and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, Wager of Law, Injunction or Order of Restraint shall be in any wise granted or allowed.

Tallies and Orders for Repayment.

Orders to be register'd, and paid in Course,

without undue Preference.

No Fee for registering, &c.

Penalty of undue Preference.

IV. Provided

IV. Provided always, and it is declared, That if it shall happen that several Tallies of Loan or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference which of those be entered first, so as he enters them all the same Day. No undue Preference, where Tallies are dated, &c. the same Day.

V. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them. Nor if subsequent Orders be paid before such as were not demanded.

VI. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registred by virtue of this Act, after Order entered in the Book of Registry as aforesaid, his, her or their Executors, Administrators or Assigns, by proper Words of Assignment to be indorsed and written upon his, her or their Order, may assign or transfer his, her or their Right, Title, Interest and Benefit of such Order, or any Part thereof to any other; which being notified in the Office of the Auditor of the Receipt as aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders (which the Officers shall upon Request without Fee or Charge accordingly make) shall intitle such Assignee, his, her or their Executors, Administrators, Successors and Assigns, to the Benefit thereof, and Payment thereon, and such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment to make void, release and discharge the same, or any the Monies thereby due, or any Part thereof. Orders assignable toties quoties. The Assignment not to be voided.

VII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the said Sum of one million, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills as is herein after mentioned, or by both or either of those Ways or Means for the publick Service; Be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall judge it more adviseable to raise the said Sum of one million or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorized and impowered at any Time or Times to prepare and make, or cause to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the said Sum of one million, together with such Loans as aforesaid, in the same or like Manner, Form or Order, and according to the same or like Rules and Directions, as in and by a certain Act of Parliament (for granting an Aid to his Majesty by a Land Tax, for the Service of the Year one thousand seven hundred and forty-seven) are enacted and prescribed concerning the Exchequer Bills to be made in pursuance of the said Act. Treasury may make new Exchequer Bills for raising the said one million, &c. 20 Geo. 2. c. 2.

VIII. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act, except such Clauses as do charge the same on the Aids, Taxes or Assessments granted by the same Act, shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated or re-enacted in the Body of this present Act. The Exchequer Bills to be subject to the same Regulations,

IX. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, Premium, Rate and Charges incident to, or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by or out of the growing Produce of the said Surpluses, Excesses or Overplus Monies, commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any former or other Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be issued and applied, as fast as the same can be regularly stated and ascertained, for and towards the paying off, cancelling and discharging such Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof. to be repaid out of the Sinking Fund.

X. And for the better enabling your Majesty to carry on the War with Vigour, both by Sea and Land, and to make good such Treaties as are or shall be made with your Majesty's Allies, your said dutiful and loyal Commons have also freely given and granted unto your Majesty the further Sum of five hundred thousand Pounds, to be raised in Manner herein after mentioned; Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commissioners of his Majesty's Treasury, now or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the twenty-fifth Day of *December* one thousand seven hundred and forty-seven, to cause or direct any Loans to be taken or received at his Majesty's Exchequer, from any Person or Persons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding in Loans and Exchequer Bills together, in the whole, the said Sum of five hundred thousand Pounds, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions, as in and by the before mentioned Act of this present Session of Parliament (for granting an Aid to his Majesty by a Land Tax, for the Service of the Year one thousand seven hundred and forty-seven) are enacted and prescribed, concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act. The further Sum of 500,000 l. granted to his Majesty; to be raised by Loans or Exchequer Bills.

XI. And

Regulations concerning the Exchequer Bills.

XI. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities, contained in the said last mentioned Act, relating to the Loans or Exchequer Bills, authorized to be made by the same Act (except such Clauses as do charge the same on the Rates, Duties and Assessments granted by the same Act) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorized by the said last mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Loans, &c. to carry 4 l. per Cent. payable out of the first Supplies, or Sinking Fund.

XII. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, not exceeding five hundred thousand Pounds as aforesaid, as shall be taken in, or made forth in pursuance of this Act, may respectively be made to bear or carry an Interest, Premium or Rate, not exceeding four Pounds *per Centum per Annum*; and all such Loans or Exchequer Bills, together with the Interest, Premium, Rate and Charges incident to, or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid, or borne by or out of the first Aids or Supplies, which shall be granted in Parliament next after the twenty-ninth Day of *September* one thousand seven hundred and forty-seven; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the twenty-fourth Day of *June* one thousand seven hundred and forty-eight, then all and every the said Loans or Exchequer Bills, with the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies, as at any Time or Times at or after the said twenty-fourth Day of *June* one thousand seven hundred and forty-eight, shall be or remain in the Receipt of the Exchquer, of the said Surplusses, Excesses or Overplus Monies, commonly called the *Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses, by any former Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be issued and applied, as fast as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Loans or Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

Monies paid out of the Sinking Fund to be replaced out of the first Supplies.

XIII. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surplusses, Excesses, or Overplus Monies, commonly called the *Sinking Fund*, shall from time to time be replaced by and out of the first Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

The Land Tax 20 Geo. 2. c. 2.

XIV. Provided always, and be it enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament (intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and forty-seven)* and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament (intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland; *and for applying a certain Sum of Money therein mentioned, towards the Supply for the Service of the Year one thousand seven hundred and forty-seven*;) and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and also all the Monies coming into the Exchequer by Sale of Annuities, after the Rate of four Pounds *per Centum per Annum*, upon one other Act of this Session of Parliament (intituled, *An Act for repealing the several Rates and Duties upon Houses, Windows and Lights; and for granting to his Majesty other Rates and Duties upon Houses, Windows or Lights; and for raising the Sum of four millions four hundred thousand Pounds by Annuities, to be charged on the said Rates or Duties*;) and also all the Monies coming into the Exchequer, by Contributions, by way of a Lottery, for the Purchase of Annuities, after the Rate of four Pounds *per Centum per Annum*, upon one other Act of this Session of Parliament (intituled *An Act for granting to his Majesty several Rates and Duties upon Coaches and other Carriages therein mentioned; and for raising the Sum of one million by way of Lottery to be charged upon the said Rates and Duties)* and also the Sum of one hundred twelve thousand five hundred eight Pounds nineteen Shillings and two Pence, remaining in the Receipt of his Majesty's Exchequer, of the additional Duties on Spirituous Liquors, granted by an Act of the sixteenth Year of his Majesty's Reign, after satisfying all Incumbrances thereupon, to *Christmas* one thousand seven hundred and forty-six; and the Sum of one million five hundred thousand Pounds, by this Act granted, shall be further appropriated and applied, and are hereby appropriated for and towards the several Uses, Intents and Purposes herein after expressed (that is to say)

Malt Act, &c. 20 Geo. 2. c. 5.

and Duties upon Houses, &c. 20 Geo. 2. c. 3.

and upon Coaches, &c. 20 Geo. 2. c. 10. and 112,508 l. 19 s. 2 d. remaining of the additional Duties on Spirituous Liquors; applied.

2,292,259 l. 18 s. 8 d. to Naval Services.

XV. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding two million two hundred ninety-two thousand two hundred fifty-nine Pounds eighteen Shillings and eight Pence, for or towards the naval Services herein after more particularly expressed; (that is to say) For or towards defraying the Charges of the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers; and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards carrying

ing on the Building of the intended Hospital for sick and wounded Seamen at *Gosport*, for the Year one thousand seven hundred and forty-seven.

XVI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding two hundred five thousand seven hundred twenty-eight Pounds nine Shillings and nine Pence, for the Freight of Transports, between the first Day of *January* one thousand seven hundred and forty-five, and the thirty-first Day of *December* one thousand seven hundred and forty-six; and any Sum or Sums of Money not exceeding sixty-six thousand six hundred sixty-eight Pounds seven Shillings and ten Pence, for the Expence of the Victuals provided for his Majesty's Land Forces, between the first Day of *January* one thousand seven hundred and forty-five, and the thirty-first Day of *December* one thousand seven hundred and forty-six.

205,728 l. 9 s. 9 d. for Freight of Transports.

66,668 l. 7 s. 10 d. for Victualling the Land Forces.

XVII. And it is hereby also enacted, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country; and any Sum or Sums of Money, not exceeding one million, towards paying off and discharging the Debt of the Navy.

10,000 l. to Greenwich Hospital.

1,000,000 l. towards the Debt of the Navy.

XVIII. And it is hereby also enacted, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding four hundred seventy-seven thousand two hundred thirteen Pounds eight Shillings and two Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and forty-seven, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service not provided for by Parliament.

477,213 l. 8 s 2 d. to the Ordnance.

XIX. And it is hereby likewise enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding two hundred six thousand two hundred fifty-three Pounds and fifteen Shillings, for defraying the Charge of eleven thousand five hundred and fifty Marines (Commission and Non-commission Officers included) to be employed for the Year one thousand seven hundred and forty-seven.

206,253 l. 15 s. to the Marines.

XX. And it is hereby likewise enacted, That out of all or any of the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding three million one hundred ninety-one thousand four hundred thirty-two Pounds seven Shillings and two Pence Farthing, for or towards maintaining his Majesty's Land Forces and other Services herein after more particularly expressed; that is to say, any Sum or Sums of Money, not exceeding eight hundred fifty-six thousand sixty-six Pounds nineteen Shillings and two Pence, for defraying the Charge of thirty-three thousand and thirty effective Men, including Commission and Non-commission Officers, and one thousand eight hundred and fifteen Invalids, for Guards, Garrisons, and other his Majesty's Land Forces, and other Services in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and forty-seven; and any Sum or Sums of Money, not exceeding three hundred seventy-two thousand seven hundred eighty-eight Pounds and eleven Shillings, for defraying the Charge of fifteen thousand one hundred and ninety-six effective Men, Commission and Non-commission Officers included, for the Service of the War in *Flanders*, for the Year one thousand seven hundred and forty-seven; and any Sum or Sums of Money, not exceeding three hundred forty three thousand one hundred twelve Pounds eight Shillings and one Penny Halfpenny, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons at *Annapolis Royal*, *Placentia*, *Gibraltar*, *Georgia*, *Rattan* and *Cape Breton*, for the Year one thousand seven hundred and forty-seven; and any Sum or Sums of Money, not exceeding four hundred thousand Pounds, for defraying the Expence of the Pay and Subsistence of the Body of the Troops of *Hanover*, consisting of five thousand Horse, and thirteen thousand Foot, making in the Whole eighteen thousand Men, to act in the Low Countries, with the *Austrian* Troops, and those of the *States General* of the United Provinces, for the Year one thousand seven hundred and forty-seven; and any Sum or Sums of Money, not exceeding ten thousand Pounds, for a Train of Artillery to attend the said Troops; and any Sum or Sums of Money, not exceeding one hundred sixty-one thousand six hundred seven Pounds seventeen Shillings and one Penny Halfpenny, for defraying the Charge of one thousand two hundred sixty-four Horse, and four thousand nine hundred and eight Foot, with the General Officers, and Train of Artillery, the Troops of his Majesty the King of *Sweden*, as *Landgrave* of *Hesse Cassel*, in the Pay of *Great Britain*, from the twenty-fifth Day of *December* one thousand seven hundred and forty-six, to the twenty-fourth Day of *December* one thousand seven hundred and forty-seven, both inclusive, together with the Subsidy for the said Time, pursuant to Treaty; and any Sum or Sums of Money, not exceeding four hundred thirty-three thousand three hundred thirty-three Pounds six Shillings and eight Pence, to enable the Queen of *Hungary* to support her Allies, and maintain sixty thousand Men in the Low Countries, for the Year one thousand seven hundred and forty-seven, pursuant to Treaty; and any Sum or Sums of Money, not exceeding three hundred thousand Pounds, to make good his Majesty's Engagements with the King of *Sardinia*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding twenty-four thousand two hundred ninety-nine Pounds one Shilling and four Pence, to make good his Majesty's Engagements with the Elector of *Cologn*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding eight thousand six hundred and twenty Pounds, to make good his Majesty's Engagements with the Elector of *Mentz*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding twenty-six thousand eight hundred forty-six Pounds eleven Shillings and nine Pence, to make good his Majesty's Engagements with the Elector of *Bavaria*, pursuant to Treaty; and any Sum or Sums of Money not exceeding forty eight thousand five hundred seventy-five Pounds seventeen Shillings and ten Pence, for the Pay of the General and General Staff Officers and Officers of the Hospitals for his Majesty's Land Forces, for the Year one thousand seven hundred and forty-seven; and any Sum or Sums of Money, not exceeding one hundred sixty-six thousand one hundred ninety-eight

3,191,432 l. 7 s. 2 d. Farthing, to the Land Forces.

of which 856,066 l. 19 s. 2 d. for Guards, &c. in Great Britain, Guernsey and Jersey;

372,788 l. 11 s. for the War in Flanders;

343,112 l. 8 s. 1 d. Halfpenny for the Forces in the Plantations, &c.

400,000 l. to the Troops of Hanover.

10,000 l. for a Train of Artillery.

161,607 l. 17 s. 1 d. Halfpenny for Troops, &c. to the King of Sweden.

433,333 l. 6 s. 8 d. to the Queen of Hungary.

300,000 l. to the King of Sardinia.

24,299 l. 1 s. 4 d. to the Elector of Cologn.

8,620 l. to the Elector of Mentz.

26,846 l. 11 s. 9 d. to the Elector of Bavaria.

48,575 l. 17 s. 10 d. for General

and Staff Officers.

166,198 l. 18 s. 4 d. Farthing, for extraordinary Chaages of the Rebellion, &c.

29,914 l. 15 s. 10 d. to Half-pay.

6,120 l. for Horſes loſt in Flanders, &c.

3,941 l. to Widows of reduced Officers.

eight Pounds eighteen Shillings and four Pence Farthing, for defraying the Extraordinary Expences on Account of the Rebellion, and other Services of his Majeſty's Land Forces, for the Year one thouſand ſeven hundred and forty-ſix, incurred and not provided for by Parliament; and any Sum or Sums of Money, not exceeding twenty-nine thouſand nine hundred fourteen Pounds fifteen Shillings and ten Pence, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and forty-ſeven, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money, not exceeding ſix thouſand one hundred and twenty Pounds, for providing four hundred and eight Horſes loſt in *Flanders* and at the Battles of *Falkirk* and *Culloden*, in the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding three thouſand nine hundred and forty-eight Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and forty-ſeven; which ſaid Sum of three thouſand nine hundred and forty-eight Pounds, ſhall be iſſued to ſuch Perſon or Perſons, as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, and other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint.

456,733 l. 16 s. 3 d. 3 Farthings, for Deficiences on the Civil Liſt; and 500,000 l. to diſcharge the like Sum borrowed, &c.

XXI. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding four hundred fifty-ſix thouſand ſeven hundred thirty-three Pounds ſixteen Shillings and three Pence three Farthings, to make good the Deficiency of the Duties and Revenues applicable to the Uſes of his Majeſty's Civil Government in the ſeven Years, ending at *Midſummer* one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding five hundred thouſand Pounds, to enable his Majeſty to diſcharge the Sum of five hundred thouſand Pounds, raiſed in purſuance of an Act paſſed in the laſt Seſſion of Parliament, and charged on the firſt Aids or Supplies to be granted in Parliament, after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-ſix.

20,000 l. for the Bridge at Weſtminſter.

XXII. And it is hereby enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and paid to the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore, in the County of *Surrey*, or any ſeven or more of them, or to ſuch Perſon or Perſons as ſhall be appointed under the Hands and Seals of the ſaid Commiſſioners, or any ſeven or more of them, to receive the ſame, the Sum of thirty thouſand Pounds, without Account, other than is directed for other Monies raiſed by virtue of ſeveral former Acts of Parliament, paſſed during the Reign of his preſent Majeſty, for Building the ſaid Bridge, to be applied towards finiſhing the ſaid Bridge, and to enable the ſaid Commiſſioners to perform the other Truſts repoſed in them.

500,000 l. to enable his Majeſty to carry on the War.

XXIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding five hundred thouſand Pounds, to enable his Majeſty to carry on the War with Vigour both by Sea and Land, and to make good ſuch Treaties as are or ſhall be made with his Majeſty's Allies, for the Year one thouſand ſeven hundred and forty-ſeven.

7,978 l. 8 s. 4 d. to the Deficency of Stamp Duties.

XXIV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ſeven thouſand nine hundred ſeventy-eight Pounds eight Shillings and four Pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and forty-five; and any Sum or Sums of Money, not exceeding thirteen thouſand nine hundred ten Pounds and five Pence Halfpenny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets or Wines made from *Britiſh* or Foreign Fruit or Sugar, at *Michaelmas* one thouſand ſeven hundred and forty-ſix and any Sum or Sums of Money, not exceeding thirty-five thouſand Pounds, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to anſwer one Year's Intereſt due at *Michaelmas* one thouſand ſeven hundred and forty-ſix after the Rate of three Pounds ten Shillings *per Centum per Annum*, on the Principal Sum of one million lent on the Credit of the Salt Duties, which were continued for ſix Years, from *Lady Day* one thouſand ſeven hundred and fifty-three, towards the Supply for the Year one thouſand ſeven hundred and forty-five; and any Sum or Sums of Money, not exceeding forty-nine thouſand ſix hundred ninety-three Pounds ſeventeen Shillings and nine Pence Halfpenny, to replace to the ſaid *Sinking Fund* the like Sum paid out of the ſame, to make good the Deficiency of the additional Duties on Wines at *Midſummer* one thouſand ſeven hundred and forty-ſix.

13,010 l. 5 d. Halfpenny, to the Deficiency of the Duties on Sweets.

35,000 l. for Intereſt due on the Salt Duties.

49,693 l. 17 s. 9 d. Halfpenny to make good the additional Duties on Wines.

10,211 l. 5 s. 3 d. Farthing Deficiency of the General Fund.

135,378 l. 4 s. 7 d. Deficiency of Grants.

16,670 l. 11 s. 1 d. Farthing Deficiency on Licences for retailing Spirituous Liquors.

1,421 l. 11 s. 2 d. Halfpenny,

XXV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ten thouſand two hundred eleven Pounds five Shillings and three Pence Farthing, for making good the Deficiency of the General Fund for the Year ending at *Michaelmas* one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding one hundred thirty-five thouſand three hundred ſeventy-eight Pounds four Shillings and ſeven Pence, to make good the Deficiency of the Grants for the Service of the Year one thouſand ſeven hundred and forty-ſix; and any Sum or Sums of Money, not exceeding ſixteen thouſand ſix hundred ſeventy Pounds eleven Shillings and one Penny Farthing, for making good the Deficiency at *Lady-Day* one thouſand ſeven hundred and forty-ſix, of the Duty on Licences for retailing of Spirituous Liquors; and any Sum or Sums of Money, not exceeding one thouſand four hundred twenty-one Pounds eleven Shillings and two Pence Halfpenny, for making good the Deficiency at *Chriſtmas* one thouſand ſeven hundred and forty-ſix, of the additional Duties on all Wines imported; and any Sum or Sums of Money, not exceeding fifty-eight thou-

sand two hundred thirty-three Pounds one Shilling and one Penny, for making good the Deficiency at *Christmas* one thousand seven hundred and forty-six, of the Duties on Glass and Spirituous Liquors; and any Sum or Sums of Money, not exceeding thirty-eight thousand six hundred forty-eight Pounds five Shillings and two Pence Farthing, for making good the Deficiency at *Christmas* one thousand seven hundred and forty-six, of the Surplus of the Fund of the Lottery one thousand seven hundred and fourteen.

Deficiency on Wines imported. 58,233l. 1s. 1d. Deficiency on Glass and Spirituous Liquors. 38,648l. 5s. 2d. Farthing, Deficiency of the Lottery in 1714.

'XXVI. And whereas by an Act of Parliament made and passed in the sixth Year of the Reign of her late Majesty Queen ANNE (intituled, *An Act for continuing one Half Part of the Subsidies of Tonnage and Poundage, and other Duties upon Wines, Goods and Merchandizes imported, which were granted to the Crown in the twelfth Year of the Reign of King* CHARLES *the Second; and for settling a Fund thereby, and by other Ways and Means, for Payment of Annuities, not exceeding eighty thousand Pounds* per Annum, *to be sold for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and eight, and other Uses therein expressed)* certain Annuities were granted and made payable at the Exchequer out of the said Duties by that Act continued: And whereas in pursuance of an Act made in the sixth Year of the Reign of His late Majesty King GEORGE the First (intituled, *An Act for enabling the* South-Sea *Company to increase their present Capital Stock and Fund, by redeeming such publick Debts and Incumbrances as are therein mentioned; and for raising Monies to be applied for lessening several of the publick Debts and Incumbrances; and for calling in the present Exchequer Bills remaining uncancelled, and for making forth new Bills in lieu thereof, to be circulated and exchanged upon Demand, at or near the Exchequer)* several of the Proprietors of the Annuities before mentioned did subscribe the same into Capital Stock of the said *South-Sea* Company, upon the Terms in the said last recited Act mentioned, by means whereof the said Company are become intitled to the yearly Sum of forty-seven thousand three hundred twenty-seven Pounds thirteen Shillings and eight Pence, for Interest and Charges of Management, upon such Part of the said Annuities so subscribed into their Capital: And whereas the Monies arisen into the Exchequer, of or for the Rates and Duties by the said first recited Act granted, have proved so low and deficient, that at the Feast of the Birth of our Lord Christ one thousand seven hundred and forty-six, there was due and payable to the several Persons intitled to such Part of the said Annuities as were not subscribed to the *South Sea* Company, as also to the *South Sea* Company, upon their Annuity aforesaid, the Sum of eighty-five thousand nine hundred sixty-eight Pounds twelve Shillings and three Pence three Farthings: And whereas no Provision is made by the said Acts, or either of them, for making good such Deficiency;' Be it therefore enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding the Sum of eighty-five thousand nine hundred sixty-eight Pounds twelve Shillings and three Pence three Farthings, to make good to the several Proprietors of the said Annuities, as also to the said *South Sea* Company, the several Sum or Sums of Money due to them, to satisfy their respective Annuities payable by the said Acts of Parliament, to or for any Time before the said Feast Day of the Birth of our Lord Christ one thousand seven hundred and forty-six.

6 Geo. 1. c. 4.

85,968l. 12s. 3d. 3 Farthings, to make good the Annuities payable to the South Sea Company, &c.

XXVII. And be it further enacted by the Authority aforesaid, That the said Aids or Supplies provided as aforesaid shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

The Supplies to be applied as this Act directs.

XXVIII. And as to the said Sum of twenty nine thousand nine hundred fourteen Pounds fifteen Shillings and ten Pence by this Act appropriated on Account of Half-pay as aforesaid; It is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application thereof; that is to say, That no Person shall have or receive any Part of the same, who was a Minor and under the Age of sixteen Years, at the Time when the Regiment, Troop, or Company, in which he served was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

Rules to be observed in the Application of the Half-pay. *See* 21 *Geo.* 2. *c.* 23. *sect.* 25.

'XXIX. And whereas by an Act of Parliament made in the nineteenth Year of his Majesty's Reign, (intituled, *An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thousand seven hundred and forty-six; and also for enabling his Majesty to raise a further Sum of Money for the Uses and Purposes therein mentioned; and for the further appropriating the Supplies granted in this Session of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Receipts, Annuity Orders or other Orders, lost, burnt or otherwise destroyed)* several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several Uses and Purposes therein expressed, amongst which, any Sum or Sums of Money, not exceeding twenty-four thousand seven hundred and one Pounds seven Shillings and six Pence, was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf;' Now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of twenty-four thousand seven hundred and one Pounds seven Shillings and six Pence, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application

19 Geo. 2. c. 31.

The Surplus of last Year's Half-pay, to be applied to such Objects as his Majesty shall direct.

cation thereof, or any Part of ſuch Overplus, ſhall or may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity; or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any thing in this Act or the ſaid former Act to the contrary notwithſtanding.

22,267 l. 5d. Halfpenny, to the two Troops of Horſe Guards, and three Regiments of Horſe lately reduced.

XXX. And it is hereby likewiſe enacted, That out of the Monies or Savings ariſing from the Money granted by Parliament, applicable to the Relief and Proviſion of the Widows of Officers who have been killed or died in the Service, there ſhall and may be iſſued and applied, by any Warrant or Warrants of his Majeſty under his Royal Sign Manual, any Sum or Sums of Money, not exceeding the Sum of twenty-two thouſand two hundred and ſixty-ſeven Pounds and five Pence Halfpenny, for defraying the Charge of the Allowances to ſeveral Officers and private Gentlemen of two Troops of Horſe Guards and three Regiments of Horſe lately reduced, together with the incident Charges ariſing therefrom, for the Year one thouſand ſeven hundred and forty ſeven.

The Bounties of Engliſh and Iriſh coarſe Linnens continued, &c. 15 Geo. 2. c. 29. 18 Geo. 2. c. 25.

XXXI. And be it further enacted by the Authority aforeſaid, That the Bounties on the Exportation of *Britiſh* and *Iriſh* coarſe Linnens ſhall continue to be paid under the Regulations of the Acts of the fifteenth, ſixteenth and eighteenth Years of his Majeſty's Reign; and that the ſame ſhall be paid out of ſuch Part of the old Subſidy as is applicable to the Payment of Incidents; and that an Account thereof be laid before the Houſe of Commons every Seſſion of Parliament, in order to replacing the ſame out of the next Aids to be granted in Parliament.

Concerning Linnen ſee farther 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

CAP. XXXVII.

An Act for the Eaſe of Sheriffs with Regard to the Return of Proceſs.

13 *Ed.* 1. *c.* 39. 12 *Ed.* 4. *c.* 1. 3 *Geo.* 1. *c.* 15 & 16.

FOR the Eaſe of Sheriffs with Regard to the Return of Proceſs, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Twenty-ninth Day of *September* one thouſand ſeven hundred and forty-ſeven, all Sheriffs of any County, City, Liberty, Diviſion, Town Corporate or Place, ſhall, at the Expiration of their Office, turn over to the ſucceeding Sheriff, by Indenture and Schedule, all ſuch Writs and Proceſs as ſhall remain in their Hands unexecuted, who ſhall duly execute and return the ſame; and in caſe any ſuch Sheriff ſhall refuſe or neglect to turn over ſuch Proceſs in Manner aforeſaid, every ſuch Sheriff ſo neglecting or refuſing, ſhall be liable to make ſuch Satisfaction by Damages and Coſts to the Party aggrieved, as he, ſhe or they ſhall ſuſtain by ſuch Neglect or Refuſal.

Proceſs unexecuted, to be turned over to the ſucceeding Sheriff;

on Penalty of making good the Damage.

Sheriff not liable to make Return of any Writ, &c. after 6 Months.

II. And be it further enacted by the Authority aforeſaid, That no Sheriff ſhall be liable to be called upon to make a Return of any Writ or Proceſs, unleſs he be required ſo to do within ſix Months after the Expiration of his ſaid Office.

See farther 24 *Geo.* 2. *c.* 48. *ſect.* 12. *and* 32 *Geo.* 2. *c.* 14.

CAP. XXXVIII.

An Act for the Relief and Support of maimed and diſabled Seamen, and the Widows and Children of ſuch as ſhall be killed, ſlain or drowned in the Merchants Service.

7 & 8 W. 3. c. 21.

'WHEREAS by an Act made in the ſeventh and eighth Years of the Reign of his late Majeſty King WILLIAM the Third, for the Encouragement and Increaſe of Seamen, certain Encouragements were given for Seamen to regiſter themſelves in and for his Majeſty's Service; and in caſe any ſuch regiſtered Seamen ſhould, by Age, Wounds or other Accidents, be diſabled for future Service at Sea, and ſhould not be able to maintain themſelves comfortably, and the Children of ſuch diſabled Seamen, and the Widows and Children of ſuch of them as ſhould happen to be ſlain, killed or drowned in Sea Service, were to be provided for in the Royal Hoſpital at *Greenwich*, ſo far forth as the ſaid Hoſpital ſhould be capable to receive them, and the Revenue thereof would extend; and for the better Support of the ſaid Hoſpital, ſix Pence *per* Month is by the ſaid Act to be allowed out of the Wages of every Seaman employed

9 Annæ, c. 21. § 64.

in the Merchants Service, as well as of thoſe employed in the Service of the Royal Navy: And whereas by an Act made in the ninth Year of the Reign of her late Majeſty Queen ANNE, ſo much of the ſaid Act as relates to the regiſtering of Seamen was repealed; whereby every Seaman in the Service of the

10 Annæ, c. 17.

Royal Navy (though not regiſtered) is intitled to the Benefits of the ſaid Hoſpital: And whereas by an Act made in the tenth Year of the Reign of her late Majeſty Queen ANNE, for the better collecting and recovering the Duties granted for the Support of the ſaid Hoſpital, any Seaman is to be conſidered as fully qualified for an Admiſſion into the ſaid Hoſpital, who ſhall offer himſelf to be admitted, and ſhall produce an authentick Certificate of his having been wounded, maimed or hurt in defending any Ship belonging to the Subjects of this Kingdom againſt the Enemies thereof, or in taking any Ship from the Enemy,

8 Geo. 1. c. 24.

and being thereby diſabled for Sea Service: And whereas by an Act made in the Eighth Year of the Reign of his late Majeſty King GEORGE the Firſt, for the more effectual ſuppreſſing of Piracy, every Seaman on Board any Merchant Ship who ſhall be maimed in Fight againſt any Pirate, upon due Proof thereof, is to be admitted into and provided for in the ſaid Hoſpital, preferable to any other Seaman who is diſabled

8 Geo. 2. c. 29.

from Service or getting a Livelihood merely by Age: And whereas by an Act made in the eighth Year of the Reign of his preſent Majeſty, for the Application of the Rents and Profits of the Eſtates forfeited by the Attainders of *James* late Earl of *Dertwentwater* and *Charles Ratcliffe*, Seamen on Board any Merchant

Ship

'Ship or Veſſel, who ſhall be maimed in Fight againſt any Enemy of his Majeſty, his Heirs and Succeſ-
'ſors, are to be admitted into and provided for in the ſaid Hoſpital, in like Manner as any other Seamen
'wounded or diſabled in the Service of his Majeſty, his Heirs or Succeſſors: And whereas the ſaid Hoſpital
'is not capable to receive, nor the Income thereof ſufficient to provide for the Seamen in the Service of
'the Royal Navy, who are wounded, maimed or worn out by Age, or otherwiſe intitled to the Benefits
'thereof, ſo that the Seamen in the Merchants Service maimed and diſabled in Fight, have ſeldom or never
'been admitted into the ſaid Hoſpital, though intitled thereto and proper Objects of Charity: And where-
'as there is no Proviſion at all made by either of the ſaid Acts for ſuch Seamen in the Merchants Service as
'are maimed or diſabled by accidental Misfortunes, or for thoſe worn out by Age, or for the Widows or
'Children of ſuch as ſhall be killed, ſlain or drowned in the ſaid Service: And whereas the Seamen in the
'Merchants Service are willing to allow ſix Pence *per* Month out of their Wages, to be applied for the Re-
'lief and Support of ſuch as ſhall be maimed or diſabled, or worn out by Age, and of the Widows and
'Children of thoſe who ſhall be killed, ſlain or drowned in the ſaid Service: And foraſmuch as the Sea-
'men in the Merchants Service have, during the Courſe of this War, manifeſted their Courage and Reſo-
'lution, and deſerve all due Encouragement; and the eſtabliſhing the ſaid Charity will tend to the Honour
'and Good of the Publick; but the ſame cannot be effected without the Aid and Authority of Parliament;'
May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Alexander Hume*, *John Briſtow*, *John Bance*, *Harry Gough*, *Albert Niſbett*, *Nathaniel Newman* junior, *Joſeph Gulſton*, *Charles Pole*, Eſquires; Sir *Peter Thompſon* Knight, *Robert Nettleton*, *Robert Thornton*, *John Smith*, *Abraham Hume*, *Henry Norris* ſenior, *Peter Du Cane*, *Joſias Wordſworth*, *Joſeph Fawthrop*, *Charles Savage*, *William Hunt*, *Merrick Burrell*, *James Lock*, *Henry March*, *Henry Muilman*, *Theodore Jacobſon*, *James Theobald*, *Brian Benſon*, *Roger Drake*, *John Gore*, *Walter Vane*, *Thomas Godfrey*, *John Wenham*, *Nathaniel Pace*, *William Willy*, Eſquires; *Joſiah Chitty*, *Henry Norris* junior, *Joſeph Adams*, *Thomas Allen*, *Samuel Baker*, *Mathews Beachcroft*, *Humphry Bell*, *William Black*, *Charles Boehm*, *Edmund Boehm*, *Joſeph Chitty*, *Jacob Chitty*, *Abel Fonnereau*, *Zachariah Philip Fonnereau*, *Abraham Franco*, *Jacob Franco*, *John Furly* ſenior, *John Godlee*, *Godhard Hagen*, *Ezekiel Hall*, *John Hanbury*, *Tilman Henckell*, *Edward Hunt*, *Joel Watſon*, *Gerard Venneck*, *Joſhua Venneck*, *Godfrey Thornton*, *John Weyland*, *Robert Dingley*, *Peter Thomas*, *Thomas Hyam*, *Eliakim Palmer*, *Chauncey Townſend*, *Peter Muilman*, *John Payne* junior, *John Thornton*, *William Wilberforce*, *Henry Sperling*, *James Brogden*, *Gilbert Malcher*, *Thomas Swayne*, *Beeſton Long*, *Stephen Theodore Janſſen*, *Thomas Boehm*, *Benjamin Bond*, *William Bowden*, *Thomas Forſter*, *William Hayter*, *Clarmont*, *Edwin Martin*, *John Porter*, *John Sparrow*, *Thomas Spencer*, *James Sperling*, *John Thomlinſon*, *Gent Unwin*, *Amyand*, *John Van Rixtel*, *Alexander Sheaſe*, *Liebert Dorrien*, *Henry Shiffner*, *George Preſcott* junior, *Andrew Pringle*, *Robert Macky*, *Nicholas Magens*, *James Henckell*, *James Buchanan*, *James Whitchurch*, *Harman Beerens*, *Thomas Chitty*, *Griffin Ranſom*, *Benjamin Mee*, *George Newland*, *Richard King*, *Thomas Tryan*, *John Simpſon*, *Samuel Stork*, *Thomas Chace*, *Samuel Clark*, *John Goddard*, Merchants; Maſter *Thomas Bennet*, Maſter *Adam Spencer* and Maſter *John Canham*, and their Succeſſors, to be elected and named in Manner herein after directed and appointed, ſhall be, and are hereby declared and adjudged to be one Body Corporate and Politick, in Deed and in Name, by the Name of *The Preſident and Governors for the Relief and Support of ſick, maimed and diſabled Seamen, and of the Widows and Children of ſuch as ſhall be killed, ſlain or drowned in the Merchants Service*: And that by the ſame Name of *The Preſident and Governors* they ſhall have perpetual Succeſſion, and a Common Seal, with Power to change, alter, break and make new the ſame, when and as often as they ſhall judge expedient; and by the ſame Name may ſue and be ſued, implead and be impleaded, anſwer and be anſwered unto in all or any Court or Courts of Record, and Places of Judicature within this Kingdom; and that they and their Succeſſors, by the Name aforeſaid, ſhall be able and capable in Law to have, hold, receive, enjoy, poſſeſs and retain in Truſt for the Ends and Purpoſes of this Act, all ſuch Sum and Sums of Money as are granted, and ſhall be raiſed, collected and received by virtue of this Act, or ſhall be contributed, deviſed or bequeathed by any well-diſpoſed Perſons to and for the ſaid Ends and Purpoſes; and that they and their Succeſſors, by the Name aforeſaid, ſhall and may, at any Time hereafter, without Licence in Mortmain, purchaſe, take or receive any Lands, Tenements, or Hereditaments, or any Eſtate or Intereſts ariſing or derived out of the ſame, ſo that ſuch Lands, Tenements or Hereditaments be only for the Scite of, or to be converted into an Hoſpital, with Offices and Appurtenances neceſſary thereunto for the ſaid Ends and Purpoſes.

Governors Names.

Governors incorporated.

Name of Corporation.

May purchaſe Lands for building an Hoſpital.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Preſident and Governors, and their Succeſſors, to be elected and named in the Manner herein after directed and appointed, ſhall and may, and they are hereby authorized and impowered to provide in ſuch Hoſpital for the Reception of ſuch Seamen as ſhall be rendered incapable of preſent or future Service, by Sickneſs, Wounds or other accidental Misfortunes, and thoſe who ſhall become decrepit or worn out by Age; or ſhall provide for ſuch Seamen, by allowing them certain Penſions, or otherwiſe, as to the ſaid Preſident and Governors, and their Succeſſors ſhall ſeem meet, and moſt for the Advantage of the intended Charity; and alſo to relieve the Widows and Children of ſuch Seamen as ſhall be killed, ſlain or drowned in the ſaid Service; provided ſuch Children are not of the Age of fourteen Years; or if of that Age or upwards, not capable of getting a Livelihood, by reaſon of Lameneſs, Blindneſs or other Infirmities, and are proper Objects of Charity; and to make reaſonable Allowances to thoſe who ſhall loſe an Eye or Limb, or be otherwiſe hurt or maimed in fighting, defending or working the Ships in which they reſpectively ſerve, or in loading or unloading the Cargoes thereof, or otherwiſe howſoever, in doing their Duty in the ſaid Service, in Proportion to the Damage or Hurt they ſhall reſpectively receive, ſo far forth as the Income and Revenues which are, ſhall or may be veſted in the ſaid Preſident and Governors, and their Succeſſors, will extend for the Purpoſes aforeſaid,

Proviſion to be made for the Reception of diſabled Seamen;

and for Penſions:

and their Widows and Children.

ſaid, according to ſuch Rules, Orders and Regulations as are or ſhall be eſtabliſhed by or in purſuance of this Act.

Seamen to produce Certificates of the Hurt they received.

III. Provided nevertheleſs, That no Seaman in the ſaid Service ſhall be intitled to any of the Proviſions or Benefits of this Act, unleſs he ſhall produce or cauſe to be produced, a Certificate to the Preſident, Aſſiſtants and Committees herein after named, or their Succeſſors, of the Hurt or Damage he hath received, from the Maſter, Mate, Boatſwain and Surgeon, or ſo many of them as were in the Ship or Veſſel to which ſuch Seaman did belong at the Time of his receiving ſuch Hurt or Damage; or of the Maſter and two of the Seamen, if there is no other Officer; or in caſe the Maſter ſhall die, or be killed or drowned, then of the Perſon who ſhall take upon him the Care of the Ship or Veſſel, and two of the Seamen on board the ſame, under their Hands and Seals, thereby ſignifying how and in what Manner ſuch Seamen received ſuch Hurt or Damage, whether in fighting, defending, working, loading or unloading the ſaid Ship or Veſſel, where and when he entered, and how long he had ſerved on board the ſame; and the Parties ſo ſigning and ſealing ſuch Certificate, ſhall and are hereby required to make Oath of the Truth of the Contents thereof, before ſome one of his Majeſty's Juſtices of the Peace, if given in *Great Britain* or *Ireland*, or other his Majeſty's Dominions, or the chief Officer of the Cuſtoms of the Port or Place where there is no Juſtice of the Peace, or before the *Britiſh* Conſul or Reſident in any Foreign Country where ſuch Certificate is executed (who are hereby reſpectively authorized and required to adminiſter the ſame without Fee or Reward) and in caſe of Sickneſs, whereby ſuch Seaman ſhall be rendered incapable of Service, a Certificate ſigned, ſealed and authenticated in like Manner, ſignifying that he was healthy when he entered on Board ſuch Ship or Veſſel, and that ſuch Sickneſs was contracted on board the ſame, or on Shore, in doing his Duty in the Service of the Ship, and not otherwiſe; and expreſſing the Time and Place he entered on board ſuch Ship or Veſſel, and how long he had ſerved therein; and that no Widow, Child or Children of any Seaman killed, ſlain or drowned in the ſaid Service, ſhall be relieved or intitled to any Allowance by virtue of this Act, unleſs ſhe or they, or ſome Perſon on her or their Behalf, ſhall produce a Certificate ſigned, ſealed and authenticated in like Manner, ſignifying how and in what Manner ſuch Seaman loſt his Life in the Service of the ſaid Ship or Veſſel, the Time and Place he entered on board, and how long he had ſerved therein; and alſo another Certificate, under the Hands and Seals of the Miniſter and Churchwardens and Overſeers of the Poor of the Pariſh, Townſhip or Place, or any two of them, or under the Hands and Seals of the Miniſter and Overſeers of the Poor of the Pariſh, Townſhip or Place, or any two of them, where there are no Churchwardens; and if ſuch Widow, Child or Children, are ſome of the People called *Quakers*, then by any two reputable Perſons of that Perſuaſion, of the Pariſh, Townſhip or Place where ſuch Widow, Child or Children have a legal Settlement or do inhabit or reſide, to be atteſted by two or more credible Witneſſes, that ſuch Widow was the lawful Wife and real Widow, and that ſuch Child or Children was or were the lawful Child or Children of ſuch Seaman killed, ſlain or drowned as aforeſaid, and is or are under the Age of fourteen Years; or if of that Age or upwards, not capable of getting a Livelihood, by reaſon of Lameneſs, Blindneſs or other Infirmities, and is or are proper Objects of Charity; and that no Seaman ſhall be provided for by a Penſion or otherwiſe, as decrepit or worn out, unleſs ſuch Seaman ſhall have ſerved in the Merchants Service for the Space of five Years, and contributed and paid ſix Pence *per* Month out of his Wages for that Time to and for the good Ends and Purpoſes of this Act.

Parties ſigning the Certificates to make Oath.

Certificates to Seamen diſabled by Sickneſs;

Widows and Children.

Seamen not intitled who have not ſerved 5 Years, &c.

Perſons forging, &c. Certificates,

IV. Provided always, and be it further enacted, That if any Perſon ſhall forge, counterfeit, eraſe or alter, or ſhall procure to be forged, counterfeited, eraſed or altered, or ſhall unfairly or unduly obtain any Certificate in order to intitle him or her to any the Penſions, Allowances or Benefits of this Act, and ſhall produce, or cauſe ſuch Certificate to be produced for that Purpoſe, ſuch Certificate ſhall, upon Diſcovery thereof, be null and void; and ſuch Perſon ſo applying for Relief or Proviſion, ſhall be for ever incapable of receiving any the Benefits of this Act, and ſhall be ſubject and liable to the like Puniſhment as an incorrigible Rogue is ſubject and liable to, and ſhall be puniſhed accordingly as ſuch.

to be puniſhed as incorrigible Rogues,

V. And be it further enacted by the Authority aforeſaid, That for the more conſtant and ordinary Management of the Monies to be raiſed for the good Ends and Purpoſes aforeſaid, there ſhall be, from time to time and for ever hereafter, a Preſident and twenty-one Aſſiſtants or Committees of the ſaid hereby erected Corporation; and that *Henry Norris* ſenior Eſquire, ſhall be the firſt Preſident, and *Alexander Hume* Eſquire, Sir *Peter Thompſon* Knight, *Robert Nettleton*, *Robert Thornton*, *John Smith*, *Peter Du Cane*, *Joſias Wordſworth*, *Joſeph Fawthrop*, Eſquires; *Joſiah Chitty*, *Henry Norris* junior, *William Black*, *John Hanbury*, *John Weyland*, *Robert Dingly*, *Thomas Hyam*, *James Brogden*, *Stephen Theodore Janſſen*, *John Thomlinſon*, Merchants; Maſter *Thomas Bennett*, Maſter *John Canham*, Maſter *Adam Spencer*, the twenty-one Aſſiſtants or Committees.

Preſident and Aſſiſtants

to continue till 24 June 1748.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid herein before-named Preſident and Aſſiſtants or Committees, ſhall continue and remain ſo to be, till the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-eight; on which ſaid twenty-fourth Day of *June* in every Year, yearly for ever hereafter, or within five Days, either before or after the ſaid twenty fourth Day of *June*, ten Days Notice being given in the *London Gazettee*, of the Day fixed by a General Court of Aſſembly to be then held of the Preſident and Governors of the ſaid Corporation for the time being, a new Choice or Election of a Preſident and twenty-one Aſſiſtants, or Committees, ſhall be made and taken by the ſaid Preſident and Governors, or the greater Part of them then preſent, for the Year then next following; who after ſuch Election, ſhall continue and remain ſuch until the next General Court or Aſſembly to be annually held for the Election of a Preſident and Aſſiſtants, or Committees as aforeſaid.

New Election to be yearly, and Notice in the Gazette.

Preſident to have a Vote.

VII. And be it further enacted by the Authority aforeſaid, That at all or every the General Courts or Aſſemblies of the ſaid Preſident and Governors, and at the ſeveral full Courts of Aſſiſtants or Committees, to be held as herein after is directed, the ſaid Preſident for the time being ſhall have Voice, and ſhall vote and act as a Member of ſuch General Court or Courts of Committees; and in caſe of an Equality of Votes, the ſaid Preſident ſhall have and exerciſe a caſting Vote.

VIII. And be it further enacted and declared, That there shall be four General Courts at least held every Year; that is to say, on the said twenty-fourth Day of *June*, on the twenty-ninth Day of *September*, on the twenty-fifth Day of *December*, and on the twenty-fifth Day of *March*, or within five Days before or after either of the said Days respectively, of which ten Days Notice shall be given in the *London Gazette*; and the said President and Assistants, or Committees, shall have Power to call a General Court at any other Time or Times, as the Affairs of the said Corporation shall require; and are also impowered and required to call a General Court at the Request of any thirteen of the Members of the said Corporation, signifying the same by Writing under their Hands; provided that ten Days Notice at least be given in the *London Gazette*, of the Time and the Place of the Meeting of every such General Court so to be called as aforesaid. Four General Courts yearly; Notice in the Gazette. Courts may be called at other Times, giving Notice.

IX. And be it further enacted by the Authority aforesaid, That the said President, with any five or more of the said Assistants or Committees for the time being, shall make a full Court of Assistants or Committees; and shall meet, from time to time, upon *Wednesdays* weekly, in or near the City of *London*, or at such other Time and Place as they shall think fit to appoint; and such Court of Assistants or Committees shall have Power, when assembled as aforesaid, in the Name of the said Corporation, and on their Account, to apply the Monies arising and to be received by virtue of this Act, and vested in the said Corporation, for the Relief and Support of such Seamen, and their Widows and Children, as are before described; and shall be intitled to the Benefits and Provisions of this Act in the Manner herein directed, and in case there shall be any Surplus thereof, or any Sum or Sums of Money shall be contributed and given for the Purposes of this Act by any well disposed Persons, to lay out the same in Parliamentary Securities, or to dispose of the same in the Purchase of such Lands, Tenements or Hereditaments as are hereby before allowed, and with and under their Common Seal, to enter into any Covenants or Contracts for the Purposes aforesaid, as they shall think fit for the better effecting and carrying on the Charity hereby intended; and to appoint and choose, and at their Pleasure to remove, displace and supply any Officers, Servants and other Person and Persons to be employed for the Purposes herein mentioned and intended, or other the Affairs of the said Corporation (other than and except such Officers and Persons as are directed to be appointed and chosen at a General Court or Assembly of the said Corporation) and to direct and appoint such Salaries, Perquisites or other Rewards, for their Labour or Service therein, as they shall approve or think proper; and to do, manage and transact and determine all such other Matters and Things, as shall to them or the greater Part of them, appear necessary and convenient for the effecting or carrying on the Purposes hereby intended. President and 5 Assistants to make a Court; meet Weekly, to appoint Officers, &c. Exception.

X. And be it further enacted and declared, That the Management, Transactions and Accompts of the said President and Assistants or Committees, shall be, from time to time and at all Times hereafter, subject and liable to such Audit and Inspection, Allowance, Disallowance and Controul of all or such of the Members or Governors of the said hereby erected Corporation, as by any By-Laws or Ordinances of the same Corporation shall be for that Purpose constituted and appointed. Committees to be subject to the By-laws.

XI. And it is hereby further enacted by the Authority aforesaid, That there shall be a Receiver of the hereby erected Corporation, who shall be chosen by the said President and Governors, or the greater Part of them assembled in a General Court as aforesaid; and shall and may be allowed such Salary as to them shall seem proper, and at their Will and Pleasure displaced and removed from his Station or Employment, and another fit and able Person thereunto appointed and chosen in his Room. Receiver.

XII. Provided also, and be it declared and enacted, That if there be any Vacancy or Vacancies of any Person or Persons chosen at a General Court as aforesaid, happening by Death or Removal, such Vacancy or Vacancies shall be filled up at a General Court or Assembly to be held of the said President and Governors, after ten Days Notice at least to be given thereof in the *London Gazette*, of such Election. Vacancies to be filled up at a General Court.

XIII And to the Intent that there never may be wanting a competent Number of Members or Governors of the said hereby erected Corporation; therefore for perpetuating the Succession thereof, and for supplying and filling up the Places of President and Assistants, or Committees, Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said President and Governors, or the greater Part of them that shall be present in such General Court or Assembly, to be held as aforesaid (so that not less than thirteen Governors be then present) to elect and choose some other fit and able Person or Persons to be a Member or Governor, or Members or Governors of the said hereby erected Corporation, in the Room or Place of such of the Persons above-named, or to be, from time to time, elected Members or Governors as aforesaid, who shall happen to depart this Life, or shall refuse to accept of being, or to continue and remain to be a Member or Governor as aforesaid. Thirteen Governors to be present at the Election of a Member or Governor, and

XIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said President and Governors, in a General Court assembled as aforesaid (so that no less than thirteen Governors be then present) to make, ordain and constitute such and so many By-laws, Constitutions and Ordinances, as to them, or the greater Part of them then and there present, shall seem necessary and convenient for the establishing the said hereby erected Corporation, and the Officers, Servants and Persons by them, in and about the Affairs of the said Corporation to be employed; and for the better applying the Money hereby to be raised and received, and providing for the Persons intitled to the Benefits of and Provisions made by this Act; and for the auditing the Accounts, and the controuling, allowing or disallowing the Transactions of the said President, Assistants or Committees, and of the said Officers, Servants and Persons; and the same By-laws, Orders, Ordinances and Constitutions so made, to be put in use accordingly; and at their Will and Pleasure to revoke, change and alter the same; which said By-laws, Orders and Ordinances so as aforesaid made, shall be duly kept and observed, so always as the said Constitutions, By-laws, Orders and Ordinances be reasonable, and not contrary or repugnant to the Statutes, Customs or Laws of this Kingdom, or any of the express Regulations of this Act. at the making By-laws.

XV. Provided also, and it is hereby declared, That in case the President shall at any Time not attend, then it shall be lawful to and for the said Assistants or Committees, at a Court of Assistants or Committees, and the said Governors, at a General Court, to depute and appoint any other Person a Member or Gover- President not attending, another to be deputed.

nor

nor of the ſaid Corporation, to preſide, vote and act as Preſident in his Abſence, and to do all and every Act or Acts, Thing or Things, as well at the ſaid General Court, as at the Court of Aſſiſtants or Committees, or otherwiſe, as he the ſaid Preſident is hereby impowered, authorized or required to do.

Perſons giving 50 l. to be Governors.

XVI. And, for the Encouragement of ſuch as ſhall be Benefactors to ſo good a Deſign, Be it enacted by the Authority aforeſaid, That if any Perſon charitably diſpoſed, ſhall, at one or more Payments, pay into the Hands of the Receiver of the ſaid Hoſpital for the Time being, or ſuch Perſon as ſhall be deputed for that Purpoſe, the full Sum of fifty Pounds, to and for the good Uſes and Purpoſes in this Act mentioned, ſuch Perſon ſhall be, and is hereby declared to be, from the Time of ſuch Payment of ſuch fifty Pounds as aforeſaid, a Governor of the ſaid hereby erected Corporation.

All Seamen and Maſters of Veſſels, &c. to pay 6 d. per Month.

Apprentices, &c. excepted.

XVII. And for the effecting the good Ends and Purpoſes aforeſaid, Be it enacted by the Authority aforeſaid, That every Seaman or other Perſon whatſoever, who ſhall ſerve, or be employed by any Perſon or Perſons whatſoever, in any Merchant Ship, or other private Ship or Veſſel belonging or to belong to any of the Subjects of his Majeſty, his Heirs or Succeſſors, in that Part of *Great Britain* called *England*; and every Maſter or Owner, navigating or working in his own Ship or Veſſel, whether employed on the High Sea or Coaſts of the ſame, or in any Port, Bay or Creek (other than ſuch Apprentices, under the Age of eighteen Years, as are exempted from Payment of ſix Pence *per* Month to the ſaid Royal Hoſpital at *Greenwich*, by an Act made in the ſecond Year of the Reign of her late Majeſty Queen ANNE, for the Increaſe of Seamen, and better Encouragement of Navigation, and Security of the Coal Trade; and ſuch Perſon or Perſons as ſhall be employed in any Boat upon any of the Coaſts of that Part of *Great Britain* called *England*, in taking of Fiſh, which are brought freſh on Shore; and every Perſon and Perſons employed in Boats or Veſſels, that trade only from Place to Place within any River of that Part of *Great Britain* called *England*, or in any open Boats upon the Coaſts of the ſame; and Pilots employed on board any Ship or Veſſel) ſhall, from or after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-ſeven, pay, and there ſhall be allowed and paid by every ſuch Maſter, Owner, Seaman or other Perſon employed, or that ſhall be employed, ſix Pence *per* Month of lawful Money of *Great Britain*, and proportionably for a leſſer Time, during the Time he or they ſhall be employed in or belonging to the ſaid Ship or Veſſel, for the Uſes and Purpoſes aforeſaid.

Maſters to keep 6 d. per Month out of Seamens Pay;

and pay the ſame to the Receiver.

XVIII. And it is hereby declared and enacted, That the Maſter, Owner or Commander of every ſuch Merchant or private Ship or Veſſel, is hereby impowered and required to deduct and detain out of the Wages, Shares or other Profits payable or accruing to ſuch Seaman or other Perſon employed in his Ship or Veſſel, the ſaid Duty of ſix Pence *per* Month (other than for ſuch Apprentices and other Perſons as are before excepted) and ſhall pay the ſame to ſuch Officer or Officers as ſhall on that Behalf be appointed by the ſaid Preſident and Governors, or the Truſtees to be appointed at any of the Out-ports, and their Succeſſors, for the collecting, recovering and receiving the ſaid Duty of ſix Pence *per* Month reſpectively, if ſuch Seamen or other Perſon ſhall have or be intitled to any ſuch Wages, Shares or Profits.

Receivers to be appointed for the Port of London; and Out-ports.

XIX. And be it further enacted, That it ſhall and may be lawful for the ſaid Preſident and Governors, and their Succeſſors, at a full Court of Aſſiſtants or Committees, to appoint ſuch Perſon or Perſons as they ſhall think fit, to be Receiver or Receivers of the ſaid Duty at the Port of *London*; and alſo depute and appoint the Collectors or other Officers of the Cuſtoms of his Majeſty, his Heirs or Succeſſors, in the ſeveral Out-ports of that Part of *Great Britain* called *England*, or ſuch other Perſons as they ſhall think fit, to collect and receive the ſame (except in ſuch Out-ports where ſeparate Truſtees ſhall be appointed by virtue of this Act;) which ſaid Receivers, as alſo the Collectors and Officers of the Cuſtoms (if ſo appointed) are hereby impowered and required to collect, receive and pay over the ſaid Duty, according to ſuch Inſtructions and Directions as ſhall be, from time to time, ſent to them in Writing by the ſaid Preſident and Governors and their Succeſſors: And for the Care and Pains therein of the ſaid Collectors and other Officers of the Cuſtoms, and others to be appointed to collect, recover and receive the ſaid Duty, it ſhall and may be lawful for the ſaid Preſident and Governors, and their Succeſſors, at ſuch Court of Aſſiſtants or Committees, to make ſuch Allowance to them out of the ſaid Duties as they ſhall judge reaſonable.

Salaries to be appointed them.

Maſters to keep a Muſter-roll;

and deliver Duplicates to the Collectors.

Muſter-roll to be kept during the Voyage;

XX. And be it further enacted by the Authority aforeſaid, That every Maſter, Commander or Owner of any Merchant Ship or other private Ship or Veſſel, navigating the ſame, or ſuch other Perſon who ſhall have the Care thereof, ſhall keep a Book by way of Muſter-roll; in which ſhall be entered his own Chriſtian and Surname, and the Chriſtian and Surnames of all the Officers, Seamen or other Perſons employed in ſuch Ship or Veſſel, with the uſual Place of their Abode when on Shore; and over againſt each Name, the Time when, and Place where, ſuch Seamen or other Perſon entered into the Service of ſuch Ship or Veſſel; and in what Ship or Veſſel he performed his laſt Voyage; a Duplicate whereof ſhall be ſigned by the ſaid Maſter, Commander, Owner or other Perſon having the Care of ſuch Ship or Veſſel, and ſhall be delivered before the Departure of ſuch Ship or Veſſel, to the Receiver or Collector of the ſaid Duties, at the reſpective Port to which ſuch Ship or Veſſel doth belong; and ſuch Maſter, Commander, Owner or other Perſon having the Care of ſuch Ship or Veſſel, ſhall continue to keep ſuch Book by way of Muſter-roll, during the whole Courſe of the Voyage, and ſhall from time to time, enter therein, when and where any ſuch Maſter, Officers, Seamen or other Perſon ſhall be diſcharged from, or ſhall leave or deſert ſuch Ship or Veſſel, and when and where any other Officers or Men ſhall be ſhipt on board, deſcribing them in the like Manner as the Perſons who firſt entered on board are before directed to be deſcribed; and when and where any of them received any Hurt or Damage, or were killed, ſlain or drowned, in caſe there ſhall be any ſuch; a Duplicate of which Continuation of the Muſter-roll ſhall be likewiſe ſigned by the ſaid Maſter, Commander or other Perſon having the Care of the Ship or Veſſel, and ſhall be delivered at the Return of ſuch Ship or Veſſel to the Receiver or Collector of the ſaid Duties, at the reſpective Port to which ſuch Ship or Veſſel does belong; and true Copies of the ſaid Duplicates ſhall be made by ſuch Receiver or Collector, which ſhall be filed and kept by him; and the original Duplicates ſhall be tranſmitted by ſuch Receiver or Collector to the Preſident and Governors aforeſaid, to be, by ſuch Officer as ſhall be appointed for

Duplicate to be delivered to the Collector.

Copies to be filed, and the Originals tranſmitted to the Governors;

that Purpose, filed and kept: And in case such Master, Commander or other Person, shall neglect to keep such Book or Muster-roll, or shall neglect or refuse to deliver such Duplicates as aforesaid; and in case such Receiver or Collector shall neglect to make, keep, and file such Copies thereof, or neglect or refuse to transmit the Duplicates which shall be delivered to him as aforesaid, to the said President and Governors; they shall severally and respectively forfeit and pay, for every such Offence or Offences, the Sum of twenty Pounds of lawful Money of *Great Britain*. Penalty 20l.

XXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Collectors and Receivers, for the better Discovery of what shall be due from the Persons serving on board, or belonging to any Merchant Ship, or other private Ship or Vessel aforesaid, by Warrant under his or their Hand or Hands, to summon all such Masters and Commanders, or (in their Absence) such Owner or Owners of such Ship and Vessel, to be and appear at the Office of the said Collectors or Receivers respectively (so as the Persons so summoned be not obliged to travel above ten Miles for the making such Appearance;) which said Collectors and Receivers are hereby impowered and directed to examine every such Master and Commander, or Owner or Owners, upon Oath (which Oath such Collectors and Receivers, and every of them respectively, are hereby impowered and required to administer) as to the Truth of the Copy of such Book or Muster-roll, and as to the Number and Times of Service of all and every Person and Persons belonging to, or employed in, such Ship or Vessel, who are liable to, or chargeable with, the said Sum of six Pence *per* Month; and if such Masters or Commanders, or (in their Absence) such Owners, or any of them, shall refuse or neglect, when so summoned, to appear before the said respective Persons hereby impowered to examine them in Manner as aforesaid; or if they appear, and obstinately refuse to make full and true Discovery of the Matters aforesaid, upon their several Oaths; then, and in every such Case, all and every such Offender or Offenders, for every such Refusal, shall forfeit the Sum of twenty Pounds of lawful Money of *Great Britain*. Collectors to summon Masters, and examine them upon Oath. Masters, &c. not appearing, &c. forfeit 20l.

XXII. And, for the more easy and effectual collecting the said six Pence *per* Month of and from the Masters, Commanders and Owners of Merchant Ships or Vessels that are or shall be hired or employed by the Commissioners, or other Officers of the Navy, Victualling, Ordnance, Customs, Post-office or other publick Offices, for or in the Service of his Majesty, his Heirs or Successors; Be it further enacted by the Authority aforesaid, That the Secretaries or Chief Clerks of the aforesaid Offices, or any other publick Offices of the Crown, usually hiring or employing Ships or Vessels for or in the Service of his Majesty, his Heirs or Successors, shall, and they are hereby respectively required to deliver a Duplicate of the List or Account of the Number and Names of such Ships so hired or employed, and of the Names of the Masters, Commanders and Owners of every such Ship and Vessel respectively, and of the Numbers of Seamen or other Persons employed in such Ship or Vessel, to the Receiver or Collector of the said Duty of six Pence *per* Month at the Port of *London*, or any of the Out-ports to which such Ship or Vessel does respectively belong, granted by this Act, as is by virtue of an Act made in the second Year of the Reign of his present Majesty, to be delivered to the Receiver or Collector at the said Port of *London*, of the Duty of six Pence *per* Month given towards the Support of the said Royal Hospital at *Greenwich*; and the said Secretaries, Chief Clerks, and also all and every other Officers of or belonging to the said Offices, and the Masters, Commanders and Owners of any Ships or Vessels hired and employed, or to be hired or employed by them, or any of them, are hereby also required to do every other Act, Matter or Thing for the due and effectual Payment of the said six Pence *per* Month hereby granted, as is directed and required to be done by the said Act of the second Year of the Reign of his present Majesty, for the effectual Payment of the Duty of six Pence *per* Month granted to the said Royal Hospital; and the said Secretaries, Chief Clerks or other Officers, or any of them, and the said Masters, Commanders and Owners of any Ships or Vessels hired and employed by them, or any of them, shall be subject and liable to the like Penalties and Forfeitures for any Default, Neglect or Omission, that shall be made in any of the Acts, Matters or Things, hereby required to be by them respectively done and performed, or for acting contrary to the Directions of this Act, as they are subject and liable to by virtue of the said Act of the second Year of the Reign of his present Majesty, for any Default, Neglect or Omission, in any of the Acts, Matters or Things required to be done and performed by, or for acting contrary to, the Directions of the said Act. Clerks of the Offices hiring Ships for his Majesty's Service, to deliver Duplicates of the Ships and Crews to the Collector. 2 Geo. 2. c. 7. under the Penalties of the said Act.

XXIII. And be it further enacted by the Authority aforesaid, That all and every the Masters, Commanders and Owners of all Merchant Ships, and other private Ships and Vessels whatsoever, by this Act made liable to the Payment of the said Duty of six Pence *per* Month, shall pay all such Monies as shall from time to time be due from them, and every of them respectively, to the Collectors and Receivers to be appointed in pursuance of this Act, for or on Account of the said Duty, at the Ports only to which such Ships or Vessels do respectively belong, and before any such Ships or Vessels shall be cleared inwards, by the Officers of the Customs of his Majesty, his Heirs or Successors, in any of the Ports of that Part of *Great Britain* called *England*; and that no Customer, Collector, Comptroller, Receiver, Surveyor, Searcher, Waiter or other Officer whatsoever, of or belonging to the Customs of his Majesty, his Heirs or Successors, shall at any Time hereafter clear inwards any Merchant Ship, or other private Ship or Vessel whatsoever, by this Act made or declared liable to the Payment of the said Duty of six Pence *per* Month, or grant any Warrant, or give or grant out any Cockets, Transires, Returns, or Discharges, unto or for any such Ship or Vessel whatsoever, or shall permit or suffer any such Ship or Vessel to go out of any of the Ports before mentioned, until the said Master, Commander, or Owner or Owners of every such Ship or Vessel respectively, shall and do produce and shew forth, unto such Officer or Officers, an Acquittance or Certificate signed by the said Receiver or Receivers, Collector or Collectors of the said Duties, whereby it shall appear that such Master, Commander, or Owner or Owners, have duly and fully paid and discharged the said Duty, and that he or they is or are not more than three Months in Arrear for the same, or that they are exempted from the Payment of the said Duty by virtue of the Exceptions herein contained; and every Master, Commander and Owner of any such Ship or Vessel, who shall refuse or neglect to pay the said Duty of six Masters to pay the 6 d. per Month to the Collector of the Port where the Ship belongs. Vessel not to be cleared till the Duty paid. Masters and other Officers making Default,

six Pence *per* Month, in the Manner, and within the Time herein before mentioned, limited and appointed, for Payment thereof, and also every Customer, Collector, Comptroller, Receiver, Surveyor, Searcher, Waiter, and other Officers of the Customs, who shall make Default in any of the Premisses enjoined them respectively by this Act, or shall in any wise act contrary to the Directions herein before mentioned, shall for every such Refusal, Neglect, Default, or Act, forfeit the Sum of twenty Pounds of lawful Money of *Great Britain*.

forfeit 20 l.

Masters not producing Acquittance, Tide-waiters to be continued on board at their Expence.

XXIV. And to prevent unnecessary Delays in clearing such Ships and Vessels, Be it enacted by the Authority aforesaid, That in case the Master, Commander or Owner of any Ship or Vessel, shall not produce such Acquittance or Certificate as aforesaid, to the Tide-Surveyor when he shall come on board in order to clear such Ship or Vessel, the Tide-waiters on board such Ship or Vessel shall be continued, until such Acquittance or Certificate is produced, at the Expence of such Owner, Master or Commander, and not at the Expence of the Crown.

Affirmation of Quakers.

XXV. Provided, and be it further enacted by the Authority aforesaid, That in all Cases wherein by this Act an Oath is required or appointed to be taken, the solemn Affirmation and Declaration of the People called *Quakers* shall be accepted instead of such Oath, in such Manner and Form, as by the Laws and Statutes of this Kingdom is directed and appointed; and if any such *Quaker* shall refuse to make such solemn Affirmation and Declaration, in any Case wherein any other Person is hereby required to take an Oath, every such *Quaker* so refusing shall, for every such Offence, be subject to the like Forfeitures and Penalties, as any other Person refusing to take an Oath is made liable to by this Act; and in case any such *Quaker* shall, upon his solemn Affirmation or Declaration, affirm or declare any Matter which shall be false; or if any other Person, before any such Collector, Receiver or other Person hereby authorized to administer Oaths, shall wilfully make a false Oath, every such *Quaker* or other Person, being thereof lawfully convicted, shall, for every such Offence, suffer and be liable to the like Fines, Pains, Penalties and Punishments, as Persons convicted of wilful and corrupt Perjury are subject and liable to by the Laws of that Part of *Great Britain* called *England*.

Penalty on their refusing,

and on false Affirming, and Swearing.

Charges of this Act.

XXVI. And it is hereby further enacted by the Authority aforesaid, That the Charges, Costs and Expences, in and about procuring and obtaining this Act of Parliament, shall be paid out of the first Monies to be raised and contributed by virtue hereof, at the Port of *London*.

'XXVII. And whereas the Masters, Commanders and other Officers and Seamen, employed in Ships 'or Vessels belonging to Persons residing at some of the Out-ports of this Kingdom, may be desirous of 'having the six Pence *per* Month to be allowed and paid by them out of their Wages, by virtue of and for 'the Purposes of this Act, to be under the Direction and Management of Persons residing in or near to 'such Out-Ports respectively;' Therefore be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-seven, it shall and may be lawful to and for the Owners of, and the Masters and Commanders employed on board the Ships and Vessels belonging to Persons residing at any of the said Out-ports, to assemble and meet, at any proper Time and Place within the Limits of the said Out-ports, that shall be by any five or more of them appointed, by giving ten Days previous Notice to be fixed at the Custom-house Wharf, Key or any other publick Place, at such respective Out-port; and such Owners, Masters and Commanders, or the greater Part of them, being so assembled as aforesaid, are hereby authorized and impowered, from time to time, to nominate and appoint, by an Instrument in Writing under their Hands and Seals, fifteen Persons to be Trustees for such Out-port, for receiving, collecting and applying the said six Pence *per* Month to be allowed, collected and received by virtue of this Act, at such respective Out-port, for Relief and Support of the Seamen employed on board the Ships or Vessels belonging to such Persons respectively, and their Widows and Children, as shall be intitled thereto by virtue of this Act; which said Trustees shall continue to the twenty-sixth Day of *December* next after such Election, and until new Trustees are nominated, appointed, and confirmed: And that within ten Days after every twenty-sixth Day of *December* yearly, the Owners, Masters and Commanders at such respective Out-ports, shall have Power to meet and choose fifteen Persons to be Trustees for the Year ensuing, by an Instrument in Writing under the Hands and Seals of the Owners, Masters and Commanders, or the Majority of them so assembled, having given previous Notice as aforesaid; which said respective Trustees shall continue, from time to time, until new Trustees are nominated, appointed and confirmed; which Instrument shall be sent to the said President and Assistants, or Committees, who are hereby authorized and required to confirm the same under the common Seal of the said Corporation, without Fee or Reward, within ten Days after the Receipt thereof: Which said Trustees, when they shall be so confirmed as aforesaid, whereof five shall be a Quorum, shall be vested with, and have the same Powers and Authorities to make By-laws, and to revoke or alter the same, and for taking, receiving and applying any Sum or Sums of Money which shall be contributed, devised or bequeathed by any well-disposed Persons; and for appointing Receivers and other Officers; and for collecting, recovering, receiving, paying and applying the said six Pence *per* Month, to be allowed and paid by the Seamen, or others serving on board any Ship or Vessel belonging to such Persons respectively at such Out-ports, as are given and granted by this Act, to the President and Governors aforesaid, according to such Rules, Orders and Regulations as are or shall be established by virtue, and in pursuance of this Act; and the said Receivers and other Officers shall have the same Powers and Authorities as the other Receivers and Officers to be appointed in pursuance of this Act, and shall be subject and liable to the same Penalties and Forfeitures; any thing herein contained to the contrary thereof in any wise notwithstanding.

Owners and Masters of Ships of Out-ports, to meet,

and appoint Trustees for the Duties;

who are to continue till 26 December.

New Trustees to be chosen yearly.

Instrument of the Election to be sent to the President, &c.

Five Trustees impowered to make By-laws; and appoint Officers in the Out-ports.

'XXVIII. And whereas by Letters Patent, bearing Date the eighteenth Day of *December* in the sixth 'Year of the Reign of the late King EDWARD the Sixth, certain Merchants therein named, and their 'Successors, residing at the City and Port of *Bristol*, are incorporated by the Name of *The Master, Wardens and Commonalty of Merchants-Venturers of the City of* Bristol; which said Society of Merchants are 'willing, for the Benefit of the Seamen employed on board Ships and Vessels in the Service of Merchants, and

'other

'other Traders belonging to the said City and Port, to undertake the Collection and Application of the 'said six Pence *per* Month, to be paid at the said City and Port; and also to receive and apply any Dona- 'tions that well-disposed Persons may give for the Relief and Support of such Seamen as shall be maimed 'and disabled, and for the Widows and Children of those who shall be killed, slain or drowned in the 'Service of the said Merchants and Traders;' Therefore be it further enacted by the Authority aforesaid, That the Master, Wardens, Assistants and Treasurer of the said incorporated Society for the Time being, shall be Trustees, and shall have and be vested with the like Powers and Authorities for collecting, recovering, receiving and applying the said six Pence *per* Month, to be allowed, collected and received by virtue of this Act, at the said City and Port; and for taking, receiving and applying any Sum or Sums of Money which shall be contributed, devised and bequeathed by any well-disposed Persons for Relief and Support of the Seamen employed on board the Ships or Vessels belonging to the Merchants or Traders residing at the said City and Port, and their Widows and Children, as shall be intitled thereto by virtue of this Act; and to appoint Receivers and other Officers for the Purposes aforesaid, as are given and granted by virtue of this Act, to the President and Governors aforesaid, according to such Rules, Orders and Regulations, as are or shall be established by virtue of this Act; and such Receivers and other Officers shall have the same Powers and Authorities as the other Receivers and Officers to be appointed by virtue of this Act, and shall be subject and liable to the like Penalties and Forfeitures; and the said Master, Wardens, Assistants and Treasurer shall also have Power to take and receive any Lands, Tenements and Hereditaments, in such Manner, and for the like Purposes only, as the said President and Governors are by this Act impowered to take and receive Lands, Tenements and Hereditaments; any thing herein contained to the contrary thereof in any wise notwithstanding.

Merchants Venturers of Bristol, Trustees for the Duties received there, &c.

'XXIX. And whereas the Guild or Brotherhood of Masters and Pilots, Seamen of the *Trinity House* of 'the Town and Port of *Kingston upon Hull*, are willing, for the Benefit of the Seamen employed on board 'Ships and Vessels in the Service of Merchants and other Traders belonging to the said Town and Port, to 'undertake the Collection and Application of the said six Pence *per* Month, to be paid at the said Town 'and Port; and also to receive and apply any Donations that well-disposed Persons may give for the Relief 'and Support of such Seamen as shall be maimed and disabled, and of the Widows and Children of those 'who shall be killed, slain or drowned in the Service of the said Merchants and Traders;' Therefore be it further enacted by the Authority aforesaid, That the Guild or Brotherhood of Masters and Pilots, Seamen of the *Trinity House* of the Town and Port of *Kingston upon Hull*, for the time being, shall be Trustees, and shall have and be vested with the like Powers and Authorities for collecting, recovering, receiving and applying the said six Pence *per* Month, to be paid at the said Town and Port; and for taking, receiving and applying any Sum or Sums of Money as shall be contributed, devised or bequeathed by any well-disposed Persons, for the Relief and Support of such Seamen, and their Widows and Children, as shall be intitled thereto, by virtue of this Act; and for appointing Receivers and other Officers, for the Purposes aforesaid, as are given and granted by virtue of this Act, to the President and Governors aforesaid, according to such Rules, Orders and Regulations, as are or shall be established by virtue of this Act, and such Receivers and other Officers shall have the same Powers and Authorities as the other Receivers and Officers, to be appointed in pursuance of this Act, and shall be subject and liable to the like Penalties and Forfeitures; any thing herein contained to the contrary thereof in any wise notwithstanding.

Trinity House of Hull, Trustees for the Duties, &c. received there, &c.

XXX. And be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to oblige the Receivers or Collectors of the said Duty, to be appointed by the Trustees of any of the said respective Out-ports, to send the Duplicates of the Books or Muster-rolls hereby directed to be delivered to such Receivers or Collectors, by the Master or other Person having the Care of any Ship or Vessel, to the said President and Assistants, or Committees; but such Duplicates shall be delivered by such Collector or Receiver, after making and filing Copies thereof, to the said Trustees respectively, to be by them filed and kept for their Use and Inspection.

Collectors of Out-Ports, to deliver Duplicates to the Trustees of the Out-ports.

XXXI. Provided always, and it is hereby declared, That no Seaman or other Person employed on board any Merchant Ship, or other private Ship or Vessel, shall be intitled to have or receive any Provision or Benefit by virtue of this Act, at the Port of *London*, or any Out-port, but those who are subject and liable to, and shall pay the said Duty of six Pence *per* Month, as aforesaid, at the said Port of *London*, or Out-ports respectively.

Seamen not paying the Duty, not to be benefited.

XXXII. Provided also, and be it declared, That those Seamen who shall have been longest in the said Service, and contributed most towards the said Duty, shall be first provided for as worn out or decrepit.

Those who have served, &c. longest, to be first provided for.

'XXXIII. And whereas it may happen that Seamen or other Persons employed on board Ships or Ves- 'sels, may, by Accident in loading or unloading the same, or otherwise in doing their Duty on Shore, as 'well as on board such Ships or Vessels, receive such Hurt or Damage, that it may endanger their Lives, 'to send them to the Port to which the Ships or Vessels do respectively belong;' Therefore be it further enacted by the Authority aforesaid, That in case any Seaman or other Person employed on board any Ship or Vessel, shall, in doing his Duty on Shore, or on board any such Ship or Vessel, break an Arm or Leg, or be otherwise hurt or maimed, so that immediate Care is necessary to be taken of him, it shall and may be lawful for the said President and Governors at the Port of *London*, and the respective Trustees for the Out-ports, and they are hereby required to provide proper Relief for such Seaman or other Person that shall be so hurt or maimed, until he shall be so well recovered of such Hurt or Damage, as to be removed and sent with Safety to the respective Port to which such Ship or Vessel does belong; and the Expence of removing and sending such Seaman or other Person to such respective Port, not exceeding two Pence *per* Mile, shall be paid by the said President and Governors at the Port of *London*, or by the Trustees for the respective Out-port to which such Seaman or other Person shall be so removed and sent; any thing herein contained to the contrary thereof in any wise notwithstanding.

Maimed Seamen, till they can be removed to the Port where the Vessel belongs; and d. per Mile allowed them.

Diſabled Seamen having ſerved and paid 5 Years,

to be provided for where they have contributed moſt.

XXXIV. And be it further enacted by the Authority aforeſaid, That in caſe any Seaman or other Perſon ſhall ſerve five Years or more, on board Merchant or other private Ships or Veſſels, belonging to different Ports, and ſhall have paid the ſix Pence *per* Month for that Time, and ſhall become decrepit and worn out, and adjudged, either by the ſaid Preſident and Aſſiſtants, or the reſpective Truſtees, a proper Object of Relief, ſuch Perſon ſhall be provided for and relieved at the reſpective Port where he ſhall have contributed and paid the greateſt Part of the ſaid Duty of ſix Pence *per* Month for the laſt five Years of his Service; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Seamen ſhipwrecked, or Priſoners, to be relieved.

'XXXV. And whereas it may happen that Seamen employed in the Merchants Service, within the 'Limits of this Act, may be ſhipwrecked, or taken by the Enemies of his Majeſty, his Heirs and Succeſſors, and on their Return from Impriſonment, may be travelling with Paſſes to the Place of their reſpective Abodes;' Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Preſident and Governors, or the reſpective Truſtees, if they think fit, to relieve any ſuch Seaman in ſuch Manner as they ſhall think proper; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Where Certificates cannot be had, others to be allowed.

'XXXVI. And whereas there may be ſome Circumſtances wherein the Certificates herein before-men'tioned cannot be obtained;' Be it therefore further enacted by the Authority aforeſaid, That in all Caſes where the Certificates directed to be produced by this Act cannot be obtained, ſuch other Certificates as ſhall be ſatisfactory to the ſaid Preſident and Governors, or Truſtees reſpectively, ſhall be received and allowed of to intitle the Party producing the ſame to the Penſions or other Relief provided by this Act; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

'XXXVII. And whereas the United Company of Merchants of *England* trading to the *Eaſt Indies*, 'have, at their own Expence, conſtantly provided for ſuch Seamen employed by them as have been ren'dered incapable of preſent or future Service, by Sickneſs, Wounds, or other accidental Misfortunes, and 'for the Widows and Children of ſuch Seamen as have been killed, ſlain or drowned in their Service, 'and have eſtabliſhed a ſufficient Fund for that Purpoſe, and are willing to continue ſuch Proviſion, and 'are therefore deſirous that the Officers and Seamen employed in their Service, and the Servants and Ap'prentices of ſuch Officers, may be exempted from the Payment of the ſaid ſix Pence *per* Month;' Be it

Seamen in the India Company's Service exempted;

therefore enacted by the Authority aforeſaid, That no Maſter or Commander, Officer, Mariner or Seaman, or Servant or Apprentice of any Maſter or Commander, or Officer of any Ship or Veſſel, of or belonging unto or employed, or which ſhall be employed by or in the Service of the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, during the Time they ſhall be ſo reſpectively employed in the ſaid Company's Service, ſhall in any wiſe be liable or ſubject to the ſaid Duty or Payment of ſix Pence *per* Month; but that every ſuch Maſter or Commander, Officer, Mariner or Seaman, and every Servant and Apprentice of ſuch Maſter or Commander, or Officer of any Ship or Veſſel of or belonging unto, or employed by or in the ſaid Company's Service as aforeſaid, ſhall, during the Time of ſuch Service, be totally exempt from the Payment thereof; any thing in this Act contained to the contrary notwithſtanding.

and excluded.

XXXVIII. Provided always, That no Maſter or Commander, Officer, Mariner or Seaman, or any Servant or Apprentice of any Maſter or Commander, or Officer employed in the Service of the ſaid United Company, ſhall have or be intitled to any Benefit by this Act, for or in reſpect of any Incapacity by Sickneſs, Wounds or other accidental Misfortune happening unto them, during the Time of their being employed in the ſaid Company's Service; nor ſhall the Widows or Children of ſuch Seamen as ſhall be killed, ſlain or drowned in the Service of the ſaid United Company, be intitled to any Benefit or Relief by or from this Act, by Reaſon or Means of any ſuch Seamens being killed, ſlain or drowned during the Time they ſhall be employed in the ſaid Company's Service as aforeſaid.

Forfeitures how to be recovered, and applied.

XXXIX. And be it further enacted by the Authority aforeſaid, That all and every the pecuniary Forfeitures and Penalties which ſhall be incurred by virtue of this Act, or any Clauſe therein contained, ſhall be ſued for and recovered in any of his Majeſty's Courts of Record, in that Part of *Great Britain* called *England*, wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed; and if a Verdict ſhall paſs for the Plaintiff in any ſuch Action, Bill, Plaint or Information, then

Double Coſts.

ſuch Plaintiff ſhall have and be allowed Double Coſts of Suit; and that one Moiety of all and every the ſaid Forfeitures and Penalties, when recovered, ſhall go and be applied to the Uſes and Purpoſes of this Act, and the other Moiety to the Uſe of ſuch Perſon as ſhall ſue for the ſame in Manner aforeſaid.

Publick Act.

XL. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices and others, without ſpecially pleading the ſame; and if any Act on ſhall be brought, or Suit commenced againſt any Perſon or

Limitation of Actions.

Perſons, for any thing done in purſuance of this Act, or in relation to the Premiſſes, or any of them, every ſuch Action or Suit ſhall be laid or brought within three Months next after, in the County or Place where the Fact was done, and not elſewhere; and the Defendant or Defendants, in ſuch Action, may plead the

General Iſſue.

General Iſſue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be brought within the Time before limited, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, the ſaid Defendant or Defendants ſhall have Double Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have for Coſts in other Cauſes by Law.

Double Coſts.

Concerning Seamen ſee farther
22 *Geo.* 2. *c.* 52.
24 *Geo.* 2. *c.* 47.
31 *Geo.* 2. *c.* 10.

CAP.

CAP. XXXIX.

An Act for granting a Duty to his Majesty, to be paid by Distillers, upon Licences taken out by them for retailing Spirituous Liquors.

'WHEREAS by an Act of Parliament made and passed in the sixteenth Year of the Reign of his pre- 16 Geo. 2. c. 8.
'sent Majesty, intituled, *An Act for repealing certain Duties on Spirituous Liquors, and on Licences for 'retailing the same; and for laying other Duties on Spirituous Liquors, and on Licences to retail the said Liquors*; 'it was, amongst other Things, enacted, That no Person or Persons should, from and after the twenty- 'fifth Day of *March* one thousand seven hundred and forty-three, presume to retail any Brandy, Rum, 'Arrack, Usquebaugh, Geneva, *Aqua Vitæ*, or any other distilled Spirituous Liquors or Strong Waters 'unmixed, or mixed with themselves, or any other Ingredients, without first taking out a Licence from 'his Majesty's Commissioners of Excise for so doing, in Manner as was therein directed and appointed, and 'upon Payment of the Sum of twenty Shillings yearly for such Licence, under the penalties in the said 'Act contained; and no Licences were thereby allowed to be granted for retailing, except to such Persons 'only who should keep Taverns, Victualling-houses, Inns, Coffee-houses or Ale-houses; and it was therein 'also enacted, That no Person should be deemed or taken to be a Retailer of Spirituous Liquors who did 'not retail in less Quantities than one Pint: And whereas by another Act of Parliament made and passed 'in the seventeenth Year of his Majesty's Reign, intituled, *An Act for granting to his Majesty the Surplus* 17 Geo. 2. c. 17.
'*or Remainder of the Monies arisen, or to arise, by the Duties on Spirituous Liquors, granted by an Act of the 'last Session of Parliament; and for explaining and amending the said Act, in relation to the Retailers of such 'Liquors; and for establishing an Agreement with the United Company of Merchants of* England *trading to the* 'East Indies; it was amongst other Things, enacted, That from and after the twenty-fourth Day of '*June* one thousand seven hundred and forty-four, every Person who should retail any Spirituous Liquors, 'mixed or unmixed with any Ingredients, in less Qnantity than two Gallons (except such Persons only as 'by the said Act of the sixteenth Year of his present Majesty, were authorized and impowered to take out 'Licences for that Purpose) should be deemed a Retailer of Spirituous Liquors within the Meaning of the same, 'and as such, forfeit and lose the Sum of ten Pounds for every such Offence: And whereas the Restrictions 'and Penalties in the said Acts contained, have been found to be inconvenient, so far as relates to honest 'reputable Distillers, and the Alteration thereof, in that Particular, will also tend to the Benefit of his Ma- 'jesty's Revenue:' We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do give and grant unto your Majesty the Rates and Duties on certain Persons to be hereby authorized to retail Spirituous Liquors herein after mentioned; and do most humbly beseech your Majesty, that it may be enacted; and be it therefore enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that from and after the twenty-fourth Day of *June* Distillers within the Bills of Mortality may take out Licences, upon Payment of 5*l.* yearly.
in the Year of our Lord one thousand seven hundred and forty-seven, it shall and may be lawful to and for the several Distillers within the Cities of *London* and *Westminster*, Borough of *Southwark*, or Weekly Bills of Mortality, to take out Licences from his Majesty's Commissioners of Excise, for retailing Brandy, Rum, Arrack, Usquebaugh, Geneva, *Aqua Vitæ*, or any other Spirituous Liquors or Strong Waters; and the said Commissioners of Excise are hereby authorised, impowered and required to grant such Licences to every Distiller and Distillers, within the Limits aforesaid, who shall apply for the same, upon Payment of five Pounds for every such Licence, to be raised, levied, collected and paid to his Majesty, his Heirs and Successors; and the same to be renewed yearly, upon Payment of the like Sum of five Pounds, and to the same Uses, Intents and Purposes, and such Licences to be taken out in the same Manner, and subject to the like Penalties for retailing without Licence, as are directed, appointed, and enacted by the above-mentioned Act of the sixteenth Year of his present Majesty.

'This Duty repealed by 24 Geo. 2. c. 40. *sect.* 3.

II. Provided always, That no more than one Licence shall be granted to any Distiller or Distillers in Partnership, whereby to authorize him, her or them to retail any Spirituous Liquors, or Strong Waters, within the Intent and Meaning of this Act; and that no such Distiller or Distillers shall be allowed to take out a Licence by the Authority of the same, unless he, she or they, inhabiting within the City of *London*, are respectively rated, and do pay the Church and Poors Rates for the Value of twenty Pounds *per Annum*, and inhabiting in any other Parts whithin the Weekly Bills of Mortality, for the Value of ten Pounds *per Annum*, in the Parish or Place where he, she or they shall exercise the Trade of Distilling; and if any Licences shall be granted otherwise, or to any other Persons than as aforesaid, the same are hereby declared void to all Intents and Purposes.

Distillers in Partnership to have but one Licence.

Qualification for Licences.

III. And be it further enacted by the Authority aforesaid, That no Distiller or Distillers shall, by virtue of any such Licence, retail any Spirituous Liquors, or strong Waters, in any other Place or Places than in his, her or their own publick Shop and Shops only, and in no more than one Shop by virtue of any one Licence, under Pain of forfeiting for every such Offence the Sum of ten Pounds.

Penalty on Distillers retailing Liquors, but in their Shops, &c.

IV. And the better to prevent Tippling, or any other Disorders being committed, under Colour or Pretence of the Liberty by this Act granted, Be it enacted by the Authority aforesaid, That if any Distiller or Distillers, licensed and authorized by virtue of this Act, shall at any Time, from and after the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and forty-seven, by him, her or themselves, or by any other Person or Persons employed by him, her or them, sell or vend any Spirituous Liquors to be drank in his, her or their Shop or Shops, Houses or other Places thereunto belonging, or shall wilfully suffer or permit any Person or Persons to drink or tipple any such Liquors in any the Places aforesaid; every Distiller or Distillers so offending shall for every such Offence, forfeit and pay the Sum of ten

Penalty on permitting Tippling in their Shops, &c.

Penalties how to be recovered and applied.

Pounds; all which Penalties and Forfeitures shall be sued for, levied, recovered and mitigated by such Ways, Means and Methods, as any Fine, Penalty or Forfeiture, is or may be recovered or mitigated by any Law or Laws of Excise; the one Moiety whereof shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them who shall discover, inform and prosecute for the same.

Penalty on Persons found tippling in Distillers Shops, &c.

Concerning Spirituous Liquors see farther 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 Geo. 2. c. 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9, & 28.

V. And be it further enacted by the Authority aforesaid, That every Person and Persons who shall, from and after the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and forty-seven, be found drinking or tippling in the House, Shop or other Place belonging to any Distiller or Distillers, contrary to the true Intent and Meaning of this Act, shall, for every such Offence, severally forfeit and pay the Sum of twenty Shillings, to be recovered and levied by way of Complaint, to be made within three Weeks after such Offence or Offences shall be committed, before one or more of his Majesty's Justices of the Peace for and near the Place or Places where the same shall happen, who is and are hereby required to summon before him or them the Party or Parties so offending, and in Default of Appearance, to issue Warrants for apprehending such Offender or Offenders, and then proceed to examine such Complaint upon Oath (which Oath he and they are hereby authorized to administer) and upon due Proof of such Offences, by the Oath or Oaths of one or more credible Witness or Witnesses, to convict the Offender or Offenders accordingly; and in case such Forfeitures shall not be forthwith, after such Conviction or Convictions, paid, that then the same shall be levied by Distress and Sale of such Offender's Goods and Chattles, by Warrant or Warrants under the Hand and Seal, or Hands and Seals of such Justice or Justices, rendering the Overplus, if any, to such Offender or Offenders; and such Forfeitures when levied, shall go and be applied to and for the Use of the Poor of the Parish where such Offence or Offences shall be committed; and for want of sufficient Distress, such Offender or Offenders shall be committed to the House of Correction, for any Time not exceeding two Months, and not less than fourteen Days, there to be kept to hard Labour; and no Person or Persons so to be convicted, shall be capable of receiving any Part of the Penalties or Forfeitures incurred by the Distiller or Distillers who shall sell or vend any such Liquors so to be drank or tippled; any thing herein contained to the contrary thereof in any wise notwithstanding.

CAP. XL.

An Act to revive, continue and amend an Act made in the ninth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for clearing, depthening, repairing, extending, maintaining and improving the Haven and Piers of* Great Yarmouth; *and for depthening and making more navigable the several Rivers emptying themselves at the said Town; and also for preserving Ships, wintering in the said Haven, from Accidents by Fire.* P R.

'WHEREAS the ancient Borough of *Great Yarmouth* in the County of *Norfolk*, hath, by long Experience, been found to be of great Importance, for advancing his Majesty's Service and Revenue, and Trade in general, and more especially the Fishery, and for educating and employing many thousands of skilful Mariners and Seamen: And whereas the Inhabitants of the said Borough, being unable to support the great and unavoidable Charge of clearing, repairing and maintaining the Haven and Piers belonging to the said Borough, have, from time to time, been aided and relieved by several successive Acts of Parliament: And whereas an Act was made in the ninth Year of the Reign of his late Majesty King GEORGE the First (of glorious Memory) whereby several Duties were granted for clearing, depthening, repairing, extending, maintaining and improving the said Haven and Piers; and for depthening the Channel of that Part of the River *Yare* called *Braydon*; and for making more navigable the said River *Yare*, and the Rivers *Waveney* and *Bure*, which empty themselves into the Haven of the said Town of *Yarmouth*; and for repairing the Bridge and publick Keys belonging to the said Town; and also for preserving Ships wintering in the said Haven; which Act being expired, the said Haven and Piers have of late been, and still continue to be in so bad a Condition, that the great Sums of Money already expended in and about the same, will prove useless, and the said Haven and Piers inevitably fall soon into irreparable Decay, unless timely and effectual Provision be made by Parliament to prevent the Destruction thereof: To the end therefore that the said Haven and Piers may be preserved and kept in Repair; and that the Channel of that Part of the River *Yare* called *Braydon*, leading from *Great Yarmouth*, to the City of *Norwich*; and so much of the said River *Yare*, as lies between the new Mills in *Norwich* and *Hardly Cross* in *Hardly*, in the County of *Norfolk*; and also the Rivers *Waveney* and *Bure*, commonly called the *North River*, may be depthened and made more navigable for Boats and Keels usually passing upon the same; Be it enacted, *&c.*

9 Geo. 1. c. 10.

See farther 23 *Geo.* 2. *c.* 6.

" The Duties granted by the recited Act made payable for two Years. The Powers and Clauses, *&c.* of the " recited Act revived. Twelve Commissioners to be elected. Collectors to account to them. Commis" sioners to inspect the Accounts of the Monies due at the Expiration of the recited Act."

CAP. XLI.

An Act for vesting in his Majesty the Estates of certain Traitors, and for more effectually discovering the same, and applying the Produce thereof to the Use of his Majesty, and for ascertaining and satisfying the lawful Debts and Claims thereupon.

See 25 *Geo.* 2. *c.* 41. *Which is enforced by* 31 *Geo.* 2. *c.* 16.

'WHEREAS a most desperate and bloody War and Rebellion hath been levied and raised against his Majesty, in Favour of the Pretender to his Crown, headed by the eldest Son of the said Pre-

'tender,

'tender, and assisted by a Body of Troops, furnished by the Enemies of his Majesty and his Kingdoms, 'in which a Number of his Majesty's Subjects, contrary to their Duty and Allegiance, have been wickedly 'and traiterously engaged; and it being highly reasonable, that the Estates, Real and Personal, of the Re- 'bels and Traitors, who have been or shall be duly attainted as guilty of, or engaged in the said Rebellion, 'should be discovered and applied to the Use of his Majesty, in the most speedy and effectual Manner; and 'that due Provision be made for the Satisfaction of all just and lawful Claims, which any of his Majesty's 'dutiful and loyal Subjects may have to, upon, or out of the Estates of such Rebels and Traitors;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every the Lands and Heretages, Debts or Sums of Money, and Goods or Chattles whatsoever, and generally the Estates, Goods and Effects, Heretable and Moveable, Real and Personal, descendible to Heirs or Executors, Jurisdictions, Life-rent Rights, of what Nature or Kind soever they be, in that Part of *Great Britain* called *Scotland*, or elsewhere, whereof any Person or Persons, who, since the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and forty-five, hath or have been attainted, or, before the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and forty-eight, shall be attainted by any Laws or Statutes of this Realm of High Treason, for levying War within this Realm, or for conspiring the Death of his Majesty, or for any other High Treason whatsoever, committed before the said twenty-fourth Day of *June* one thousand seven hundred and forty-eight, within *Great Britain* or elsewhere, was, were or shall have been seised or possessed of, or interested in, or intitled unto on the twenty-fourth Day of *June* one thousand seven hundred and forty-five, or at any Time afterwards, in his, her or their own Right, or to his, her or their own Use, or whereof any other Person or Persons was, were or shall have been seised or possessed of, or interested in, or intitled unto, to the Use of, or in Trust for them, or any of them, shall, according to the several and respective Estates and Interests, which the said Person or Persons, attainted or to be attainted, within such Days and Times as aforesaid, or any in Trust for them, or any of them, had or shall have had therein as aforesaid, or did or might forfeit by such Attainder, stand and be forfeited to his Majesty, his Heirs and Successors, and shall be deemed, vested and adjudged, and are hereby declared and enacted to be in the actual and real Possession of his Majesty, without any Office or Inquisition thereof hereafter to be taken or found, and without any Declarator or Forfeiture to be obtained.

The Estates Real and Personal of certain Traitors vested in his Majesty.

II. And to the end that all the Estates of the said Traitors, of what Nature soever, within that Part of *Great Britain* called *Scotland*, hereby, or otherwise vested, or hereby intended to be vested in his Majesty, and the yearly and other Values thereof, and all Incumbrances thereupon, may be the better discovered, known, described and ascertained, and that the Rents, Issues and Profits thereof may be recovered and brought in for the Use of his Majesty, and that due Examination be taken, and Satisfaction made of all just and lawful Claims to, upon or out of the said Estates, or any of them; Be it further enacted by the Authority aforesaid, That the Lord Chief Baron, and other Barons of the Court of *Exchequer* in *Scotland* for the time being, or any three or more of them, are hereby authorized, impowered and required to inquire into all such Estates, both Real and Personal, within that Part of *Great Britain* called *Scotland*, as are hereby or otherwise vested, or hereby intended to be vested in his Majesty; and to cause all and every the Rents, Issues and Profits of the said Real Estates, until Sale thereof, to be effectually levied and paid unto the Receiver General of his Majesty's Land Rents, and Casualties in *Scotland*, for the time being, who is hereby required to pay the same forthwith into the Receipt of his Majesty's Exchequer at *Westminster*, for his Majesty's Use; and to account for the same, in like Manner, as other publick Monies received and paid by him into the said Receipt, are accounted for by him; and to levy, raise, secure and cause to be sold, all such Goods, Debts, and Personal Chattles and Estates, within *Scotland*, as are hereby, or otherwise vested in his Majesty, and to sell the said Real Estates, after the Claims relating to such Estates respectively shall be determined, or otherwise dispose of the same in the Manner herein after provided; and out of the Rents and Produce of the said Estates, Real or Personal, to cause Payment or Satisfaction to be made of such Sums of Money, as shall be due to any Claimants upon the same; and in the Execution of the Premisses, the said Barons shall and may proceed in Virtue of the Power hereby granted to them, in a summary Way, without the Formalities usually practised or observed in their Proceedings, as a Court of Justice.

Barons of the Exchequer in Scotland, to inquire into the forfeited Estates; and to cause the Rents to be paid to his Majesty's Receiver General, &c.

and the Personal Estates, &c. to be seized and sold, after Claims determined, &c.

Barons to proceed in a summary Way.

III. And for the better enabling the said Barons of the said Court of *Exchequer*, to put in Execution all the several and respective Powers and Authorities by this Act committed to their Charge and Trust; Be it further enacted, That on or before the twenty-sixth Day of *July* in the Year of our Lord one thousand seven hundred and forty-seven, all and every Officer and Officers who has or have, or shall, before the said Day, have the Custody of any Record or Records of the Attainder of any such Traitor or Traitors (other than of such who have been, or shall be attainted by Act of Parliament) shall transmit, or cause to be transmitted to the King's Remembrancer, in the Court of *Exchequer* at *Edinburgh*, or his Deputy, Estreats or Certificates under their respective Hands, or the Hands of their lawful Deputies, containing Lists of all the Persons, who since the twenty-fourth Day of *June* in the Year one thousand seven hundred and forty-five, shall appear by the said Records in their respective Custody, to have been adjudged to be guilty of High Treason; which Lists shall contain the Names, Titles and Additions of such Persons, the Species of Treason, of which, and the respective Times, Places and Courts, when and where they were so attainted; and after the said twenty-sixth Day of *July*, the like Officers shall, from time to time, cause to be transmitted to the Office of the King's Remembrancer at *Edinburgh*, the like Estreats or Certificates, or Lists of all other Attainders for High Treason, had at any Time before the twenty-fourth Day of *June* one thousand seven hundred and forty-eight, and that within the Space of thirty Days after such Attainders; all which Estreats, Certificates or Lists, the King's Remembrancer in the Court of *Exchequer* at *Edinburgh*, or his Deputy, shall enter in a Book to be provided and kept by him for that Purpose.

Lists of Persons adjudged *guilty* of High Treason, to be transmitted to the King's Remembrancer at Edinburgh;

Lists of other Attainders to be transmitted,

to be entered in a Book.

Extract from the Book of Record to be admitted as Evidence.

IV. And it is hereby enacted, That an Extract from that Book, ſigned by the ſaid Remembrancer, or his Deputy, certifying that any Perſon therein mentioned was attainted of High Treaſon, ſhall be taken and held as ſufficient Evidence of ſuch Attainder in all Courts of Juſtice within *Scotland*, ſo far as may concern the Execution of this Act, as fully as if the Record of ſuch Attainder were produced in ſuch Courts.

The Barons to appoint Officers for the Execution of this Act.

Officers Fees allowed by the Barons.

Officers to take Oaths.

V. And be it enacted by the Authority aforeſaid, That the ſaid Barons of Exchequer, or any three of them, ſhall, and they are hereby authorized, from time to time, by and with the Approbation of the Commiſſioners of his Majeſty's Treaſury, or the High Treaſurer for the time being, to appoint and employ proper Perſons to be Surveyors, Meſſengers, or other neceſſary Officers for the Execution of this Act; which Surveyors, Meſſengers and Officers reſpectively, are hereby required faithfully to execute and perform the Truſt in them reſpectively repoſed, without taking any thing for ſuch their Service (other than ſuch Fees, Salaries or Rewards, as the ſaid Barons, or any three of them, by and with ſuch Approbation as aforeſaid, ſhall think fit and direct in that Behalf) and every ſuch Surveyor, Meſſenger and Officer, before he enters on the Execution of his Employment, ſhall take the Oaths preſcribed by the Act of the firſt Year of his late Majeſty's Reign, for the further Security of his Majeſty's Perſon and Government, and other Purpoſes therein mentioned; and alſo an Oath for his true and faithful Demeanor in all Things relating to the Truſt repoſed in him by the ſaid Barons, or any three of them; and that he will not, directly nor indirectly, receive or take any Fee or Reward, or expect or accept the Promiſe of any Fee or Reward, for any Thing whatſoever to be done by him in the Execution of the ſaid Truſt (except what ſhall be ſettled or allowed by the ſaid Barons, or any three of them) and that he will not directly nor indirectly have any Part, Share, or Intereſt, or make any Benefit by any Diſcovery of any forfeited or forfeitable Eſtate or Intereſt whatſoever, intended to be applied to the Uſe of his Majeſty, in purſuance of this Act, or conceal, or cauſe or procure to be concealed, the ſame, or any Part thereof.

Salaries and other Charges to be paid by the Receiver General.

Salaries of inferior Officers exempted from Taxes.

VI. And be it further enacted by the Authority aforeſaid, That there ſhall and may be paid to ſuch Perſon or Perſons as the ſaid Barons, or any three of them, by and with ſuch Approbation as aforeſaid, ſhall nominate, by way of Impreſt, and upon Account, for Payment of Salaries of inferior Officers to be employed under them, and for incident Charges in or for the Performance of the ſeveral Truſts by this Act committed to the ſaid Barons, ſuch Sums of Money, as the ſaid Commiſſioners of his Majeſty's Treaſury, or the High Treaſurer for the time being, judge to be neceſſary and reaſonable in that Behalf, out of ſuch Monies as ſhall, from time to time, be or remain in the Hands of the ſaid Receiver General, by virtue of any of the Clauſes, Matters or Things in this Act contained; and that the ſaid Salaries of inferior Officers ſhall not be liable to any Taxes or Aſſeſſments by any Act of Parliament made or to be made; any Law or Statute to the contrary notwithſtanding.

The Barons may meet and act without Adjournment;

and ſend for Perſons and Papers;

and adminiſter Oaths.

VII. And be it enacted by the Authority aforeſaid, That the ſaid Barons, or any three or more of them, ſhall and may meet, act and proceed, from time to time, with or without Adjournment, within Term Time, or without; and ſhall and may ſend their Precept or Precepts for any Perſon or Perſons whatſoever to appear before them, and for all ſuch Books, Papers, Writings and Records, as they ſhall think neceſſary for their Information, in any Matters or Things relating to this Act, without any Fee, Charge or Reward to be paid for the ſame; and ſhall and may detain in their Cuſtody ſuch Books, Papers, Writings and Records, ſo long as they ſhall have Occaſion for the ſame, and then return ſuch Books, Papers, Writings and Records to ſuch Perſons to whom they reſpectively belong; and ſhall and may adminiſter Oaths for the better Diſcovery of the Truth of the Enquiries by them to be made, to any Perſon or Perſons therein concerned, or to any other Perſon or Perſons whatſoever; and all Sheriffs, Stewards, Baillies, Conſtables and other Officers and Miniſters whatſoever, are hereby required to obey and execute ſuch Orders and Precepts as ſhall be ſent to them, or any of them, by the ſaid Barons, or any three of them, as they will anſwer the contrary at their utmoſt Perils; and the ſaid Barons, or any three of them, are hereby impowered and required in a ſummary Way, and without the Formalities of Proceedings in the Courts of Law or Equity, to enquire and inform themſelves by and upon the Teſtimony of Witneſſes, upon Oath, Examination of Perſons intereſted, upon their Oaths, Inſpection and Examination of Deeds, Writings and Records, or by all or any of the ſaid Ways and Means, or otherwiſe, according to their Diſcretions, as ſoon as conveniently may be; and to make a Regiſter in Books to be provided for that Purpoſe, of the Names of all ſuch Perſons attainted, or to be attainted of High Treaſon, within the Times aforeſaid, and of all Real and Perſonal Eſtates and Intereſts whatſoever by this Act, or otherwiſe veſted in his Majeſty, for or by reaſon of ſuch Attainder, and by whom any ſuch Eſtate or Eſtates was or were reſpectively forfeited or forfeitable, and what Eſtate or Intereſt every ſuch Perſon attainted, or to be attainted for High Treaſon as aforeſaid, had in any of the Premiſſes on the reſpective Days and Times, on or from which they are hereby, or otherwiſe, veſted in his Majeſty, or at any Time afterwards; and by what Tenures the ſame, or any of them reſpectively, were then holden; and of all Incumbrances whatſoever, to which any of the ſaid Eſtates forfeited or forfeitable for High Treaſon, were liable or ſubject before, and upon the ſame Days and Times reſpectively: And in caſe any Perſon or Perſons, ſummoned to appear before the ſaid Barons for Diſcovery of the Premiſſes, ſhall neglect or refuſe to appear, or be examined as aforeſaid; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Barons, or any three of them, to commit the Perſon and Perſons ſo neglecting or refuſing as aforeſaid, to the Common Gaol of the County, Shire or Stewartry reſpectively; there to remain without Bail or Mainprize, until ſuch Perſon or Perſons ſhall conform themſelves, and ſubmit to be examined as aforeſaid: And if any Officer or Officers ſhall neglect or refuſe to give Obedience to the Precepts and Orders of the ſaid Barons, or any three of them, for the due Execution of this Act, then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Barons, or any three or more of them, to impoſe any Fine upon ſuch Officer or Officers, not exceeding fifty Pounds Sterling, for any one Offence; and to commit ſuch Officer or Officers, till ſuch Fine ſhall be paid unto the ſaid Receiver General for the Uſe of his Majeſty.

Perſons refuſing to appear to be committed.

Penalty on Officers on Default of Duty.

VIII. And

VIII. And for encouraging all and every Person and Persons whatsoever any ways indebted, or liable to pay to any such forfeiting Person or Persons, any Sum of Money hereby or otherwise vested in his Majesty as aforesaid, to make a speedy Discovery thereof to the said Barons, or any three or more of them, and to pay a Proportion thereof as this Act directs; Be it enacted by the Authority aforesaid, That every such Person who shall make a full and true Discovery to the said Barons, or any three or more of them, of any concealed Debt, or Sum of Money so due and payable unto any Person or Persons attainted, or to be attainted of High Treason within the Days and Times aforesaid (not being a Debt by Judgment, Statute, Recognizance, or on any registered Bond or Contract) and pay two third Parts thereof within the respective Times following (that is to say) of Debts owing to Persons attainted before the first Day of *May* in the Year one thousand seven hundred and forty-seven, on or before the first Day of *December* in the Year one thousand seven hundred and forty-seven, and of Debts owing to Persons attainted afterwards, before the Expiration of six Calendar Months after such Attainders respectively, unto the said Receiver General, for the Use of his Majesty, shall be and are, by Force and Virtue of this Act, released and discharged of the entire Debt, or Sum of Money so due and payable as aforesaid; but all and every Person and Persons so indebted, or liable as aforesaid, who shall neglect to make such Discovery to the said Barons, within the respective Times aforesaid, shall forfeit double the Value of such Debt or Sum of Money; to be recovered by Action, Bill, Suit or Information, to the Use of his Majesty as aforesaid; and all and every Person or Persons who were, or have been, or shall have been possessed of any Personal Goods or Chattles, of or belonging to any such Persons attainted, or to be attainted of High Treason as aforesaid, when the same became forfeited, or afterwards, or shall be thereof possessed before the first Day of *July* one thousand seven hundred and forty-seven, are hereby strictly charged and required to discover and make known the same to the said Barons, before the said first Day of *December* one thousand seven hundred and forty seven; and the said Barons, or any three or more of them, shall and may thereupon allow to every Person discovering the same, such Proportion as they shall think reasonable for such Discovery, not exceeding one full fourth Part of the said Personal Goods and Chattles, or the Proceeds thereof; but all and every Person and Persons, having such Goods and Chattles in his, her or their Custody and Power, and neglecting to discover the same before the said first Day of *December*, shall, for such Offence, forfeit double the Value of such Personal Goods or Chattles, to be recovered for the Use of his Majesty as aforesaid; and the said Barons, or any three or more of them, are hereby authorized and impowered to make any such Compositions or Agreements, touching any such Debts, or Personal Goods or Chattles so as aforesaid to be discovered, as the said Barons, or any three or more of them, shall, in any such Case, on due Consideration of the Nature thereof, or Circumstances of the Parties concerned therein, think fit and reasonable; which Compositions or Agreements shall be valid in Law, so as the Monies payable upon every such Composition or Agreement be paid unto the said Receiver General for the Use of his Majesty, within the respective Times allowed by the said Barons, or any three or more of them, for Payment thereof; and where any of the said Debts are secured by Bonds or Obligations with Penalties, or are due and owing upon Accounts not adjusted, the said Barons, or any three or more of them, are hereby authorized to state, settle and determine the same; and that every Person, not being so indebted, or not being possessed of such Personal Goods and Chattles as aforesaid, who shall at any Time after the said first Day of *July*, and before the first Day of *December*, discover to the said Barons, or any three or more of them, any such Debts, or Personal Goods and Chattles concealed until the Time of such Discovery, shall be intitled, by virtue of this Act, to have and receive for his or their Reward, so much as the said Barons, or any three or more of them, shall judge to be reasonable, not exceeding one fourth Part of such Debts, or one fourth Part of such Personal Goods or Chattles, or of the Value thereof so discovered after Recovery of the same, to be paid over and delivered to him, her or them, by Warrant of the said Barons, or any three or more of them, from time to time; and that every Person who shall, after the said first Day of *July*, and before the said first Day of *December*, discover to the said Barons, or any three or more of them, any Lands, Tenements, Rents, Hereditaments, or Chattles Real, forfeited as aforesaid, and concealed until the Time of such Discovery, shall be intitled, by virtue of this Act, to have and receive for his or her Reward, such Proportion of the said Lands, Tenements, Rents, Hereditaments and Chattles Real, as the said Barons, or any three or more of them, shall judge to be reasonable, not exceeding one fourth Part thereof, or of the Value of the same, after Recovery thereof; and the said Barons, or any three or more of them, shall deliver Certificates, under their Hands and Seals, to all and every Person and Persons, who shall make any such Discovery or Discoveries as aforesaid, specifying the Lands, Tenements, Rents, Hereditaments, Chattles or Real Estates, by him or her so discovered, and the Part, Share or Proportion thereof, or of the Value of the same, which he, she or they ought to have in respect thereof; and the said Barons are hereby impowered and required to cause to be paid, delivered, assured or conveyed, such Parts, Shares and Proportions, to the said Discoverers, their Heirs, Executors, Administrators and Assigns respectively, and that as soon as conveniently may be, after the Time shall be elapsed for entering Claims in Manner herein after mentioned, on the Estates Real or Personal so discovered, as to such Estates Real or Personal, upon which no Claim shall be entered, and as soon as conveniently may be after such Claim or Claims as shall be entered, relating to such Estates Real or Personal respectively, shall be determined.

Persons discovering Debts, &c. payable to Persons attainted,

and paying two Thirds thereof by the Times limited,

to be discharged,

Person indebted, not making Discovery, to forfeit double Value.

Persons possessed of Goods, &c. making Discovery,

to be allowed a Fourth;

and on Default, to forfeit double Value.

Barons may make Compositions for such Debts, or Chattles;

and settle Bond Debts, &c.

Persons not indebted, &c. making Discovery,

allowed a Fourth.

Persons discovering concealed Estates, &c.

intitled to a Fourth.

Barons to give Certificates to Persons making Discoveries;

and to cause their Shares to be paid, &c.

IX. Provided always, That the Shares of the Estates Real or Personal so discovered, that shall be allowed to the Discoverers, shall suffer a Deduction or Abatement proportional to the Claims to, upon or out of the same respectively, which shall be made and affirmed.

Deductions for Claims out of the Shares allowed to Discoverers.

X. And to the Intent the Personal Goods and Chattles herein before, or otherwise vested in his Majesty, may be disposed of, and the Value thereof applied to the Use of his Majesty, Be it further enacted by the Authority aforesaid, That the said Barons shall, as soon as conveniently may be, use their utmost Endeavours to secure all such Goods and Personal Chattles, in such Places, and in the Custody of such Persons as shall be thought most proper by the said Barons, for preventing the perishing, or any Loss or Embezzlement thereof; and shall make, or cause to be made, a true and perfect Inventory or Inventories thereof, containing a true and particular Account of all such Goods and Chattles, by whom they were forfeited, and when, and by whom.

The Goods to be secured from Embezzlement;

and Inventories and Appraisements to be made.

whom delivered to the ſaid Barons, or any Perſons by them appointed to receive the ſame; and ſhall alſo cauſe a juſt Appraiſement thereof to be made, upon the Oaths of any two Perſons, to be appointed by the ſaid Barons, or any three or more of them, for that Purpoſe (which Oath the ſaid Barons, or any three or more of them, have hereby Power to adminiſter); and the ſaid Barons, or any three or more of them, are hereby authorized and required to ſell all and ſingular ſuch Goods and Chattles ſo inventoried and appraiſed, according to their beſt Skill and Judgment; and for that Purpoſe ſhall cauſe publick Notice to be given by the Space of ten Days, at leaſt, of the Time and where they intend to begin to expoſe to Sale any Part or Parcel thereof, and of the ſeveral Particulars then and there to be ſold, at which Time they ſhall ſell the ſame by Cant or Auction, to ſuch Perſon or Perſons who ſhall bid moſt for the ſame; and immediately upon every ſuch Sale or Contract, ſhall cauſe an Entry to be made in their Book, of all and every the Perſonal Goods and Chattles ſo ſold or contracted for, and of the Buyers Names and Places of Abode, and the Prices agreed upon; and for the further Aſſurance thereof to the Buyers, the ſaid Barons, or any three or more of them, ſhall give a Certificate under their Hands and Seals, unto the Buyers reſpectively, expreſſing the Particulars ſo by them bought, the Prices and Time of Sale; and every ſuch Buyer ſhall thereupon pay the ſaid Prices unto the ſaid Receiver General, at ſuch Time or Times, as ſhall be agreed upon with the ſaid Barons, for the Uſe of his Majeſty; and the ſaid Barons, or any three or more of them, being ſatisfied with the Payment thereof, ſhall forthwith order the Particulars ſo bought and paid for, to be delivered to the Buyer or Buyers, his, her or their Aſſigns; and in caſe any Perſon or Perſons who ſhall have contracted for any ſuch Perſonal Goods or Chattles as aforeſaid, ſhall make any Default in Payment of the Monies contracted for, he, ſhe or they ſhall forfeit one third of the Sum which the ſaid Goods were contracted for; and the ſaid Barons, or any three or more of them, may and ſhall proceed to a new Sale of all and every ſuch Perſonal Goods and Chattles, for which ſuch Default ſhall be made, unto any other Perſon or Perſons, as if no Sale thereof had before been made.

The Goods to be ſold by Auction.

Entry to be made of the Goods, and the Perſons to whom ſold.

Buyers to have Certificates:

On Payment the Goods to be delivered.

Buyers not making Payment, to forfeit one third, and the Goods be ſet up again.

XI. And be it enacted, That all and every Perſon and Perſons, who ſince the twenty-fifth Day of *June* one thouſand ſeven hundred and forty ſix, have entered into or upon any of the ſaid forfeited Eſtates, or any Part thereof, and held and enjoyed the ſame without any lawful Title thereunto, ſhall be reſponſible for all and every the Profits of the ſame Premiſſes, during the Time of his, her or their Occupation thereof, and ſhall anſwer and pay the Value thereof unto the ſaid Receiver-General, at ſuch Days or Times as ſhall be appointed by the ſaid Barons, or any three or more of them, or in Default thereof ſhall forfeit double the Value of the ſame Profits by him, her or them received, for the Uſe of his Majeſty.

Perſons entering upon forfeited Eſtates, after 25 June 1746. not paying the Profits,

to forfeit double.

XII. Provided nevertheleſs, if any ſuch Perſon or Perſons ſhall, on or before the firſt Day of *December* one thouſand ſeven hundred and forty-ſeven, diſcover to the ſaid Barons ſuch Lands, Tenements or Hereditaments ſo by them enjoyed (the ſame being concealed till the Time of ſuch Diſcovery) all and every ſuch Perſon and Perſons are hereby declared to be diſcharged of and from any Account of the Profits thereof received or had before the ſaid firſt Day of *December*: And whereas it is likely, that ſince the ſaid twenty-fifth Day of *June*, the Occupiers of ſeveral of the ſaid forfeited or forfeitable Eſtates and Intereſts, and other the Premiſſes or others, may have preſumed to commit great Spoil, Waſte and Deſtruction upon the ſame Eſtates, by cutting down great Quantities of Timber-trees and other Trees, Woods, Groves and Coppices, and otherwiſe; Be it further enacted, That every ſuch Occupier and all and every other Perſon and Perſons, who ſince the ſaid twenty-fifth Day of *June* have committed, or at any Time before the Sale or Sales of ſuch Premiſſes, to be made in purſuance of this Act, ſhall commit any ſuch Spoil, Waſte or Deſtruction, ſhall pay Treble Damages for the ſame, to be aſcertained by the ſaid Barons in a ſummary Way; and for the ſpeedy levying thereof to his Majeſty's Uſe, the like Execution ſhall iſſue forth as in caſe of a Debt due to his Majeſty.

On their Diſcovery,

to be diſcharged.

Committing Spoil,

to pay Treble Damages.

XIII. And to the end that all and every the Rents, Iſſues, and Profits of the ſaid Eſtates may for the future, and until Sale thereof as aforeſaid, be effectually levied and paid into the ſaid Exchequer; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Barons, or any three or more of them, by and with the Approbation of the ſaid Commiſſioners of the Treaſury, or of the High Treaſurer for the time being, to appoint Stewards, Receivers, Bailiffs or Factors on the ſaid forfeited Eſtates, with full Power to lett and ſet the ſaid Eſtates for any Term not exceeding three Years, and to receive the Rents and Profits, and to grant Diſcharges and Acquittances thereof, and to hold Courts and paſs Decrees for Payment of Rents, and to put the ſaid Decrees in Execution, and to do all Acts, Matters and Things neceſſary for managing the ſaid Eſtates uſually done by Stewards, Receivers, Bailiffs or Factors, on the ſaid reſpective Eſtates, according to the Laws in *Scotland*, and particularly to pay yearly out of the ſaid Rents, the Stipends or Salaries of Miniſters and Schoolmaſters, and the Ceſs or Land Tax that ſhall by Law be payable out of ſuch Eſtates; the Pay or Salaries of which Stewards, Receivers, Bailiffs or Factors, ſhall not exceed the tenth Part of the yearly Value of the Rents and Profits of the forfeited Eſtates, for the Management of which they ſhall be reſpectively appointed.

Stewards to be appointed.

The Miniſters. &c. Money and Land Tax to be paid.

Stewards Salary.

XIV. Provided always, That all and every Steward, Receiver, Bailiff or Factor to be ſo appointed, before he enter on the Execution of his Office, or be capable to perform any Part thereof, ſhall be approved of as aforeſaid, and ſhall take the Oaths appointed to be taken by the ſaid Act of the firſt Year of his late Majeſty, and ſhall give Bond to the King's Majeſty for a Sum not leſs than two Years Rent of ſuch Eſtate or Eſtates as he ſhall be appointed Steward, Receiver, Bailiff or Factor over, with ſufficient Security for the Payment thereof, in caſe he ſhall fail to pay to the ſaid Receiver General at ſuch Days and Times as he ſhall be thereto required by the Precept of the ſaid Barons, or any three or more of them, all and every Sum or Sums by him received out of the Eſtate or Eſtates on which he ſhall be appointed Steward, Receiver, Bailiff or Factor, and to account for all ſuch Sums as ſhall remain due and payable in the Hands of the Tenants or Poſſeſſors at the Time of his accounting, by producing Evidence that he hath uſed all due and lawful Means and Diligence for recovering of all ſuch Sums ſo remaining due and payable; and all and every

Steward to take the Oaths;

and to give Security.

Steward,

Steward, Receiver, Bailiff or Factor, shall be fully acquitted and discharged by the said Exchequer, upon his paying and accounting as aforesaid.

Sequestrations of the forfeited Estates, made otherwise, to be null.

XV. And be it further enacted, that all and every Sequestration, Suspension, Arrestment and other Act and Decree made and passed in any Court of Judicature since the first Day of *August* one thousand seven hundred and forty-five, or which shall hereafter be made or passed, otherwise than according to the Directions of this present Act, whereby any Right, Title, Charge or Interest in, to, out of or upon any of the said forfeited Estates, hath been or shall be decided and determined in Favour of any Creditor or Persons claiming Interest therein, or whereby any Person or Persons have been or shall be intitled to possess any Part of the said Estates, Real or Personal, or to levy, receive or discharge any Part of the Rents and Profits of the same by any such Decrees or Sentences, or without any lawful Title, are hereby declared to be void, null and of no Effect, as if the same had never been made or passed.

Persons who have taken Possession by Sequestration, &c. since 1 Aug. 1745, to account.

'XVI. And whereas several Persons in Possession of the Messuages, Lands, Tenements and Heredita-
'ments which shall have been found by the said Barons to be forfeited and vested in his Majesty by virtue
'of this Act, or who have received the Rents and Profits of the same since the twenty-fifth Day of *June*
'one thousand seven hundred and forty-six, or are otherwise indebted to his Majesty by virtue of this Act,
'may refuse or neglect to pay the same unto the said Receiver General, according to the Direction of this
'Act;' Be it therefore enacted by the Authority aforesaid, That the said Barons, or any three or more of them, shall and they are hereby impowered and required to call to account all and every Person or Persons, their Heirs, Executors, Administrators and Successors, who by virtue of any Sequestration or other Decree, made and passed by any Court of Judicature since the first Day of *August* one thousand seven hundred and forty-five, or by virtue of any other Right or Title, hath taken or retained, or shall take or retain Possession of any Part of the said forfeited Estates, Real or Personal, or have levied or discharged, or who shall levy, receive or discharge any Part of the said Rents, Issues or Profits of the said Estates (not herein before excepted) which have become due since the twenty-sixth Day of *June* one thousand seven hundred and forty-six, for his or their Possession or Intromissions with the same, or who have incurred or shall incur any Penalty or Penalties, or are otherwise indebted to his Majesty by virtue of this Act, and upon his, her or their Appearance or Neglect, or Refusal thereof, after being thereto duly required by Precept as aforesaid, the said Barons, or any three or more of them, shall, and they are hereby impowered and required in a summary Way, without the Formalities of Proceedings in the Courts of Law or Equity, to enquire and inform themselves, by and upon the Testimony of Witnesses upon Oath, Examination of Persons interested, upon their Oaths, Inspection and Examination of Deeds, Writings, Accounts and Records, or by all or any of the said Ways and Means, or otherwise, according to their Directions, as soon as conveniently may be, to state and settle the Sums due and payable by every such Person or Persons for or on account of their said Intromissions, Debts, Penalties or Forfeitures aforesaid, and to direct their Precepts, ordering them, their Heirs, Executors, Administrators and Successors, to make Payment of the Money appearing to be due thereupon unto the said Receiver General, and to deliver up to the said Barons, or any three or more of them, or their Order, all such forfeited Goods and Chattles as have been or shall be intromitted with and possessed by them, at such Days and Times, as by the said Barons, or any three or more of them, shall be limitted and appointed by their said Precepts; and in case of Neglect or Refusal to comply with the said Precepts, the said Barons, or any three or more of them, are hereby authorized and impowered to order such Proceedings to be had thereupon, as if the Contents of such Precepts had been duly found by Inquisition taken and returned into the said Court of Exchequer.

Barons to proceed in a summary Way, &c.

and to direct their Precepts for Payment of the Sums due,

and for delivering up the forfeited Goods, &c.

XVII. And to the end that all and every the said Estates and Interests hereby, or otherwise vested in his Majesty, whereof the said Barons of Exchequer shall upon Enquiry make Discovery, and seize or recover the Possession, may be duly published, so as all Persons having Interest may have Notice thereof, in such Manner as they may enter their Claims upon the same, in the Manner herein after provided; Be it enacted by the Authority aforesaid, That the said Barons of Exchequer shall cause the Register, or Books herein appointed to be kept, of the Names of all Persons attainted of High Treason within the Times aforesaid, and of all Real and Personal Estates and Interests by this Act, or otherwise, vested in his Majesty, or an authentick Copy or Duplicate of such Books, to be kept by a proper Officer, who shall make the same open and patent to the Inspection of all Persons who shall demand the same, betwixt the Hours of ten and twelve in the Forenoon, upon any lawful Day, without any Fee or Reward; and in the said Books shall be expressed the Dates when the Entries of the several Estates Real or Personal that shall be there ingrossed, were made; and the said Barons, or any three or more of them, shall also transmit to the said Commissioners of his Majesty's Treasury, or the High Treasurer of *Great Britain* for the time being, an authentick Copy of the said Register or Books.

Register of the forfeited Estates to be kept.

Copy of the Register to be transmitted to the Treasury.

XVIII. And it is hereby further enacted, That when any Real or Heretable Estate shall be entered in the said Register, the said Barons shall, from time to time, within the Space of one Month after such Entry, transmit or cause to be transmitted, an authentick Copy or Duplicate of every such Entry to the Sheriff of the Shire or Steward of the Stewartry, within which the Lands or other Heretable or Real Estate are situated; and every such Sheriff or Steward shall and is hereby required, within twelve Days after he shall receive such Duplicate or Copy, to cause the same to be published at the Market Cross of the Head Burgh of the Shire or Stewartry, and to cause to be inserted in a Book to be provided and kept for that Purpose by the Clerk to such Sheriffs or Stewarts Courts; all which Books shall be made open and patent to any Persons demanding Inspection of the same, upon any lawful Day between the Hours of ten and twelve in the Forenoon, without Fee or Reward.

Duplicate of the Entries to be sent to the Sheriff.

Sheriff to give Notice.

XIX. And be it further enacted, That all and every the Estates and Interests which shall be entered in the Register, to be kept by the said Barons of the Exchequer, according to the Directions of this Act, to or upon which no Claim shall be entered within the Time, and in the Manner herein after prescribed, shall be deemed and taken against all Persons, and to all Intents and Purposes, to be vested in his Majesty in virtue

Estate to vest in his Majesty, where no Claims are entered;

of this Act; and ſuch Eſtates and Intereſts as ſhall be ſo entered in the ſaid Regiſter, and to or upon which Claims ſhall be entered, ſhall in like Manner be deemed and taken to be veſted in his Majeſty; ſubject only to ſuch Burden, Diminution or Eviction as ſhall ariſe from the Determination of the Claims that ſhall be ſo entered, and no otherwiſe.

and where claimed, upon Payment of the Debts.

XX. And to the End that all and every the ſaid Eſtates and Intereſts herein before veſted in his Majeſty, may be diſpoſed of in the moſt beneficial Manner, and the Produce and Value thereof applied for the Payment and Satisfaction of ſuch Claims out of the reſpective Eſtates as ſhall be decreed to be juſt and lawful, and the Remainder for the Uſe of his Majeſty, his Heirs and Succeſſors; Be it further enacted, That in caſe his Majeſty, his Heirs or Succeſſors, ſhall not make effectual Proviſion for the Payment or Satisfaction of all ſuch Debts and Claims within the Space of twelve Months after the ſame ſhall be reſpectively adjudged, then it ſhall be lawful for the ſaid Barons, or any three of them, and they are hereby required to ſell, or cauſe to be ſold, ſo much of the Eſtates of the attainted Perſons, as they ſhall judge neceſſary to be ſold for Satisfaction of the Debts and Claims affecting the ſame, and apply the Money ariſing by the Sale thereof reſpectively, in Diſcharge of the ſeveral Debts or Claims to which they ſhall be adjudged to be liable.

Eſtates to be ſold, where his Majeſty ſhall not diſcharge the Claims within 12 Months.

XXI. Provided nevertheleſs, That if his Majeſty, his Heirs or Succeſſors ſhall, after the Expiration of the ſaid Time, make effectual Proviſion for the Payment or Satisfaction of all the Debts or Claims upon any ſuch Eſtate, and ſhall, before the ſame is ſold, by Warrant or Warrants under his or their Sign Manual, at any Time or Times direct any ſuch Eſtates not to be ſold; then the ſaid Barons ſhall not proceed in the Sale of any Eſtates ſo prohibited to be ſold; and in reſpect of the Sale of the ſaid Eſtates, or any Part thereof, the ſaid Barons of the Exchequer are hereby authoriſed and required to proceed in ſuch Manner and Form, and according to ſuch Rules as the Barons of the Court of Exchequer in *Scotland* were directed to obſerve, by an Act made in the thirteenth Year of the Reign of his late Majeſty, intituled, *An Act for Sale of ſuch of the forfeited Eſtates in that Part of* Great Britain *called* Scotland, *as remain unſold and are veſted in the Crown; and for determining ſuch Claims on the ſaid Eſtates as having been duly entered, remain undetermined.*

Eſtates not to be ſold where his Majeſty ſhall ſo order, and make Payment of the Claims.

13 Geo. 1. c. 28.

XXII. And that no Perſon or Perſons whatſoever having any Eſtate, Right, Title or Intereſt in Law or Equity, in, to or out of any of the forfeited or forfeitable Eſtates and Premiſſes, may be in any reſpect prejudiced by this Act, Be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, Bodies Politick and Corporate (other than and except all ſuch forfeiting Perſons as aforeſaid, and the Heirs, Executors, Adminiſtrators and Aſſigns of every of them, and all and every Perſon and Perſons having or claiming any Thing in the Premiſſes, or any Part thereof, to the Uſe of or in Truſt for any ſuch forfeiting Perſons, or their or any of their Heirs, Executors or Adminiſtrators) having any Eſtate, Right, Title, Intereſt, Uſe, Truſt, Poſſeſſion, Reverſion, Remainder, Office, Annuity, Service, Rent, Debt, Benefit, Charge or Incumbrance whatſoever in Law or Equity, in, to or out of, or upon any Caſtles, Honours, Manors, Meſſuages, Lands, Tenements, Rents or Hereditaments whatſoever, or to any Real or Perſonal Eſtate, or any other the Premiſſes whatſoever, herein before or otherwiſe veſted in his Majeſty, by or under any Settlement, Conveyance, Judgement, Statute, Recognizance, Extent or other Debt, Charge or Incumbrance, affecting or which was binding on the forfeiting Perſons, and might have affected the ſame Eſtate, before the reſpective Days and Times whereon the ſame was veſted in his Majeſty as aforeſaid, and alſo all and every Perſon and Perſons, Bodies Politick and Corporate, pretending to have Right or Title to any Eſtate, which ſhall have been ſeized or ſurveyed by the ſaid Barons for the Uſe of his Majeſty, and who ſhall pretend that none of the Perſons attainted ſince the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, and before the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-eight, for High Treaſon, was ſeized or poſſeſſed of, or intereſted in, or intitled unto ſuch Eſtate in his, her or their own Right, or to his, her or their own Uſe, nor any other Perſon in Truſt for them, or any of them, on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, or at any Time ſince, or that they have Right or Title to ſuch Eſtate, ſhall, within the Space of three Months, to be reckoned from and after the Date of the Entry that ſhall be made in the Regiſter Book in the Exchequer of any Perſonal Eſtate, and in caſe of Real Eſtates, within ſix Months of the Entry of the Regiſter, to be kept in the County or Stewartry where ſuch Eſtate lies, in Manner herein before directed, of the Eſtate or Intereſt in, to or out of which ſuch Claims and Demands are to be made reſpectively, enter all their reſpective Claims and Demands before the Court of Seſſion in *Scotland*, in ſuch Manner as is herein after mentioned; or in Default thereof every ſuch Eſtate, Right, Title, Intereſt, Uſe, Poſſeſſion, Reverſion, Remainder, Office, Annuity, Service, Rent, Debt, Charge or Incumbrance in, to out of or upon the ſaid Premiſſes, or any Part thereof, ſhall be and is hereby declared to be null and void to all Intents and Purpoſes whatſoever; and the Eſtate or Eſtates ſo as aforeſaid, liable unto or charged therewith, ſhall from thence be freed, acquitted and diſcharged of and from the ſame; and all ſuch Claims and Demands of Infants ſhall and may be made by their Fathers or Guardians, or any other Perſons in their Behalf; and all Claims of Femes Covert by their Huſbands or any other Perſons on their Behalf; and all Claims of Madmen, Ideots or Lunaticks by ſuch Perſon or Perſons, under whoſe Care or Cuſtody they are or ſhall be at the Time of entering ſuch Claims; and that all ſuch Claims ſhall be made and tendered to the Court of Seſſion in Time of Seſſion, or to the Lord Ordinary on the Bills in Time of Vacance, written in Parchment, and ſigned by the Party or Parties making the ſame, or ſuch other Perſon or Perſons on his, her or their Behalf as aforeſaid, or ſigned by the Attornies or Factors of the Party or Parties having the Intereſt claimed; and ſuch Signing ſhall be teſtified by two or more credible Witneſſes, who ſhall ſubſcribe their Names to atteſt the ſame; and every Claimant ſhall therein particularly expreſs what Eſtate, Right, Title, Intereſt, Uſe, Poſſeſſion, Reverſion, Remainder, Office, Annuity, Service, Rent, Debt, Benefit, Charge or Incumbrance he or ſhe demand or claim in, to, out of or upon any Part of the Premiſſes by and under what Grant, Gift, Settlement, Conveyance, Security, Title or Incumbrance, he or ſhe do claim the ſame; and if ſuch Party claimant hath, demands or claims any Eſtate, Right, Title or Intereſt in or to any Part of the Premiſſes, by virtue of any Incumbrance, for any Debt or Sum of Money whatſoever, ſuch Party ſhall

Claims on Perſonal Eſtates, &c. to be made within 3 Months,

and Claims on Real Eſtates, within 6 Months;

Claims of Perſons incapacitated, by whom to be made;

where to be tendered, &c.

ſhall alſo in his Claim ſet forth ſuch Incumbrance, and the Dates and Contents thereof, and the Witneſſes thereto; and if the ſame be recorded, when and where the ſame was entered on Record, and whether ſuch Debt and Sum of Money was and is really due, and remains wholly unpaid and unſatisfied, and what Part and how much thereof has been really and truly ſatisfied, by Money paid, Perception of Profits, or by any other Ways or Means whatſoever; and every ſuch Claim ſhall be tranſcribed by Order of the ſaid Court, and entered in Books to be provided and fairly kept by them for that Purpoſe; and the ſaid Court of Seſſion is hereby impowered and required to proceed in a ſummary Way, without abiding the Courſe of any Roll, as well out of as in Term Time, to hear and determine all ſuch Claims; and every ſuch Decree of the Court of Seſſion ſhall be final, and binding upon all Parties concerned, in caſe thirty Days, on any of which ſuch Proceedings as are uſual and competent by the Laws of *Scotland*, for reverſing or amending ſuch Decrees, ſhall elapſe without ſuch Proceedings being had, made or commenced by either Party.

Claim to be regiſtered.

Court to proceed in a ſummary Way in determining the Claims.

XXIII. And to the end that due Care may be taken of the Intereſt of his Majeſty in reſpect of ſuch Claims as ſhall be offered as aforeſaid, It is hereby further enacted, That the King's Advocate, or in his Abſence his Majeſty's Solicitor General in *Scotland*, ſhall, and they are hereby impowered and required to provide for making proper Anſwers and Defences on Behalf of his Majeſty, to all ſuch Claims as ſhall be offered as aforeſaid, and for reverſing, affirming or amending the Decrees that ſhall be paſſed upon ſuch Claims as they ſhall ſee Cauſe.

The King's Rights to be defended by his Advocate, or the Solicitor General.

XXIV. And be it further enacted, That the Court of Seſſion ſhall, and they are hereby impowered and required, in a ſummary Way, and without the Formality of Proceedings in the Courts of Law or Equity, to proceed by and upon the Teſtimony of Witneſſes upon Oath, Examination of Perſons claiming or otherwiſe intereſted, upon their Oaths, Inſpection and Examination of Deeds, Writings and Records, or by all or any of the ſaid Ways and Means, or otherwiſe, according to the Circumſtances of the Caſe, as ſoon as conveniently may be, to hear and determine and adjudge all and every Claim and Claims which ſhall be entered within the Times aforeſaid; and that every Party claiming ſhall, if required by the ſaid Court, or by or on Behalf of his Majeſty's Advocate, upon Oath anſwer to the Truth of his or her Claim, and to ſuch proper Interrogatories as the Court or Council for his Majeſty ſhall think fitting for the clearing thereof; and upon Oath, produce before the ſaid Court at their hearing ſuch Claim, all ſuch Deeds, Writings and Evidences as are in his Cuſtody or Power, any ways concerning the ſaid Claim or the ſubject Matter thereof.

Court to proceed in a ſummary Way in Examination of Witneſſes, &c.

Claimants to anſwer upon Oath,

and to produce their Deeds, &c.

XXV. And be it further enacted by the Authority aforeſaid, That where the Claim ſo to be determined as aforeſaid to be juſt and lawful, ſhall contain a Demand of any Sum or Sums of Money, any wiſe affecting any of the ſaid forfeited Eſtates; then, and in ſuch Caſe the ſaid Barons of the Exchequer, or any three of them, ſhall and are hereby expreſly impowered and required to iſſue out Debentures or Certificates to Claimants, for the reſpective Sum or Sums which ſhall be determined to be due and payable to them ſeverally by the Decrees of the ſaid Court of Seſſion; which Debentures or Certificates, with legal Intereſt, ſhall be paid in the firſt Place without any Deduction, Fee or Reward, by the ſaid Receiver General, out of ſuch Rents and Profits as ſhall be paid into his Hands from the reſpective Eſtates upon which the ſaid Claims are allowed.

Certificates to be given for Sums decreed;

to be paid with Intereſt.

XXVI. Provided always, That no ſuch Decree in Favour of any Claimant, or Debenture or Certificate to be iſſued thereupon, ſhall be made for any Sum or Sums on account of Penalties for Failure of Payment at the Day it became due, or for any other Penalties whatſoever.

No Decrees, &c. to be made for any Sum on account of Penalties for Nonpayment.

XXVII. And be it further enacted, That where the ſaid Claim ſhall contain a Demand of any Honours, Caſtles, Manors, Lands, Tenements, Rents, Services, Rents-charge, Hereditaments or other Real Eſtate whatſoever, or any Intereſt therein, and ſhall be adjudged, determined or decreed as aboveſaid to be juſt and legal; then, and in that Caſe, the ſaid Court of Seſſion are hereby authorized to order the Sheriff or Sheriffs, or the proper Officer or Officers of and in the reſpective Counties and Stewartries where the ſame ſhall lie, to cauſe Poſſeſſion to be delivered to ſuch Claimant or Claimants, his, her or their Heirs, Executors, Adminiſtrators or Succeſſors, or to whom they or any of them ſhall appoint; and all and every ſuch Claimant or Claimants, his, her or their Heirs, Executors, Adminiſtrators or Succeſſors, ſhall hold and enjoy the ſame or ſuch Eſtate and Intereſt therein reſpectively, as ſhall be adjudged, determined, or decreed as aforeſaid.

On Claims affirmed, the Claimants to be put into Poſſeſſion.

XXVIII. And to the End that Juſtice may be rendered to the ſeveral Claimants on the ſaid forfeited Eſtates or Intereſts, according to the Priority or legal Preference of their Rights and Diligences; Be it further enacted, That it ſhall and may be lawful for the Court of Seſſion, upon the Application of his Majeſty's Advocate, or of any Claimant whoſe Claim ſhall be affirmed on any of the ſaid forfeited Eſtates and Intereſts, to rank and determine the Order of Preference of the ſeveral Creditors and Claimants on the reſpective Eſtates and Intereſts; and the Judgment to be given by the Court of Seſſion upon ſuch Application, ſhall be of the ſame Force and Effect, as if the ſeveral Creditors or Claimants who ſhall be ſo ranked, had been ſummoned for that Purpoſe, in the uſual Manner, in a Proceſs of Ranking.

Court to adjudge the legal Preference of Claimants, &c.

'XXIX. And whereas during the Dependance of ſuch Ranking, or before the final Deciſion of all the 'Claims on any of the ſaid forfeited Eſtates, it may be juſt and reaſonable that the growing Rents and 'Profits of the ſaid Eſtates, or ſome Part thereof, ſhould be paid over to ſome or other of the preferable 'Creditors or Claimants thereon;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to the ſaid Court of Seſſion, when they ſhall ſee Cauſe, to make Interloquitors, finding any Creditor or Claimant upon ſuch Eſtate, intitled to any Sum or Sums of Money that ſhall be ſpecified in ſuch Interloquitors, and recommending to the Barons of the *Exchequer*, to cauſe the ſame to be paid; and upon Production of ſuch Interloquitor, or an Extract thereof, by the Party obtaining the ſame, to the ſaid Barons of *Exchequer*, or any three of them, they are hereby impowered and required, as ſoon as conveniently may be, to make an Order upon the Receiver General, or upon the Bailiff, Factor or Steward of

Court to make Order for Payment of the Sums ſpecified in the Interloquitors, &c.

the Eſtate in ſuch Interloquitor mentioned, for Payment of the Sum or Sums therein ſpecified, out of the Rents and Profits of ſuch Eſtate.

Conveyances made by Traitors after 24 June 1742,

except in Conſideration of Marriage, &c.

deemed fraudulent.

XXX. And it is hereby further enacted and declared, That all Conveyances and Aſſurances whatſoever, of any Caſtles, Honours, Manors, Lands, Tenements, Rents, Hereditaments or Real Eſtate whatſoever, made at any Time after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-two, by any Perſon who has been ſince attainted or ſhall be attainted as aforeſaid, unto or for his own Uſe, or unto or for the Uſe of his Wife or any of his Children, or in Truſt for himſelf, his Wife or any of his Children (other than ſuch as were made *bona fide* before, and in Conſideration of Marriage, or in Performance of ſome Covenant or Agreement made and reduced into Writing before and in Conſideration of Marriage) and alſo all Aſſurances and Conveyances whatſoever, made at any Time ſince the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-two, by any ſuch Perſon, are hereby declared to be, and ſhall for ever hereafter be deemed and taken to be fraudulent; and that no Claim ſhall at any Time hereafter be allowed for the ſame, excepting ſuch Aſſurances and Conveyances as have been made ſince the Time aforeſaid, or ſhall be made in Time coming, for juſt and onerous Cauſes, the ſaid onerous Cauſes being always otherwiſe inſtructed than by the Writings themſelves.

No Claim to be allowed but for onerous Cauſes.

Tenants on Proof of Payment of their Rents to be diſcharged. *See* 25 *Geo.* 2. *c.* 41. *and* 31 *Geo.* 2. *c.* 16.

'XXXI. And whereas ſeveral Tenants of the ſaid attainted Perſons may have paid their reſpective Rents 'due to them after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, and 'before the Times of their reſpective Attainders, without Fraud or Colluſion;' Be it therefore enacted, That ſuch Tenants ſhall be and are hereby diſcharged therefrom, on due Proof of ſuch actual Payments thereof reſpectively made.

CAP. XLII.

An Act to enforce the Execution of an Act of this Seſſion of Parliament, for granting to his Majeſty ſeveral Rates and Duties upon Houſes, Windows or Lights.

[1] Geo. 2. c. 3.

'WHEREAS through various Accidents Execution of the Powers given by the Act of the twentieth Year of his preſent Majeſty (intituled, *An Act for repealing the ſeveral Rates and Duties upon Houſes, Windows and Lights; and for granting to his Majeſty other Rates and Duties upon Houſes, Windows or Lights; and for raiſing the Sum of four millions four hundred thouſand Pounds by Annuities, to be charged on the ſaid Rates or Duties)* to the Commiſſioners thereby authorized to put the ſame into Execution, 'within the exact Time, and according to the preciſe Method thereby directed, hath been, and may be 'prevented, and the raiſing the Rates and Duties granted thereby obſtructed or delayed;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That in all Caſes where the ſaid Commiſſioners have already omitted, or ſhall at any Time or Times hereafter omit to meet or execute the ſaid Powers, or any of them, within or at the Time or Times, or according to the Manner directed and preſcribed by the ſaid Act, it ſhall and may be lawful for the ſaid Commiſſioners, or any two or more of them, to meet and execute the ſaid Powers at any other Time or Times, and from time to time as there ſhall be Occaſion; and they are hereby authorized and required forthwith, or as ſoon after the Time or Times at which ſuch Meetings ſhould have been held, according to the ſaid Act, as ſhall be convenient, to meet and execute the ſame, ſo as that the ſaid Rates and Duties may be duly and effectually charged, raiſed, levied, collected and paid to his Majeſty, his Heirs and Succeſſors, for the Uſes in the ſaid Act, notwithſtanding any ſuch Omiſſion or Defect; and all Meetings and Acts of the ſaid Commiſſioners, or any two or more of them, which have been already had or done purſuant (in all other Reſpects) to the Directions of the ſaid Act, ſhall be deemed, and are hereby declared to be good and valid to all Intents and Purpoſes, notwithſtanding ſuch Omiſſion or Defect.

Commiſſioners who have omitted, impowered to meet and act at any other Time.

Acts of the Commiſſioners confirmed.

Two Commiſſioners may appoint Aſſeſſors.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any two or more of them, ſhall have Power; and are hereby required to appoint ſuch Aſſeſſors, and for ſuch Diſtricts or Diviſions, within their reſpective Limits, as they ſhall judge proper, out of the Perſons who ſhall by their Precepts, as directed by the ſaid Act, be ordered to appear before them for ſuch Diſtricts or Diviſions reſpectively; and if any of the Perſons on whom ſuch Precepts ſhall be ſerved ſhall neglect to appear, or they or any of the Collectors or Officers appointed or to be appointed under the ſaid Act, ſhall wilfully neglect or refuſe to take the Oaths appointed by the ſaid Act to be taken by them reſpectively, or to take upon them their reſpective Offices, the ſaid Commiſſioners, or any two or more of them, are hereby authorized and required to impoſe on every ſuch Perſon ſo neglecting or refuſing, any Fine not exceeding the Sum of five Pounds for any one Offence; the ſame to be levied, certified and paid, as other Fines by the ſaid Act are directed to be levied, certified and paid.

Perſons neglecting to appear, or take the Oaths, or ſerve the Office,

to pay 5l.

Wales and Berwick included, where the Kingdom of England is mentioned.

III. And it is hereby further declared and enacted by the Authority aforeſaid, That in all Caſes where the Kingdom of *England*, or that Part of *Great Britain* called *England*, hath been or ſhall be mentioned in any Act of Parliament, the ſame has been and ſhall from henceforth be deemed and taken to comprehend and include the Dominion of *Wales* and Town of *Berwick* upon *Tweed*.

Quakers appointed Aſſeſſors, to make and ſubſcribe the Declaration of Fidelity. 1 W. & M. ſt. 1. c. 18.

'IV. And whereas certain Perſons, Diſſenters from the Church of *England*, commonly called *Quakers*, 'do ſcruple the taking of any Oaths, and it may happen that ſeveral of the ſaid Perſons may be appointed 'Aſſeſſors for raiſing the ſaid Rates and Duties upon Houſes, Windows and Lights;' Be it further enacted by the Authority aforeſaid, That in every ſuch Caſe it ſhall be ſufficient for ſuch Perſons appointed or to be appointed Aſſeſſors for the Purpoſes aforeſaid, inſtead of the Oaths appointed by the ſaid Act to be taken by the ſaid Aſſeſſors, to make and ſubſcribe the Declaration of Fidelity preſcribed by an Act made in the firſt Year of the Reign of King WILLIAM and Queen MARY (intituled, *An Act for exempting their Majeſties Proteſtant Subjects, diſſenting from the Church of* England, *from the Penalties of certain Laws*) and that all Certificates in Writing, returned to the Commiſſioners for the ſaid Duties, verified by any ſuch Perſons

sons upon their Affirmation, shall be as valid and effectual as if the same were verified upon their Oath in the manner directed by the said Act; any thing therein contained to the contrary thereof in any wise notwithstanding. Certificates verified upon Affirmation to be valid.

See farther 21 *Geo.* 2. *c.* 10. 26 *Geo.* 2. *c.* 17. 31 *Geo.* 2. *c.* 22. 32 *Geo.* 2. *c.* 33.

CAP. XLIII.

An Act for taking away and abolishing the Heretable Jurisdictions in that Part of *Great Britain* called *Scotland*; and for making Satisfaction to the Proprietors thereof; and for restoring such Jurisdictions to the Crown; and for making more effectual Provision for the Administration of Justice throughout that Part of the United Kingdom, by the King's Courts and Judges there; and for obliging all Persons acting as Procurators, Writers or Agents in the Law in *Scotland* to take the Oaths; and for rendering the Union of the two Kingdoms more complete.

So much of this Act as relates to the Power of appealing to the Circuit Courts in Civil Cases, is made perpetual by 31 *Geo.* 2. *c.* 42.

FOR remedying the Inconveniencies that have arisen and may arise from the Multiplicity and Extent of Heretable Jurisdictions in that Part of *Great Britain* called *Scotland*, for making Satisfaction to the Proprietors thereof, for restoring to the Crown the Powers of Jurisdiction originally and properly blonging thereto, according to the Constitution, and for extending the Influence, Benefit and Protection of the King's Laws and Courts of Justice to all his Majesty's Subjects in *Scotland*, and for rendering the Union more complete; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Heretable Jurisdictions of Justiciary, and all Regalities and Heretable Baillieries, and all Heretable Constabularies, other than the Office of high Constable of *Scotland*, and all Stewartries, being Parts only of Shires or Counties, and all Sheriffships and Deputy Sheriffships of Districts, being Parts only of Shires or Counties within that Part of *Great Britain* called *Scotland*, belonging unto, or possessed or claimed by any Subject or Subjects, and all Jurisdictions, Powers, Authorities and Privileges thereunto appurtenant or annexed or dependant thereupon, shall be, and they are hereby from and after the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and forty-eight, abrogated, taken away, and totally dissolved and extinguished. All Heretable Jurisdictions, &c. in Scotland, the Office of High Constable excepted, to cease from 25 March 1748.

II. Provided always, That all Lands annexed or belonging to the said Heretable Baillieries, Stewartries and Constabularies hereby intended to be dissolved and extinguished, and the Rents and Duties, consisting in Money, Victual, Cattle or other Goods, payable to the Possessors of the said Heretable Baillieries, Stewartries or Constabularies, shall remain with and belong to them, their Heirs and Successors, and continue to be enjoyed by and paid to them, their Heirs and Successors, notwithstanding the Extinction of the said Offices. The Lands, Rents and certain Duties annexed to the Heretable Baillieries, &c. to remain.

III. And be it further enacted by the Authority aforesaid, That all Jurisdictions, Powers and Authorities legally vested in or belonging to any such Justiciary, Regalities, Baillieries, Constabularies, Stewartries, Sheriffships and Deputy Sheriffships, or any of them, shall, from and after the said twenty-fifth Day of *March* be vested in and exercised by the Court of Session, Court of Justiciary at *Edinburgh*, the Judges in the several Circuits, and the Courts of the Sheriffs and Stewarts of Shires or Counties, and other of the King's Courts in *Scotland* respectively, to which such Jurisdictions, Powers and Authorities would now by Law have belonged, in case such Justiciary, Baillierie, Constabulary, Regality, Stewartry, Sheriffship or Deputy Sheriffship had never been granted or erected; and that the several Towns, Villages, Places, Districts and Bounds which lie within or were subject to such Justiciary, Regalities, Baillieries, Constabularies, Stewartries, Sheriffships or Deputy Sheriffships hereby taken away and dissolved respectively, and the Inhabitants and Residenters within the same, from and after the said twenty-fifth Day of *March*, shall be subject to the Jurisdiction and Authority of the said Court of Session, Court of Justiciary at *Edinburgh*, the Judges in their Circuits, the Sheriffs and the Courts of the Sheriffs or Stewarts of Counties or Shires, and such other of the King's Courts as aforesaid respectively, in the same Manner as such Towns, Villages, Places, Districts and Bounds, and the Inhabitants and Residenters within the same would have been in case such Justiciary, Regalities, Baillieries, Constabularies, Stewartries, Sheriffships or Deputy Sheriffships had never existed. All Heretable Jurisdictions to be vested in the King's Courts and Judges.

IV. And it is hereby further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March*, all Sheriffships of any County or Shire, and all Stewartries not hereby before taken away and distinguished, within that Part of *Great Britain* called *Scotland*, granted unto or possessed by any Subject or Subjects, either Heretably or for Life, and all Jurisdictions, Authorities or Privileges thereunto belonging or annexed, or dependant thereupon, shall be and they are hereby resumed and annexed to the Crown; and that the Sheriffs and Stewarts of such Counties, Shires and Stewartries respectively, shall, from thenceforth be nominated and appointed by his Majesty, his Heirs and Successors. All Heretable Sheriffships, &c. to be resumed and anexed to the Crown.

V. Provided always, and it is hereby enacted by the Authority aforesaid, That no Sheriffship or Stewartry of any County, Shire or District within that Part of *Great Britain* called *Scotland*, shall, at any Time hereafter be granted to any Person or Persons whatsoever, either Heretably or for Life, or for any certain Term exceeding one Year; and that no Justiciary, Regality, Constabulary or Baillierie, nor any Judicature, Jurisdiction, Authority or Immunity of the like Nature or Kind within that Part of *Great Britain* called *Scotland*, shall at any Time hereafter be erected, created or granted, but that all Letters Patents, Gifts and Grants of any of the Premisses, made contrary to the true Intent and Meaning of this Act, shall be, and they are hereby enacted and declared to be null and void, to all Intents and Purposes whatsoever. Sheriffships, &c. not to be granted for a longer Term than 1 Year. Grants of Justiciary, &c. contrary to this Act, null.

VI. And

Compensation to be made for Justiciaries, &c. taken away.

VI. And be it further enacted by the Authority aforesaid, That reasonable and just Compensation and Satisfaction shall be made out of the next Aids to be granted in Parliament, for and in respect of every such Justiciary, Regality, Sheriffship, Deputy Sheriffship, Stewartry, Constabulary and Baillierie hereby taken away and dissolved, or resumed and annexed to the Crown, to all and every Person and Persons respectively, who shall appear to be lawfully possessed of any such Justiciary, Regality, Sheriffship, Deputy Sherffship, Stewartry, Constabulary or Baillierie, and to every Clerk thereof, who was on the eleventh Day of *November* one thousand seven hundred and forty-six, lawfully possessed for Life of his Clerkship, in case such Office shall be necessarily extinguished in Consequence of this Act.

Claims, &c. to be entered before 11 Nov. 1747;

and to be given with the Vouchers to the King's Advocate, &c.

VII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons lawfully possessed of any such Justiciary, Regality, Sheriffship, Deputy Sheriffship, Stewartry, Constabulary, Baillierie or Clerkship, shall, on or before the eleventh Day of *November* in the Year of our Lord one thousand seven hundred and forty-seven, make and enter his, her and their Claim or Claims thereto respectively in the Court of Session in *Scotland*; and all such Claims, with the Titles or Vouchers produced in Support thereof, shall be given out in the usual Manner to his Majesty's Advocate for *Scotland*, or his Deputy, or to his Majesty's Solicitor General there, who are hereby authorized and required to appear on Behalf of his Majesty, to defend or object against all or any such Claim or Claims, as they shall find Cause to oppose, either in respect of the Validity of the Claimant's Title to the Jurisdiction therein set forth, or of the Value or Price thereof; and the said Court of Session shall, in a summary Way, examine the several and respective Titles to the same; and in case they shall find any such Person or Persons to have been so lawfully possessed as aforesaid of any such Justiciary, Regality, Sheriffship, Deputy Sheriffship, Stewartry, Constabulary, Baillierie or Clerkship, then the said Court shall, with all possible Dispatch, consider and declare their Opinion, touching the Value or Price thereof, and shall Cause all such Opinions to be entered in a Roll or Book to be kept for that Purpose, and make Certificate or Certificates thereof to his Majesty, his Heirs or Successors, in his or their Privy Council; Copies of which shall be laid forthwith before both Houses of Parliament.

Court to sit in the Vacation, &c.

VIII. And be it further enacted by the Authority aforesaid, That the Court of Session shall be, and is hereby authorized and impowered to meet and proceed on all such Claims as shall be exhibited pursuant to this Act, in the Times of Vacation, and upon *Monday*, as well as upon other Days, during the Time of Session; and the said Court of Session is hereby required to sit for the Purposes aforesaid, during the whole Month of *March* next after the said eleventh Day of *November* in the same Manner as during the Session Time, unless they shall sooner have discussed the Matters and Things, and made the Certificates hereby directed.

Court to order the Production of Papers.

IX. And it is hereby further enacted, That the said Court of Session, for the better Discovery of the Truth in the Enquiries and Determinations hereby directed to be made, shall and may, and they are hereby authorized and impowered to order and compel the Production of all Books, Papers and Writings, in any wise relating to any of the Matters or Things, which they are hereby impowered to examine into, determine or declare their Opinions upon, and to examine any Person or Persons, either Parties or Witnesses, upon Oath, concerning the same, and also concerning any Books, Papers and Writings relating to any such Matters or Things, either in general, or by particular Description.

Where Heretable Jurisdictions are so circumstanced that they cannot be aliened, the Court to order the Sum decreed to be laid out in Purchase of Lands, &c.

X. Provided always, That in all Cases where any such Heretable Justiciary, Regality, Sheriffship, Deputy Sheriffship, Stewartry, Constabulary or Baillierie, shall be subject to any strict Tailzie, affected with irritant and resolutive or prohibited Clauses, or so settled, limited, mortgaged or incumbered, that the Possessor thereof cannot dispone or alien the same, either gratuitously, or for an onerous Cause, the Sum or Sums of Money to be allowed for or in respect of the Value or Price thereof, shall, by the Order and Direction of the said Court of Session, be laid out and invested in the Purchase of Lands, Tenements, or Heretages, within that Part of *Great Britain* called *Scotland*; which said Lands, Tenements or Heretages shall be disponed and settled to the same Uses, and under the same Limitations and Restrictions, for the Benefit of such Person and Persons, and in the same Course of Succession, and subject to the same Mortgages and Incumbrances or to or upon which such Heretable Justiciary, Regality, Sheriffship, Deputy Sheriffship, Stewartry, Constabulary or Baillierie, was settled, or ought to have gone or stood subject unto.

Where Estates are subject to the Debts of the Entail, the Money to be applied in paying off the same;

XI. Provided also, That in such Cases as aforesaid, and where the entailed Estate is subject to, or affected with, any Debts of the Maker of the Entail, or other Debts that are effectual to charge the Estate not being contracted by the present Fiar or Proprietor thereof, it shall and may be lawful to apply the Money to be allowed for or in respect of the Jurisdictions hereby abrogated, that were attendant on such Tailzied Estate, for paying off, or clearing such Estate of the Debts of the Maker of the Entail, or other Debts affecting the same, as aforesaid, and that the Residue only (if any such shall be, after the Payment of those Debts) be laid out in the Purchase of other Lands or Heretages in Manner above-mentioned.

Court to be petitioned for laying out the Money;

XII. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons having any Estate, Right, Title or Interest in or unto any such Justiciary, Regality, Sheriffship, Deputy Sheriffship, Stewartry, Constabulary or Baillierie, either in Possession or Expectancy, and to and for any Heir of Tailzie, or any Substitute in any such Tailzie, where the same, or any of them, shall be strictly entailed as aforesaid, or to or for any Guardian, Tutor, Curator or Trustee, on Behalf of any Infant or Minor, Ideot, Lunatick, or fatuous or furious Person, having any such Estate, Right, Title or Interest, or being such Heir of Tailzie or Substitute as aforesaid, or for any Mortgagee or Incumbrancer, to make and enter his or her Claim thereto in Manner before directed, and also to exhibit or present a Petition to the said Court of Session, praying the Directions of that Court for laying out or investing any such Sum or Sums of Money in the Purchase of Lands, Tenements or Heretages as aforesaid, or for placing out the same upon any good Security, until such Purchase shall be found; and the said Court of Session are hereby authorized and required to proceed upon every such Petition in a summary Way, and to make such Order, and give such Directions thereupon, as shall be agreeable to Justice, and the Nature of the Case;

and in the mean Time, until such Order and Directions shall be made and given as aforesaid, all and every Sum and Sums of Money, which shall be assessed or allowed for the Value of any such Justiciary, Regality, Sheriffship, Deputy Sheriffship, Stewartry, Constabulary or Baillierie, belonging to any such Infant, Minor, Ideot, Lunatick, fatuous or furious Person, or subject to such strict Tailzie, or so settled, limited, mortgaged or incumbered, shall be paid unto, and remain in either of the Banks of *Scotland*; and from and after such Order made, or Directions given by the said Court of Session, such Sum or Sums of Money shall be paid out to such Person or Persons, as by the Order or Interloquitor of the said Court shall be authorized and appointed to receive the same.

which is to be lodged in Bank till the Court shall make Order.

XIII. Provided always, That all and every Person and Persons who shall neglect or omit to make and enter his, her or their Claim or Claims, in respect of any of the Jurisdictions hereby abrogated, and of such Clerkships as aforesaid, within the Time, and in the Manner herein before directed, shall be for ever excluded from the Benefit of Compensation and Satisfaction hereby provided.

Persons not entering their Claims excluded.

XIV. And be it further enacted by the Authority aforesaid, That all Suits, Decrees, Sentences, Interloquitors, Judgments, Executions and Proceedings, of or in any Court hereby abrogated, taken away and dissolved, which were depending, pronounced, awarded or had, before the said twenty-fifth Day of *March*, shall be and remain of the same Force, Effect and Validity, and in the same State and Condition, as the same would respectively have been in case this Act had not been made; and that all Records, Rolls, Books and Entries of any such Suits, Decrees, Sentences, Interloquitors, Judgments, Executions or Proceedings, relating to any Civil or Criminal Cause in any such Court, shall on or before the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and forty-eight, be transmitted by the Possessor of any such Justiciary, Stewartry, Sheriffship, Deputy Sheriffship, Regality, Constabulary or Baillierie, to the Courts of the respective Sheriffs or Stewarts of Counties, and there lodged and kept amongst the Records of such Courts; which shall proceed thereupon as if the said Civil or Criminal Causes had been commenced originally in such Courts; and that the Register Books of Hornings, Inhibitions and Interdictions heretofore kept in any Baillieries of Royalty or Regality, or Stewartries hereby abrogated, shall, on or before the said twenty-fourth Day of *June* be transmitted to his Majesty's General Register House at *Edinburgh*.

Proceedings of the Courts had before 25 March, confirmed.

Proceedings, &c. after 24 June 1748, to be transmitted to the Sheriffs Courts.

Registers of Hornings, &c. to be transmitted to the Register House at Edinburgh.

'XV. And whereas by several Grants of Heretable Jurisdictions, Lands lying within, and making Part 'of one Shire, have been disunited from the same, and annexed to, and made Part of, another distant 'Shire, to the great Interruption of Justice, and Inconvenience of the Subjects;' Be it enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-eight, all and every Act, Statute, Charter or Grant whatsoever, whereby any Lands lying anciently within one Shire in *Scotland* were disunited from the same, and annexed to another Shire to which such Lands were not adjacent or contiguous, shall be repealed and made void, with respect only to the Jurisdiction of the Sheriffs or Stewarts Courts; and the Lands so disunited and annexed, shall, with respect to such Jurisdiction only, be, and they are hereby restored or annexed to the Shire or Shires respectively within which such Lands do locally lie; and in Case such Lands are interjected between two Shires, they shall be, and are hereby annexed to the Shire, to the Head Borough of which they are nearest adjacent.

Jurisdictions of Lands, disunited from their proper Shires annexed to the Shires they lie contigious to.

XVI. Provided always, that this Restitution shall not extend to vary or alter the Right of Voting for Members to serve in Parliament, in respect of such Lands, or to vary or alter the Payment of the Tax commonly called the *Cess* or *Land Tax*.

Right of voting and Payment of Land Tax, not to be altered.

'XVII. And whereas the Jurisdiction in Capital Cases, that was heretofore granted to many Heretors 'or Proprietors of Lands within that Part of *Great Britain* called *Scotland*, whose Lands were erected by 'the Crown into Baronies, or granted *cum Fossa et Furca*, or with Power of Pit and Gallows, or with the 'like Words, importing such Capital Jurisdiction, hath been long discontinued or fallen into disuse, as to 'the Exercise thereof, and it is now unnecessary and improper that the Right or Title of such Jurisdiction 'in Barons should be any longer retained: And whereas it is also reasonable that some further Regulation 'should be made relating to the Jurisdictions of such Barons, or of other Heretors of Lands, who are in'feofft *cum Curiis*, or intitled to the Jurisdictions of Barons, or other lower Jurisdiction;' Be it enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and forty-eight, no Heretor or Proprietor of Lands within *Scotland*, which had been erected into a Barony, or granted with other lower Jurisdiction, or their Baillies, shall, by virtue thereof, have, exercise or enjoy any Jurisdiction whatsoever in Capital Cases; and that no such Baron, or other Heretor of Lands, infeofft *cum Curiis*, or their Baillies, shall, by virtue thereof, have, exercise, or enjoy any Jurisdiction in any Criminal Cause whatsoever, other than Assaults, Batteries and smaller Crimes, for which the Punishment to be inflicted shall only be by a Fine not exceeding twenty Shillings Sterling, or by setting the Delinquent in the Stocks, for any Time not exceeding three Hours, in the Day-time; which Fine shall be levied by Distress or Poynding of the Goods of the Delinquent; and in Default of such Distress, by Imprisonment of his or her Person, for any Time not exceeding the Space of one Month; and that as to Civil Causes, it shall not be lawful or competent, from and after the said twenty-fifth Day of *March* for any such Baron or Heretor, or their Baillies, to hold Plea, or judge in any Cause where the Debt or Damages shall exceed the Sum of forty Shillings Sterling, other than for recovering and uplifting from the Vassals, Tenants or Possessors of the Lands and Heretages of such Baron or Heretor, the Mails and Duties, or Rents and Profits thereof, or for Recovery of Multures or Services payable or prestable to their Mills; and in all other Civil Causes it shall not be lawful for such Courts to judge in Cases of higher Value than the Sum aforesaid, by Virtue of any Prorogation of the Jurisdiction, or Consent of the Parties litigant, for that Purpose; any Law, Custom or Usage to the contrary notwithstanding; and that every Decree, Sentence, Judgement and Proceeding by or before any such Baron, Heretor, or their Baillies, contrary to this Act, shall be absolutely void and null to all Intents and Purposes whatsoever,

Barons, &c. to have no Jurisdiction in Capital Cases;

nor in Criminal Causes, except Assaults, &c.

nor in Civil Causes,

where the Sum shall exceed 40 s.

except in recovering Rents and Duties.

XVIII. And

Heretors poſſeſſed of Criminal Juriſdiction, not hereby taken away, to enter with the Sheriffs Clerks, the Place appropriated for a Priſon.

XVIII. And it is hereby further enacted by the Authority aforeſaid, That every Baron or other Heretor of Lands in *Scotland*, who ſhall be intitled to, or poſſeſſed of any Criminal Juriſdiction, not hereby abrogated or taken away, ſhall and is hereby required to enter in a Book, to be kept by the Sheriff Clerk of the County whithin which his Lands lie (which Books the ſaid Sheriff Clerks are hereby authorized and required to keep for that Purpoſe) the Houſe, Room or Place which ſuch Baron or Heretor hath provided or appropriated, or ſhall provide or appropriate, for being uſed as a Priſon, for rendering effectual the Juriſdiction competent to him by Law; and it ſhall not be lawful to ſuch Baron or Heretor, or his Baillie, to cauſe any Perſon to be impriſoned in any other Room or Place than what ſhall be ſo entered; and every ſuch Houſe, Room or Place ſhall be ſo ſituated, and have ſuch Windows or Grates open to Inſpection from without, as that it may be practicable for any Friend of the Party impriſoned, to viſit, ſee and converſe with the Priſoner, when he ſhall be ſo minded; and that every ſuch Baron or Heretor ſhall, for every Offence againſt this Act, forfeit the Penalty of twenty Pounds Sterling, with Coſts, to the Party injured; and that all and every the Sheriffs of Shires, and Stewarts of Stewartries, not hereby abrogated or taken away, or their Deputies, within *Scotland*, ſhall, and they are hereby required to viſit and inſpect all ſuch Houſes, Places or Rooms, as ſhall be ſo entered as Priſons, and to diſallow and prohibit the Uſe of the ſame, in caſe they ſhall appear to the ſaid Sheriffs or Stewarts, or their Deputies reſpectively, to be Places grievous or unhealthy, or not agreeable to the Regulations herein before enacted.

None to be impriſoned in unentered Places.

Priſon to have Windows open to Inſpection, &c

Penalty 20 l. Sheriffs to inſpect the Priſons, and diſallow ſuch as are grievous, &c.

None to be committed for ſmaller Crimes but by Warrant expreſſing the Cauſe, &c.

XIX. Provided always, That from and after the ſaid twenty-fifth Day of *March* no Perſon ſhall be committed to Priſon for Cuſtody, in order to Trial, for any Aſſaults, Batteries and ſmaller Crimes, without a Warrant or Order in Writing, expreſſing the particular Cauſe for which ſuch Perſon is impriſoned; which Warrant or Order ſhall be entered at large in a Book to be kept for that Purpoſe; and Extracts thereof ſhall be tranſmitted every ſix Months to the Sheriff or Stewart Court of the County or Stewartry, in which ſuch Warrant or Order ſhall iſſue or be executed, there to remain on Record.

Extracts to be tranſmitted to the Sheriff.

Juriſdictions of Fairs and Markets reſerved.

XX. Provided alſo, That it ſhall and may be lawful to and for every Heretor and Proprietor of Lands in *Scotland*, intitled by his Infeftments, or any of them, to any Fair or Market, to have and exerciſe ſuch Juriſdiction as is competent to him by Law, for preſerving the Peace, determining Controverſies, and reſtraining or correcting Riots, Treſpaſſes or Diſorders which may ariſe, or be committed within any ſuch Fair or Market during the Continuance thereof; any thing herein contained to the contrary notwithſtanding.

Juriſdictions of Coal-works, Salt-works or Mines reſerved.

XXI. Provided alſo, That every Heretor or Proprietor of Lands in *Scotland*, within which any Coal-works or Salt-works, or Mines of any Kind, are or ſhall be carried on, ſhall and may be at Liberty to exerciſe ſuch Power and Juriſdiction, as is competent to him by Law, over the Colliers or Salters, or other Workmen employed in carrying on ſuch Coal-works, Salt-works or Mines; any thing herein contained to the contrary notwithſtanding.

Juriſdictions of Fairs, Coal-works, &c. reſerved, not to extend to Life, or Demembration.

XXII. Provided always, That the Power and Juriſdiction hereby reſerved to the Proprietors of Fairs or Markets, and of Coal-works, Salt-works and Mines, or any of them, ſhall not extend, or be conſtrued to extend, to continue or reſerve to them, or any of them, any Power or Juriſdiction of trying, judging or determining in any Caſe whatſoever, inferring the Loſs of Life or Demembration; but that all ſuch Juriſdiction and Power of trying, judging and determining, in any Caſe inferring the Loſs of Life, or Demembration, ſhall be, and is hereby, from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-eight, wholly taken away and abrogated.

Judges in Barons or other Courts to take the Oaths,

and regiſter a Certificate.

Penalty 10 l. or 6 Months Impriſonment.

XXIII. Provided always, and be it enacted by the Authority aforeſaid, That no Baillie or other Perſon ſhall, after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-eight, officiate as Judge in any Baron's or other Court, for executing ſuch Juriſdiction as aforeſaid, without firſt qualifying himſelf, by taking the Oaths appointed by Law to be taken by Perſons in Offices of publick Truſt, and cauſing a Certificate of his having done ſo to be entered or regiſtered in a Book to be kept for that Purpoſe, by the Clerks of the Shires, Stewartries or Boroughs, where ſuch Perſon ſhall reſide; and if any Perſon, from and after the ſaid twenty-fifth Day of *March*, ſhall preſume to act or officiate as Judge in any ſuch Court of Barony, or ſuch other Courts as aforeſaid, without having taken the ſaid Oaths, and cauſing the Certificate of his having duly taken the ſame, to be regiſtered as is above directed, every Perſon ſo offending, being thereof lawfully convicted before any two or more Juſtices of the Peace, or before any other Judge competent of the Place, ſummarily, ſhall, for ſuch Offence, forfeit the Sum of ten Pounds Sterling; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall give Information of the ſaid Offence; and ſhall ſuffer Impriſonment for the Space of ſix Months, unleſs or until the ſame be paid.

Juriſdictions of Baronies, &c. reſerved.

XXIV. Provided always, and it is hereby further enacted, That all and every Perſon and Perſons who ſhall appear to have been lawfully poſſeſſed, on the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-eight, of any ſuch Juſticiary, Regality or other Juriſdiction hereby abrogated, ſhall, from and after the ſaid twenty-fifth Day of *March*, retain ſuch Juriſdiction of Barony, or other lower Juriſdiction, as ſuch Perſon or Perſons would have been intitled to, in caſe ſuch Juſticiary, Regality or other Juriſdiction hereby abrogated, had never been erected, granted or exiſted; ſuch lower Juriſdiction nevertheleſs being always ſubject to the Regulations hereby enacted concerning the like lower Juriſdictions, throughout that Part of the Kingdom.

Letters Patent, &c. for uniting or erecting Lands into Baronies to grant Juriſdictions only for the Recovery of Rents and Duties, &c.

XXV. And be it further enacted by the Authority aforeſaid, That no Letters Patent, Charter or Grant, to be made or granted by his Majeſty, his Heirs or Succeſſors, or by the Barons of the Court of Exchequer in *Scotland*, at any Time after the ſixth Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty-ſeven, for the uniting or erecting any Lands or Tenements within that Part of *Great Britain* called *Scotland*, into a Barony, Lordſhip or Earldom, or under any other Denomination whatſoever, or for annexing any Lands or Tenements in *Scotland* to any Barony, Lordſhip or Earldom, or other Diſtrict of the like Nature, under any Denomination whatſoever heretofore granted or erected, ſhall be ſufficient or available

able in Law to pass, grant or convey to the Grantee or Grantees therein named, or any other Person or Persons whatsoever, any greater or other Jurisdiction, than for recovering and uplifting from the Vassals, Tenant or Possessor of the Lands and Heretages of the Proprietor of such Barony, Lordship or Earldom, the Mails and Duties, or Rents and Profits thereof, or for Recovery of the Multures or Services payable or prestable to their Mills; and that all Letters Patent, Charters, Gifts and Grants of any of the Premisses, to be made contrary to the true Intent and Meaning of this Act, shall be, and they are hereby enacted and declared to be null and void.

Grants contrary to this Act null.

XXVI. Provided always, and it is hereby further enacted, That nothing in this Act shall extend, or be construed to extend, to take away, extinguish or prejudice any Jurisdiction or Privilege, by Law vested in or competent to the Corporation or Community of any Royal Borough in *Scotland*; and that all such Jurisdictions, Privileges and Immunities as are by Law vested in or competent to such Royal Boroughs, or any of them, whether within or without the Royalty of such Boroughs respectively, are and shall be saved and reserved intire to them, or any of them, in such and the same Manner, to all Intents and Purposes, as if this Act had not been made.

Jurisdictions vested in Royal Boroughs reserved.

XXVII. Provided always, and it is hereby further enacted, That nothing in this Act contained shall extend, or be construed to extend, to take away, extinguish or prejudice any Jurisdiction, Authority or Privilege, by Law vested in, or competent to the Corporation or Community of any Burgh of Regality, or of Barony in *Scotland*, or to the Magistrates of any such Burgh respectively, which are independent of the Lord of Regality or Baron respectively, except any Power or Priviledge of repledging from the Sheriff's or Stewart's Court, or any other of the King's Courts; and from and after the said twenty-fifth Day of *March*, the Jurisdiction hereby reserved to such Corporation or Community, or the Magistrates thereof, shall be, and be deemed and taken to be cumulative only.

Cumulative Jurisdictions vested in Burghs of Regality, &c. reserved.

Exception.

XXVIII. And be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-eight, in the Execution of Poyndings, within that Part of *Great Britain* called *Scotland*, it shall and may be lawful for the Officer executing such Poyndings, to carry the Goods poynded, or Samples thereof, in such Cases where the carrying of Samples is practised, to the Market Cross of that Royal Burgh, or Burgh of Regality, or Barony (as well such whereof the Jurisdiction is hereby abrogated or regulated, as those whereof the Jurisdiction is saved entire) which shall lie neareſt to the Place where such Poynding was inchoated, which shall be as sufficient to all Intents and Purposes, as if such Goods or Samples as aforesaid had been carried to the Market Cross of the Head Burgh of the Shire; any Law, Custom or Usage to the contrary notwithstanding.

Officers executing Poyndings, to carry the Goods or Samples to the Market Cross of the next Royal Burgh, &c.

'XXIX. And whereas it is reasonable, That some further Regulation should be made relating to the Sheriffs Courts in that Part of *Great Britain* called *Scotland*,' Be it further enacted by the Authority aforesaid, That there shall be but one Sheriff Depute, or Stewart Depute, in every County, Shire or Stewartry in *Scotland*, not hereby taken away or abrogated, and that he shall be an Advocate of three Years standing at the least, and shall during the Space of seven Years from the said twenty-fifth Day of *March*, be nominated and appointed by his Majesty, his Heirs or Successors, by Warrant under his or their Sign Manual, with such Continuance as his Majesty, his Heirs or Successors shall think fit; and that after the End of the said seven Years, the Offices of Sheriff Depute, and Stewart Depute, shall be granted and held *ad Vitum aut Culpam* only, with competent Salaries, to be ascertained and established for the Time of their Continuance; and that every such Sheriff Depute or Stewart Depute, shall have Power to nominate and appoint one or more Person or Persons to act as Substitute or Substitutes under him throughout the whole County, Shire or Stewartry, or within such Parishes or Districts thereof, as shall be expressed in the Commission of such Substitute or Substitutes during his Pleasure, for whom he shall be answerable; and such Substitute and Substitutes are hereby required to take and subscribe openly, in such Sheriffs or Stewarts Courts respectively, the Oaths appointed by Law to be taken by Persons in Offices of publick Trust, to be there recorded, before he or they enter upon his or their Office or Offices; and that it shall and may be lawful for all Sheriffs Depute and Stewarts Depute, and their Substitutes, to hold their Courts at any Time in the Year, as well during the Vacation of the Court of Session, as during the Sitting thereof, without any Dispensation from the said Court; any Law, Custom or Usage to the contrary in any wise notwithstanding; and that it shall and may be lawful for the said Sheriffs Depute or Stewarts Depute, not only to hold the stated Courts at their Head Boroughs, but also to hold itinerant Courts, at such Times and Places, within their respective Jurisdictions, as they shall judge to be expedient, or at such Times and Places, as they shall be directed or ordered by his Majesty, his Heirs or Successors, by Warrant under his or their Sign Manual; which Sheriffs Depute or Stewarts Depute, are hereby required to cause Notice to be given, within a reasonable Time before such itinerant Courts shall be held; which Notice they shall cause to be published at the several Parish Churches within the District for which the same are to be so held; and that every such Sheriff Depute and Stewart Depute, shall be and reside personally within his County, Shire or Stewartry, during the Space of four Months at least in the Year; and that it shall not be lawful for any Sheriff Depute or Stewart Depute to advise, plead, or otherwise act as an Advocate before any of the King's Courts at *Edinburgh*, or at the Circuit Courts, in any Cause, Civil or Criminal, arising within, or coming from his County, Shire or Stewartry; and that in case any such Sheriff Depute or Stewart Depute shall not so reside, or shall so advise, plead, or otherwise act as an Advocate, or shall be guilty of any gross Misbehaviour, or Neglect of Duty, every such Sheriff Depute or Stewart Depute, being convicted of any such Offence, upon a Summary Trial before the Court of Session, at the Suit of his Majesty's Advocate for the time being, or at the Suit of any four or more of the Freeholders intitled to vote in Elections of Members to serve in Parliament for such County, Shire or Stewartry, shall be deprived of his Office.

Regulations relating to Sheriffs Courts, and the Qualifications of Officers.

Altered by 28 *Geo.* 2. *c.* 7.

XXX. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and forty-eight, it shall not be lawful for any Principal, or High Sheriff, or Stewart in *Scotland*, personally to judge in any Cause, Civil

High Sheriffs, &c. not to sit as Judges.

Civil or Criminal, within his Shire or Stewartry, in virtue of ſuch his Office; any Law or Uſage in any ways to the contrary notwithſtanding.

Circuit Courts to be held twice a Year.

XXXI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fifth Day of *March*, the Circuit Courts ſhall be regularly held twice in every Year, within that Part of *Great Britain* called *Scotland*, and the Judges thereof ſhall continue by the Space of ſix Days at the leaſt, at each Town or Place where the Circuit Courts ſhall be held, for the Diſpatch of Buſineſs.

Judges to ſit ſix Days at each Place.

One Judge may act in the Abſence of his Colleague.

'XXXII. And whereas a Doubt hath been entertained, whether it be lawful or competent for one Judge 'to proceed to do Buſineſs in the Circuit Courts, when his Colleague happens to be neceſſarily abſent, and 'the Juſtice General not to be preſent at ſuch Circuit Court;' It is hereby further enacted, That it ſhall and may be lawful for any one of the Judges in ſuch Circuit Courts to diſpatch Buſineſs whenever it ſhall happen that his Colleague ſhall, through Indiſpoſition, or other neceſſary Avocation, be abſent, and the Juſtice General not be preſent at ſuch Circuit Court; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

The Weſtern Circuit to take in the Shire of Argyll.

XXXIII. And it is hereby further enacted, That the County or Shire of *Argyll*, and all the Iſlands, Places, Diſtricts and Bounds lying within, or ſubject to the Juriſdiction of the Juſticiary now veſted in, or belonging to the moſt Noble *Archibald* Duke of *Argyll*, ſhall be, and be deemed and taken to be within the Limits of the Circuit called the Weſtern Circuit, or of ſuch other Circuit or Circuits in *Scotland*, as ſhall be appointed by his Majeſty, his Heirs or Succeſſors, purſuant to the Power herein after mentioned; and that the Judges of the ſaid Circuit or Circuits ſhall have and exerciſe the ſame Juriſdiction, Powers and Authorities within the ſaid County or Shire of *Argyll*, and the Iſlands, Places, Diſtricts and Bounds before mentioned reſpectively, as in any other County or Shire within the ſaid Circuit or Circuits; and that the Burgh of *Inverary*, being the Head Burgh of the Shire of *Argyll*, ſhall be the Place where the Circuit Court ſhall be held twice in the Year, for the Counties or Shires of *Argyll* and *Bute*.

The Circuit Court to be held at Inverary for Argyll and Bute.

Perſons aggrieved by Sentence, &c. of the Sheriff's Court,

in Criminal Caſes, not inferring Loſs of Life or Demembration,

or in Civil where the Sum did not exceed 12 l.

may appeal to the next Circuit Court.

XXXIV. And to the End that the Juriſdiction of the Circuit Courts, in that Part of *Great Britain* called *Scotland*, may be rendered more uſeful and beneficial to his Majeſty's Subjects in that Part of the United Kingdom, Be it further enacted by the Authority aforeſaid, That it ſhall and may lawful to and for any Party or Parties conceiving himſelf or themſelves aggrieved by any Interlocutor, Decree, Sentence or Judgment of the Sheriff's or Stewart's Court of any County, Shire or Stewartry, or of the Courts of any Royal Borough, or Burgh of Regality or Barony, or of any Court of any Baron or other Heretor having ſuch Juriſdiction, as is not hereby abrogated or taken away, where ſuch Interlocutor, Decree, Sentence or Judgment ſhall be concerning Matters Criminal, of whatever Nature or Extent the ſame may be, except all Caſes which infer the Loſs of Life or Demembration, or in Matters Civil, where the Subject Matter of the Suit did not exceed in Value the Sum of twelve Pounds Sterling, to complain and ſeek Relief againſt the ſame, by Appeal to the next Circuit Court of the Circuit wherein ſuch County, Shire or Stewartry, Royal Borough, or Burgh of Regality or Barony, or ſuch Barony or Eſtate ſhall lie, ſo as no ſuch Appeal be competent before a final Decree, Sentence or Judgment pronounced; and ſuch Appeal, it ſhall be lawful for the Party conceiving himſelf aggrieved, to take and enter in open Court, at the Time of pronouncing ſuch Decree, Judgment or Sentence, or at any Time thereafter, within ten Days, by lodging the ſame in the Hands of the Clerk of Court, and ſerving the adverſe Party with a Duplicate thereof perſonally, or at his Dwelling-houſe, or his Procurator or Agent in the Cauſe, and ſerving in like Manner the Inferior Judge himſelf, in caſe the Appeal ſhall contain any Concluſion againſt him by Way of Cenſure or Reparation of Damages, for alledged wilful Injuſtice, Oppreſſion, or other Malverſation; and ſuch Service ſhall be ſufficient Summons to oblige the Reſpondents to attend and anſwer, at the next Circuit Court, which ſhall happen to be held fifteen Days at leaſt after ſuch Service; and thereupon the Judge or Judges, at ſuch Circuit Court, ſhall and may proceed to cognoſce, hear and determine any ſuch Appeal or Complaint, by the like Rules of Law and Juſtice as the Court of Seſſion, or Court of Juſticiary reſpectively, may now cognoſce and determine in Suſpenſions of the Interlocutors, Decrees, Sentences or Judgments of ſuch Inferior Courts; but the ſaid Circuit Court ſhall proceed therein in a ſummary Way; and in caſe they ſhall find the Reaſons of any ſuch Appeal not to be relevant, or not inſtructed, or ſhall determine againſt the Party ſo complaining or appealing, the ſaid Judge or Judges ſhall condemn the Appellant or Complainer in ſuch Coſts as the Court ſhall think proper to be paid to the other Party, not exceeding the real Coſts *bona fide* expended by ſuch Party; and the Decree, Sentence or Judgment of ſuch Circuit Court, in any of the Caſes aforeſaid, ſhall be final.

Copy to be delivered to the Reſpondents.

Circuit Court to proceed in a ſummary Way in hearing Appeals;

and award Coſt on Affirmance.

Clauſe relating to Appeals in Civil Cauſes in Force for 10 Years.

XXXV. Provided, That ſo much of this Act as relates to Appeals in Civil Cauſes to the Circuit Courts as aforeſaid, ſhall be in Force for the Space of ten Years, to be computed from the ſaid twenty-fifth Day of *March*, and to the End of the then next Seſſion of Parliament, and no longer.

Appellant to give Security.

XXXVI. Provided always, That wherever ſuch Appeal ſhall be brought, ſuch Complainer at the ſame Time he enters his Appeal as aforeſaid, ſhall lodge in the Hands of the Clerk of Court, from which the Appeal is taken, a Bond with a ſufficient Cautioner for anſwering and abiding by the Judgment of the Circuit Court, and for paying the Coſts, if any ſhall be by that Court awarded; and the Clerk of Court ſhall be anſwerable for the Sufficiency of ſuch Cautioner.

Clerk of the Court anſwerable for the Security.

Circuit Courts not able to determine Appeal, to certify the ſame to the Seſſion.

XXXVII. Provided always, and it is hereby enacted by the Authority aforeſaid, That in caſe ſuch Circuit Court ſhall, in cognoſcing or proceeding upon ſuch Appeal, find any ſuch Difficulty to ariſe, that by Means thereof ſuch Circuit Court cannot proceed to the Determination of the ſame, conſiſtently with Juſtice and the Nature of the Caſe; in any ſuch Caſe, and not otherwiſe, it ſhall and may be lawful to and for ſuch Circuit Court to certify ſuch Appeal, together with the Reaſons of ſuch Difficulty, and the Proceedings thereupon had before ſuch Circuit Court, to the Court of Seſſion, or Court of Juſticiary reſpectively; which Courts are hereby reſpectivly authorized and required to proceed in, and determine the ſame.

Act of 1663, extended to all Advocations,

XXXVIII. And be it further enacted by the Authority aforeſaid, That the Act of Parliament made in *Scotland*, in the Year one thouſand ſix hundred and ſixty-three, intituled, *Act anent the diſcharging of Advocations for Sums within two hundred Merks*, ſhall from and after the ſaid twenty-fifth Day of *March*, be, and the

the same is hereby extended to the case of all Advocations, in Causes not exceeding the Value of twelve Pounds Sterling. in Causes not exceeding 12 l.

'XXXIX. And whereas it will be for the evident Utility of the Subjects within *Scotland*, and for the 'more effectual Administration of Justice there, that the Circuit Courts should be held in some Parts and 'Places in *Scotland*, to which the Judges have not hitherto used to go;' Be it enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs and Successors, by an Order to be made in his or their Privy Council, to make a new Division and Distribution of the Circuits in *Scotland*, or any of them, and to appoint and allot what Counties, Shires, Stewartries, Places, Districts and Bounds, shall be comprehended within any such Circuit, and at what Times and Places the Circuit Courts shall be held respectively for ever after; and such Order so to be made as aforesaid, shall be duly performed, observed and obeyed; and the Judges, in such new Circuits so to be appointed, shall have, exercise and enjoy the same Jurisdiction, Powers, Authorities and Privileges, as by virtue of any Law now in Force, or by this Act, are or would be competent to the Judges in the Circuits already established in *Scotland*, or any of them. His Majesty to make Order for a new Division and Distribution of the Circuit Courts, &c.

XL. Provided always, That Circuit Courts shall continue to be held at such Towns, as are appointed for keeping and holding of Circuit Courts, by an Act of Parliament made in the Year one thousand six hundred and seventy-two, intituled, *Act concerning the Regulation of the Judicatories*, or by this Act, but without Prejudice to the Power hereby vested in his Majesty, his Heirs or Successors, to diminish, augment or alter the Districts, for which such Circuit Court shall be held, pursuant to the Provision herein before made; and the Court of Session in *Scotland* is hereby directed and required to take into their Consideration what Fees they shall judge reasonable, to be paid to the Clerks, or other Officers officiating in the Circuit Courts or in the Courts of Sheriffs or Stewarts in Civil Causes, and regulate the same by one or more Act or Acts of *Sederunt*, on or before the said twenty-fifth Day of *March* one thousand seven hundred and forty-eight; which shall be binding upon all Parties concerned, unless or until the same shall be altered by Act of Parliament; and the Court of Justiciary shall in like Manner take into their Consideration what Fees they shall judge reasonable to be paid to the Clerks, or other Officers officiating in the Circuit Courts, or in the Sheriffs or Stewarts Courts, in Criminal Causes, and shall regulate the same by one or more Act or Acts of Adjournal, on or before the said twenty-fifth Day of *March*, which shall in like Manner be binding on all Parties concerned, unless or until the same be altered by Act of Parliament. Circuit Courts to be held in the Towns appointed by Act of 1672, &c. Officers Fees to be regulated by the Session and Justiciary.

'XLI. And whereas it hath been found by Experience, that the Regulation concerning Trials in the 'Court of Justiciary in *Scotland*, introduced by the fourth Act of Parliament of *Scotland*, held in the 'Year one thousand six hundred and ninety-five, intituled, *Act anent the Justice Court*, is unnecessary and 'inconvenient,' Be it therefore enacted by the Authority aforesaid, That so much of the said Act as directs, that after the Debate of the Relevancy is ended, the King's Advocate or Advocates, or Procurators for the Pursuer, and for the Pannel respectively, shall give in to the Clerk Informations in Writing, to be recorded in the Books of Adjournal, to be read in open Court at advising, be and is hereby repealed; and that in Place thereof, and of the ancient Use and Custom observed in that Court, of Advocates or Procurators dictating, and the Clerks writing of the Debate on the Relevancy, which Use and Custom is by the said Act discharged and laid aside, the Pannel shall give in to the Clerk of the Court the Day before the Trial, in Writing, subscribed by the Pannel, or one of his Procurators, such Account of the Facts, relating to the Matters charged upon him in the Libel or Indictment, and thereto briefly subjoin the Heads of such Objections or Defences, as he shall think fit or be advised to make at his Trial, and that after the Debate on the Relevancy, *viva voce*, the Minutes whereof shall be taken down, or made up in the same Manner in the Justiciary Court at *Edinburgh*, as is now practised at the Circuit Courts, or in the Court of Session, it shall be lawful for the Court forthwith to pronounce their Interlocutor upon the Relevancy, and to proceed to the Trial, or to adjourn their Interlocutor upon the Relevancy, or the Trial, to a further Day, as they shall see Cause. Regulations of Trials in the Court of Justiciary by an Act of 1695 repealed. Regulations to be observed in Place of those repealed.

XLII. Provided always, That it shall and may be lawful for the said Court of Justiciary, in the Trial of any Crimes or Offences, other than High Treason, to direct by a special Order for that Purpose, in such Cases as for their Difficulty or Importance shall appear to require such Direction, that Informations in Writing be given in by the Procurators for the Pursuer and the Pannel respectively, in any Part of the Trial where Questions of such Difficulty shall occur, whether, after the Debate on the Relevancy of the Libel, or of the Defences, or on the Import of a Special Verdict, or on the Decree of Punishment, or Extent of the Pains of Law for the Crime libelled, or upon any Matters that shall be alledged for the Pannel before Judgement. Rules to be observed by the Justiciary, where Questions of Difficulty occur.

XLIII. and be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and forty-eight, no Fines, Forfeitures or Penalties, set, imposed or recovered in the Sheriff's or Stewart's Court of any County, Shire or Stewartry in *Scotland*, shall accrue, go or belong to the Sheriff or Stewart, or any Sheriff Depute or Stewart Depute, but all Shares of such Fines, Forfeitures and Penalties, as heretofore went to the Judge, shall accrue and belong to his Majesty, his Heirs and Successors, and shall be accounted for, and paid into the Exchequer of *Edinburgh*, in like Manner, and the like Process, Rules, Orders and Methods of Proceeding shall be issued, observed and used for levying the same, and compelling the accounting for, bringing in and paying the same into the said Exchequer, as are now competent by Law for the accounting for, levying, bringing in and paying into the said Exchequer any Fines, Forfeitures and Penalties accruing or becoming due to his Majesty; and that from and after the said twenty-fifth Day of *March*, no Fees, Poundage or Profits, commonly called Sentence-money, shall be received, taken or demanded by any Sheriff or Stewart Sheriff Depute or Stewart Depute, or any of their Ministers, Officers or Clerks, but all such Fees, Poundage or Profits, commonly called Sentence-money, are hereby utterly taken away, discharged and abolished; any Law, Custom, Gift, Grant, Usage or Practice to the contrary in any wise notwithstanding. Sheriff's Fines abolished. Judges Fines to be paid into the Exchequer. Rules to be observed in levying, &c. Sentence-money abolished.

XLIV. And be it further enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-seven, it shall not be lawful for any Person whatsoever in Agents, &c. to take the Oaths

Explained by 21 Geo. 2. c. 34. sect. 16.

Scotland to act as a Writer, Agent or Solicitor, or to manage, agent or solicit any Cause or Business in the Court of Session, Court of Justiciary (whether at *Edinburgh*, or in the Circuit Courts) or in the Court of *Exchequer*, until such Person shall have first taken and subscribed the Oaths in the Court of Session or Justiciary, or in one of the Sheriffs or Stewarts Courts, appointed by Law to be taken by Persons in Offices, Civil or Military, in *Scotland*, and caused a Certificate of his having so done to be entered or registered in a Book to be kept for that Purpose in the respective Courts, where any such Person shall so officiate; and it shall not be lawful for any Person whatsoever to act or officiate as a Procurator, Writer, Agent or Solicitor, or to plead, manage, agent or solicit any Cause or Business in the Court of any Sheriff or Stewart in *Scotland*, or any other Inferior Court, until such Person shall have first taken and subscribed the said Oaths as aforesaid, and caused a Certificate thereof to be registered in such Court or Courts where he shall officiate as aforesaid; any Law, Custom or Usage to the contrary notwithstanding; and every such Court shall be obliged upon Demand of such Persons, to administer and register such Oaths respectively: And every Person who shall after the said twenty-ninth Day of *September* one thousand seven hundred and forty-seven, act in Manner above-mentioned in any of the Courts aforesaid, without having first taken and subscribed the said Oaths, and caused a Certificate thereof to be registered as herein directed, shall, for every such Offence, being thereof lawfully convicted in any of the Courts aforesaid, where the Offence shall have been committed, or before the Court of Session or Justiciary, upon a summary Trial, forfeit the Sum of twenty Pounds Sterling: one Moiety thereof to his Majesty, his Heirs and Successors, and the other Moiety to the Use of such Person who shall give Information of the said Offence; and shall suffer Imprisonment for the Space of six Months, unless or until the same be paid.

Agents acting without having taken the Oaths &c.

to forfeit 20 l.

or be committed.

So much of this Act as relates to the Power of appealing to the Circuit Courts in Civil Causes, is made perpetual by 31 Geo. 2. c. 42.

CAP. XLIV.

An Act to extend the Provisions of an Act made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act for naturalizing such Foreign Protestants, and others therein mentioned, as are settled, or shall settle in any of his Majesty's Colonies in* America, to other Foreign Protestants who conscientiously scruple the taking of an Oath.

13 Geo. 2. c. 7.

'WHEREAS by an Act made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act for Naturalizing such Foreign Protestants, and others therein mentioned, as are settled, or shall settle in any of his Majesty's Colonies in* America; it was enacted, That from and after the first Day of *June* in the Year of our Lord one thousand seven hundred and forty, all Persons born out of the Ligeance of his Majesty, his Heirs or Successors, who had inhabited and resided, or should inhabit and reside for the Space of seven Years, or more, in any of his Majesty's Colonies in *America*, and should not have been absent out of some of the said Colonies for a longer Space than two Months, at any one Time during the said seven Years, and should take and subscribe the Oaths, and make, repeat and subscribe the Declaration appointed by an Act made in the first Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *his open and secret Abettors*; or being of the People called *Quakers*, should make and subscribe the Declaration of Fidelity, and take and affirm the Effect of the Abjuration Oath, appointed and prescribed by an Act made in the eighth Year of the Reign of his said late Majesty, intituled, *An Act for granting the People called* Quakers, *such Forms of Affirmation and Declaration, as may remove the Difficulties which many of them lie under*; and also make and subscribe the Profession of his Christian Belief, appointed and prescribed by an Act made in the first Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act for exempting their Majesties Protestant Subjects from the Penalties of certain Laws*, before the Chief Judge, or other Judge of the Colony wherein such Persons respectively had so inhabited and resided, or should so inhabit and reside, should be deemed, adjudged and taken to be his Majesty's natural-born Subjects of this Kingdom, to all Intents, Constructions and Purposes, as if they and every one of them, had been or were born within this Kingdom: And whereas many of the People of the Congregation called the *Moravian* Brethren, and other Foreign Protestants, not *Quakers*, who conscientiously scruple the taking of an Oath, are settled in his Majesty's Colonies in *America*, and demean themselves there as a sober, quiet and industrious People, and many others of the like Persuasion are desirous to transport themselves thither; and if the Benefit of the said Act, made in the thirteenth Year of his present Majesty's Reign, were extended to them, they who are now there would thereby be encouraged to continue there Residence in his Majesty's Colonies, and others would resort thither in greater Numbers, whereby the said Colonies would be improved, their Strength increased, and their Trade extended;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-seven, all Foreign Protestants, who conscientiously scruple the taking of an Oath, and who are born out of the Ligeance of his Majesty, his Heirs or Successors, who have inhabited and resided, or shall inhabit and reside, for the Space of seven Years or more, in any of his Majesty's Colonies in *America*, and shall not have been absent out of some of the said Colonies for a longer Space than two Months at any one Time during the said seven Years, and shall make and subscribe the Declaration of Fidelity, and take and affirm the Effect of the Abjuration Oath, appointed and prescribed by the said recited Act, made in the eighth Year of the Reign of his late Majesty King GEORGE the First, and also make and subscribe the Profession of his Christian Belief, appointed and prescribed by the said recited Act, made in the first Year of the Reign of their late Majesties King WILLIAM and Queen MARY, before the Chief Judge or other Judge of the

1 Geo. 1. c. 13.

8 Geo. 1. c. 6.

1 W. & M. st. 1. c. 18.

Foreign Protestants Residents in America 7 Years, who scruple an Oath, upon making and subscribing the Affirmation of Fidelity and Declaration;

the Colony wherein such Persons respectively have so inhabited and resided, or shall so inhabit and reside, shall be deemed, adjudged, and taken to be his Majesty's natural born Subjects of this Kingdom, to all Intents, Constructions and Purposes, as if they and every of them had been or were born within this Kingdom; which said Affirmation and Subscription of the said Declaration, the said Chief or other Judge of every of the said respective Colonies, is hereby enabled and impowered to administer and take; and the taking of every such Affirmation, and the making and subscribing of every such Declaration, shall be in such Manner and Place, and at such Times and Hours, and such Entries made thereof, and for the same Fees, and under the same Penalties, as in the said recited Act of the thirteenth Year of his Majesty's Reign are mentioned; and Lists of the Persons who shall take the Benefit of this Act, shall be transmitted to the Commissioners of Trade and Plantations, in like Manner, and under the same Penalties, as Lists of the Persons taking the Benefit of the said Act are thereby directed to be transmitted.

to be deemed natural-born Subjects.

Lists of Persons taking the Benefit to be transmitted to the Commissioners of Trade.

II. Provided always, and be it enacted by the Authority aforesaid, That no Person shall be Naturalized by virtue of this Act, unless such Person shall have received the Sacrament of the Lord's Supper, in some Protestant or Reformed Congregation, within some of the said Colonies in *America*, within three Months next before his taking such Affirmation, and making and subscribing such Declaration, and shall at the Time of his taking such Affirmation, and making and subscribing such Declaration, produce a Certificate, signed by the Person administering the said Sacrament, and attested by two credible Witnesses, whereof an Entry shall be made in the Secretary's Office of the Colony wherein such Person shall so inhabit and reside, as also in the Court where the said Affirmation shall be so taken as aforesaid, without any Fee or Reward.

Persons to qualify themselves by taking the Sacrament.

Certificate and Entry thereof to be made.

III. And be it further enacted by the Authority aforesaid, That the Provisions contained in the said Act, made in the thirteenth Year of his present Majesty's Reign, with Regard to Certificates of Residence, and of having made and subscribed the said Declaration, and taken the said Affirmation, and as to such Certificates being made Evidence in the Courts of *Great Britain* and *Ireland*, and also in the said Colonies, and all other the Benefits of the said Act, shall extend to Foreign Protestants, who conscientiously scruple the taking of an Oath, and who shall be qualified as aforesaid.

Provisions of Act 13 Geo. 2. with Regard to Certificates, &c. extended to such Foreign Protestants.

IV. Provided always, That the said Foreign Protestants shall enjoy the Privileges of natural-born Subjects, and all the Benefits of this Act, and the said Act of the thirteenth Year of his Majesty's Reign.

Privileges of natural-born Subjects, &c.

V. Provided always, and be it hereby further enacted, That no Person who shall become a natural-born Subject of this Kingdom, by virtue of this Act, shall be of the Privy Council, or a Member of either House of Parliament, or capable of taking, having or enjoying any Office or Place of Trust within the Kingdoms of *Great Britain* or *Ireland*, either Civil or Military, or of having, accepting or taking any Grant from the Crown to himself, or to any other in Trust for him, of any Lands, Tenements or Hereditaments, within the Kingdoms of *Great Britain* or *Ireland*; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Restrictions.

VI. Provided also, and it is hereby further enacted by the Authority aforesaid, That nothing in this Act, or in the said recited Act of the thirteenth Year of his Majesty's Reign contained, shall extend, or be construed to extend to Naturalize any Person or Persons whatsoever, who by virtue of an Act made in the fourth Year of his Majesty's Reign (intituled, *An Act to explain a Clause in an Act made in the seventh Year of the Reign of her late Majesty Queen* ANNE, *for Naturalizing Foreign Protestants, which relates to the Children of natural-born Subjects of the Crown of* England *or of* Great Britain) are declared and enacted not to be intitled to the Benefit of the said Act of the seventh Year of her said late Majesty's Reign, but that all such Persons shall be and remain in the same State, Plight and Condition, to all Intents, Constructions and Purposes whatsoever, as they would have been in, if the said recited Act of the thirteenth Year of his Majesty's Reign, or this Act, had never been made; any thing in this Act, or in the said recited Act of the thirteenth Year of his Majesty's Reign contained to the contrary in any wise notwithstanding.

Persons excluded from this or 13 Geo. 2. 4 Geo. 2. c. 21.

See farther 22 Geo. 2. c. 45. 29 Geo. 2. c. 5.

CAP. XLV.

An Act to continue several Laws relating to the Manufactures of Sail-cloth and Silk; to give further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices, and for better securing the Payment of the said Duties; and declaring that Prize Ships lawfully condemned shall be deemed *British* built Ships; and for allowing Prize Goods to be landed and secured in proper Warehouses, without Payment of any Duty, until it can be determined whether they are fit for Exportation or Home Consumption.

'WHEREAS the Laws herein after mentioned, which have by Experience been found useful and beneficial, are near expiring,' May it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the twelfth Year of the Reign of her late Majesty Queen ANNE, intituled *An Act for the better Encouragement of the making of Sail-cloth in* Great Britain; which was to continue in Force for seven Years, and from thence to the End of the then next Session of Parliament; and which was, by an Act made in the fifth Year of his late Majesty's Reign, further continued for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which, by another Act made in the tenth Year of the Reign of his said late Majesty, was further continued for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which, by another Act made in the eighth Year of the Reign of his present Majesty, was further continued until the twenty-fifth Day of

12 Anne, c. 16.

5 Geo. 1. c. 25.

10 Geo. 1. c. 17.

8 Geo. 2. c. 18.

15 Geo. 2. c. 35. Continued to 1 June 1754. 'Farther continued by 27 Geo. 2. c. 18.' *And again by* 33 *Geo.* 2. *c.* 17.

March one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act made in the fifteenth Year of the Reign of his preſent Majeſty, was further continued until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame is hereby further continued from the Expiration thereof until the firſt Day of *June* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament.

Clauſes in 8 Geo. 1. c. 15.

II. And be it further enacted by the Authority aforeſaid, That the ſeveral Clauſes contained in an Act made in the eighth Year of the Reign of his late Majeſty (intituled, *An Act for Encouragement of the Silk Manufactures of this Kingdom; and for taking off ſeveral Duties on Merchandizes exported; and for reducing the Duty upon Beaver-ſkins, Pepper, Mace, Cloves and Nutmegs, imported; and for Importation of all Firs of the Product of the* Britiſh *Plantations into this Kingdom only; and that the two Corporations of Aſſurance, on any Suits brought on their Policies, ſhall be liable only to ſingle Damages and Coſts of Suit)* relating to the Encouragement of the Silk Manufactures of this Kingdom, and for taking off ſeveral Duties on Merchandizes exported, which were to continue in Force for three Years, from the twenty-fifth Day of *March* one thouſand ſeven hundred and twenty-two, and from thence to the End of the then next Seſſion of Parliament; and which ſaid Clauſes were, by an Act made in the eleventh Year of his ſaid late Majeſty's Reign, continued from the Expiration thereof for three Years, and from thence to the End of the then next Seſſion of Parliament; and by another Act made in the ſecond Year of his preſent Majeſty's Reign, were further continued from the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-four, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act made in the eighth Year of his preſent Majeſty's Reign, were further continued until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament; and which, by an Act made in the fifteenth Year of the Reign of his preſent Majeſty, were further continued until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame are hereby continued from the Expiration thereof until the ſaid firſt Day of *June* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament.

11 Geo. 1. c. 29.
2 Geo. 2. c. 28.
8 Geo. 2. c. 18.
15 Geo. 2. c. 35. Continued to 1 June 1754. 'Farther continued by 26 Geo. 2. c. 32.' *And again by* 32 *Geo.* 2. *c.* 23.

The two laſt Clauſes in 9 Geo. 1. c. 8. continued to 1 June 1754.

III. And be it further enacted by the Authority aforeſaid, That the two laſt Clauſes in an Act made in the ninth Year of the Reign of his late Majeſty, for continuing ſome laws, and reviving others therein mentioned, for more effectual preventing Frauds in mixing Silks with Stuffs to be exported, which ſaid Clauſes were by an Act, made in the ſecond Year of the Reign of his preſent Majeſty, to continue in Force from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-four, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act, made in the eighth Year of the Reign of his preſent Majeſty, were further continued until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-two and from thence to the End of the then next Seſſion of Parliament; and which by another Act, made in the fifteenth Year of the Reign of his preſent Majeſty, was further continued until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and are hereby further continued until the ſaid firſt Day of *June* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament.

8 Ann. c. 9. 9 Ann. c. 21.

'IV And whereas by two ſeveral Acts of Parliament made and paſſed in the eighth and ninth Years of 'the Reign of her late Majeſty Queen ANNE, certain Rates and Duties, to be under the Management of the 'Commiſſioners for the Stamp Duties, were charged and directed to be levied or continued, for or in reſpect 'of Monies given, paid or contracted for, with Clerks, Apprentices or Servants, to be paid at ſuch Times 'and in ſuch Manner, and under ſuch Penalties, as in and by the ſaid ſeveral Acts are reſpectively men-
13 Geo. 2. c. 22. 'tioned, expreſſed and provided: And whereas by an Act made and paſſed in the eighteenth Year of the 'Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty the Sum of eight hundred thou-* 'ſand Pounds out of the Sinking Fund, *and for granting a Sum remaining in the Exchequer, ariſen by the Surplus* 'of the Duties upon Malt, Mum, Cyder and Perry, *for the Service of the Year one thouſand ſeven hundred and* 'forty-five; *and for the further appropriating the Supplies granted in this Seſſion of Parliament; and for giving* 'further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Appren- 'tices; *and for the further enforcing the Payment of the ſaid Duties*; after taking Notice of the ſaid two for- 'mer Acts, and that ſeveral Perſons had, through Negligence or Inadvertency, omitted to pay the ſeveral 'Rates and Duties payable in that Behalf; and to have the Indentures or Contracts ſtamped within the Times 'for thoſe Purpoſes reſpectively, limited by the ſaid Acts, whereby ſuch Clerks, Apprentices or Servants, 'and their Maſters or Miſtreſſes reſpectively, had incurred, and might be ſubject to ſeveral Penalties, For- 'feitures and Diſabilities; it is therefore enacted, That upon Payment of the ſeveral Rates and Duties ſo 'omitted or neglected to be paid as aforeſaid, on or before the firſt Day of *Auguſt* one thouſand ſeven hundred 'and forty-five, and tendering to be ſtamped ſuch Indentures or Contracts ſo omitted to be ſtamped at the 'ſame Time, or at any Time before the twenty-ninth Day of *September* one thouſand ſeven hunbred and 'forty-five, the ſame Indentures or Contracts ſhould be good and available in Law and Equity, and might 'be given in Evidence; and the Clerks, Apprentices or Servants therein named, ſhould be capable of fol- 'lowing and exerciſing their reſpective intended Trades and Employments, as fully as if the Rates and Du- 'ties ſo omitted, had been duly paid within the reſpective Times in the ſaid former Acts limited and ap- 'pointed, and the Perſons who had incurred any Penalties by the Omiſſions aforeſaid, upon Payment of 'ſuch Rates and Duties as aforeſaid, within the Time thereby before limited, were thereby acquitted and 'diſcharged from the ſaid Penalties: And it was thereby further enacted, That after the twenty-fourth Day 'of *June* one thouſand ſeven hundred and forty-five, if any Maſter or Miſtreſs ſhould neglect to pay the ſaid 'Rates and Duties for Clerks, Apprentices or Servants, wi hin the reſpective Times, in and by the former

'Acts

'Acts limited and appointed in that Behalf, according to the true Intent and Meaning of the ſame; every 'ſuch Maſter and Miſtreſs ſhould, for every ſuch Neglect, forfeit and pay double the Rates and Duties 'charged and directed to be paid and levied by the ſaid former Acts, or either of them (over and above all 'Penalties and Forfeitures thereby inflicted) for all Monies which ſhould at any Time or Times, after the 'ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-five, be given, paid, contracted or 'agreed for, with or in Relation to every ſuch Clerk, Apprentice or Servant to be recovered, paid and ap-'plied in ſuch Manner as is therein mentioned: And it was thereby further enacted, That if any Maſter 'or Miſtreſs of any ſuch Clerk, Apprentice or Servant reſpectively, ſhould neglect to pay the ſaid Rates 'and Duties ſo charged by the ſaid former Acts, or either of them, within the reſpective Times therein 'limited in that Behalf, whereby the Penalties and Forfeitures incurred by the ſaid Act of the eighteenth 'Year of his preſent Majeſty, would become charged upon and be payable by them reſpectively; and any 'ſuch Clerk, Apprentice or Servant reſpectively, ſhould in that Caſe pay or cauſe to be paid the Rates and 'Duties charged by the ſaid former Acts or either of them, and alſo the Penalties and Forfeitures inflicted 'and incurred by the ſaid Act of the eighteenth Year of his preſent Majeſty, at any Time within one Year 'after the ſame ſhould ſo reſpectively become charged, incurred and made payable by virtue of the ſame 'Act, as aforeſaid (ſuch Maſters or Miſtreſſes not having then paid the ſaid Rates, Duties, Penalties and 'Forfeitures reſpectively, although required by ſuch Clerk, Apprentice or Servant ſo to do) then and in 'ſuch Caſe, it ſhould and might be lawful to and for any ſuch Clerk, Apprentice or Servant, within three 'Months after ſuch Payment of the ſaid Rates, Duties, Penalties and Forfeitures reſpectively by him, her 'or them as aforeſaid, to demand of his or her Maſter or Miſtreſs, or his, her or their Executors or Admi-'niſtrators, ſuch Sum or Sums of Money as was or were paid to ſuch Maſter or Miſtreſs for or in reſpect 'of ſuch Clerkſhip, Apprenticeſhip or Servitude; and in caſe ſuch Sum or Sums of Money ſhould not be 'paid within three Months after ſuch Demand thereof made, it ſhould and might be lawful to and for ſuch 'Clerk, Apprentice or Servant to ſue for and recover the ſame, with full Coſts of Suit, againſt ſuch Maſter 'or Miſtreſs, his, her or their Executors or Adminiſtrators, by Action of Debt, Bill, Plaint or Informa-'tion, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager at 'Law, or more than one Imparlance ſhould be allowed; and every ſuch Clerk, Apprentice or Servant 'ſhould and might, immediately after Payment of ſuch Rates, Duties, Penalties and Forfeitures as afore-'ſaid, be diſcharged from his, her or their Clerkſhip, Apprenticeſhip and Service reſpectively, and from all 'Actions, Penalties, Forfeitures and Damages for not ſerving the Time for which he, ſhe or they were re-'ſpectively bound, contracted for or agreed to ſerve ſuch Maſter or Miſtreſs reſpectively: And it was there-'by further enacted and declared, That every ſuch Clerk, Apprentice or Servant, ſhould avail him or her-'ſelf, and have ſuch and the ſame Benefit and Advantage of the Time he or ſhe ſhould reſpectively have 'continued with and ſerved ſuch Maſter or Miſtreſs reſpectively, as he or ſhe could or might have done, in 'caſe of any Aſſignment or Turning over to any new or other Maſter or Miſtreſs: And whereas ſeveral 'Maſters and Miſtreſſes do ſtill frequently neglect and omit to pay the ſaid ſeveral Rates and Duties paya-'ble in that Behalf, whereby they have rendered themſelves and their reſpective Clerks, Apprentices and 'Servants, ſubject and liable to ſeveral Penalties, Forfeitures and Diſabilities:' Now, for preventing the ſaid Inconveniencies, and for the better enforcing the Payment of the ſaid Rates and Duties for the future, Be it enacted by the Authority aforeſaid, That if any Maſter or Miſtreſs, who at any Time heretofore ſhall have neglected to pay the ſaid Rates and Duties for Clerks, Apprentices or Servants, ſhall, on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-ſeven, pay the Double Rates and Duties, directed to be forfeited and paid by the ſaid Act of the ſaid eighteenth Year of the Reign of his preſent Majeſty, unto the Perſon or Perſons to whom the ſame ought to be paid purſuant to the ſame Act, and ſhall tender to be ſtamped ſuch Indentures or Contracts ſo omitted to be ſtamped, at the ſame Time, or at any Time before the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-ſeven; then, and in ſuch Caſe, the ſame Indentures and Contracts ſhall be good and available in Law and Equity, and may be given in Evidence in any Court whatſoever; and the Clerks, Apprentices or Servants therein named, ſhall be capable of following and exerciſing their reſpective intended Trades or Employments, as fully as if the Rates and Duties ſo omitted, had been duly paid within the reſpective Times in the ſaid former Acts, or either of them, limited and appointed; and all and every Perſon and Perſons, who ſhall have incurred any Penalties by the Omiſſions aforeſaid, upon Payment of ſuch Double Rates and Duties as aforeſaid, within the Time before limited, are hereby acquitted and diſcharged from the ſaid Penalties; any thing in the ſaid two former Acts, or either of them, contained to the contrary notwithſtanding.

Further Time given for Payment of Duties omitted to be paid for the Indentures of Clerks and Apprentices upon Payment of double Duties, &c.

Penalties incurred by Omiſſions diſgharged upon Payment of double Duties.

V. And it is hereby further enacted, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſeven, if any Maſter or Miſtreſs, who by reaſon of ſuch Neglect as aforeſaid, ſhall become liable to forfeit and pay the ſaid Double Rates and Duties as aforeſaid, ſhall reſpectively pay the ſaid double Rates and Duties unto the Perſon or Perſons to whom the ſame ought to be paid in purſuance of the ſaid former Acts, and alſo tender the Indentures or Contracts to be ſtamped at any Time within two Years after the End or Determination of the Apprenticeſhip or Service of any ſuch Clerk, Apprentice or Servant reſpectively, and before any Suit or Proſecution ſhall have been commenced for recovering any of the Penalties and Forfeitures inflicted and incurred by the ſaid former Acts or any of them, then and in ſuch Caſe, the Indentures or Contracts of ſuch Clerk, Apprentice or Servant reſpectively, ſhall be good and available in Law and Equity, and may be given in Evidence in any Court whatſoever; and the Clerks, Apprentices or Servants therein named, ſhall be capable of following and exerciſing their reſpective intended Trades or Employments, as fully as if the Rates and Duties ſo omitted, had been duly paid within the reſpective Times in the ſaid former Acts, or any of them, limited or appointed; and all and every Perſon and Perſons, who ſhall have incurred any Penalties by the Omiſſions aforeſaid, upon Payment of ſuch double Rates and Duties as aforeſaid, within the reſpective Times herein laſt before limited in that Behalf, ſhall be, and they are

Upon Payment of double Duties and Tender of the Contracts to be ſtamped within two Years after the End of the Apprenticeſhip, &c.

the Contracts to be good, &c.

Penalties incurred for Omiſſions diſcharged upon Payment of double Duties.

are hereby acquitted and diſcharged of and from the ſaid Penalties and Forfeitures; any thing in the ſaid former Acts, or any of them, contained to the contrary notwithſtanding.

Apprentices, &c. paying the double Duties forfeited by their Maſters, &c.

VI. And it is hereby further enacted, That if any Maſter or Miſtreſs ſhall, by reaſon of any ſuch Neglect as aforeſaid, become liable to forfeit and pay ſuch double Rates and Duties as aforeſaid, and any ſuch Clerk, Apprentice or Servant reſpectively, ſhall and do, at any Time after ſuch Forfeiture incurred, either in the Preſence of one or more credible Witneſs or Witneſſes, or by Writing under the Hand of ſuch Clerk, Apprentice or Servant reſpectively, ſigned in the Preſence of one or more credible Witneſs or Witneſſes, require his or her Maſter or Miſtreſs reſpectively to pay the ſaid double Rates or Duties ſo incurred as aforeſaid, and ſuch Maſter or Miſtreſs ſhall not, within three Months after ſuch Requeſt, pay the ſame, and any ſuch Clerk, Apprentice or Servant ſhall, at any Time within two Years after the Determination of his Clerkſhip, Apprenticeſhip or Servitude, pay the ſaid double Rates and Duties ſo forfeited and incurred, and not paid by his or her Maſter or Miſtreſs reſpectively as aforeſaid, then, and in ſuch Caſe, it ſhall and may be lawful to and for any ſuch Clerk, Apprentice or Servant, within three Months after ſuch Payment of the ſaid double Rates and Duties by him, her or them as aforeſaid, to demand of his or her Maſter or Miſtreſs, or his, her or their Executors or Adminiſtrators, double the Sum or Sums of Money or other Conſideration reſpectively given, paid and agreed, or contracted to be paid to ſuch Maſter or Miſtreſs for or in reſpect of ſuch Clerkſhip, Apprenticeſhip or Servitude; and in caſe ſuch Sum or Sums of Money ſhall not be paid within three Months after ſuch Demand thereof made, it ſhall and may be lawful to and for any ſuch Clerk, Apprentice or Servant, to ſue for and recover the ſame, with full Coſts of Suit, againſt ſuch Maſter or Miſtreſs, his, her or their Executors or Adminiſtrators, by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed; and every ſuch Clerk, Apprentice or Servant ſo paying ſuch double Rates or Duties as aforeſaid, ſhall and may, immediately after Payment thereof reſpectively, and upon ſignifying by Writing under his or her Hand, that he or ſhe deſires to be diſcharged from his, her or their Clerkſhip, Apprenticeſhip and Service reſpectively, ſhall be accordingly diſcharged from the ſame reſpectively, and from all Actions, Penalties, Forfeitures and Damages for not ſerving the Time for which he, ſhe or they were reſpectively bound, contracted for or agreed to ſerve ſuch Maſter or Miſtreſs reſpectively.

to be reimburſed double the Sum paid in reſpect of ſuch Apprenticeſhip, &c. with Coſts;

and be diſcharged from their Apprenticeſhip, if they require it;

and to have the ſame Benefit of their Service, as if they had been turned over.

VII. Provided always, and it is hereby further enacted and declared, That every ſuch Clerk, Apprentice or Servant, ſhall avail him or herſelf, and have ſuch and the ſame Benefit and Advantage of the Time he or ſhe ſhall reſpectively have continued with and ſerved ſuch Maſter or Miſtreſs reſpectively, as he or ſhe could or might have done, in caſe of any Aſſignment or Turning over to any new or other Maſter or Miſtreſs.

Apprentices paying the double Rates where Proſecutions are commenced againſt their Maſters, to be qualified to follow their Trades, &c.

See farther concerning Indentures 32 *Geo.* 2. *c.* 23.

VIII. Provided always, That in caſe where any Proſecution ſhall be commenced againſt any Maſter or Miſtreſs, for recovering any of the Penalties and Forfeitures inflicted and incurred by the ſaid former Acts, or any of them, the Clerk, Apprentice or Servant of ſuch Maſter or Miſtreſs reſpectively, ſhall pay ſuch double Rates and Duties, at any Time within two Years after the End of his, her or their Clerkſhip, Apprenticeſhip or Servitude, and every ſuch Clerk, Apprentice or Servant reſpectively, ſhall, upon Payment of ſuch double Rates and Duties as aforeſaid, be capable and qualified to follow and exerciſe his, her and their reſpective Trades and Employments; and the Indentures or Contracts of ſuch Clerk, Apprentice and Servant reſpectively, ſhall be good and available in Law and Equity, and may be given in Evidence in any Court whatſoever; any thing in this or the ſaid former Acts, or any of them contained to the contrary notwithſtanding.

Prize Ships to be deemed as Britiſh built.

'IX. And whereas it is reaſonable and fit that Prize Ships or Veſſels, lawfully condemned, ſhould be 'deemed as *Britiſh* built Ships or Veſſels to all Intents and Purpoſes,' Be it therefore enacted by the Authority aforeſaid, That all Prize Ships or Veſſels which have been at any Time, or ſhall be legally condemned, ſhall, to all Intents and Purpoſes whatſoever, be conſidered as *Britiſh* built Ships or Veſſels, and be deemed and taken as ſuch, and ſhall be intitled to have and enjoy all and every the ſame Rights, Liberties, Privileges and Advantages in all Reſpects whatſoever, with *Britiſh* built Ships or Veſſels, and ſhall be ſubject and liable to all and every the Rules and Regulations that *Britiſh* built Ships or Veſſels are ſubject and liable to; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

'X. And whereas his Majeſty's Ships of War and Privateers have, during the preſent War againſt *France* 'and *Spain*, taken divers Goods and Merchandizes from his Majeſty's Enemies, which have, with the Pri- 'vity and Approbation of the Commiſſioners or other proper Officers of the Cuſtoms or Exciſe, been land- 'ed and depoſited in Warehouſes under his Majeſty's Locks, in order to be examined to aſcertain the Par- 'ticulars and Natures of ſuch Goods, and ſundry Parts whereof, having upon ſuch Examination, been 'found unfit for the Conſumption of this Kingdom, and moſt proper to be exported to Foreign Parts, have 'been declared by the Captors for Exportation, and in order thereto, been continued in ſuch Warehouſes, 'under the Care and Inſpection of the Officers of the Cuſtoms or Exciſe: And whereas ſome Doubts have 'ariſen, whether the ſaid Goods can be re-exported by any others but the Captors, or in other Ships than 'thoſe in which they were taken and imported, or without firſt being entered and paying the Duties of 'Cuſtom or Exciſe for the ſame; and which in ſeveral Inſtances amounting to more than the Profit that 'can be made by the Captors of ſuch Goods, would deprive them of the whole Benefit thereof; and in 'many Inſtances, the re-exporting ſuch Prize Goods by the Captors themſelves, in the Ships in which 'they are taken and imported, would be impoſſible; Goods taken in Neutral Ships, being often condem- 'ned where the Ship is diſcharged, and would in moſt Caſes be impracticable, as the Goods declared for 'Exportation are never any thing near a ſufficient Cargo to lade a Ship to a Foreign Market, and the Cap- 'tors not being Merchants, but Seamen, have no Houſes Abroad, and are wholly unacquainted with 'Tranſactions of this Nature;' For Remedy of which Inconveniency, and for the further encouraging the making Captures from the Enemy, Be it further enacted by the Authority aforeſaid, That all Goods and

Merchandize

Merchandize that have been, or shall, during the Continuance of the present War with *France* or *Spain*, be taken from his Majesty's Enemies, and landed from on Board of any Ship or Vessel in any Port within the Kingdom of *Great Britain*, and put into Warehouses provided or to be provided, at the sole Expence of the Captors, with the Privity and Approbation of the Commissioners, or other Officers of the respective Duties of Customs or Excise, to which such Goods or Merchandize are liable, and under the King's Locks, in order to be examined, to ascertain the Particulars and Nature of such Goods and Merchandize, and that have, or shall, from the landing thereof, continue and remain in such Warehouses, under the Care and Inspection of the Commissioners or other Officers of the respective Duties of Customs or Excise, to which such Goods or Merchandize are liable; and that within the Space of three Months after the Landing thereof, have been or shall be declared by or on the Behalf of the Captors, to the said Commissioners or Officers of the respective Duties of Custom or Excise, to which such Goods or Merchandize are liable, to have been or intended to be re-shipped to Foreign Parts, shall and may, from time to time, and at all Times hereafter, be exported directly from such Warehouses to Foreign Parts, in any Ship or Ships belonging to his Majesty's Subjects, either by the Captor or Captors of such Goods or Merchandizes, or by any other Person or Persons to whom the Captor or Captors have under such Declaration for Exportation as aforesaid, sold or disposed of the same, or shall or may sell or dispose of the same for Exportation as aforesaid, without paying any Duty of Custom or Excise for the same, the Person or Persons exporting the same, giving sufficient Security before the Shipping thereof, that the Goods and Merchandize that shall be intended by him or them to be exported as aforesaid, or any Part thereof, shall not be re-landed or brought again into any Part or Parts of *Great Britain*; which Security the Customer or Collector of the Port where the same is intended to be exported, is hereby directed and authorized to take in his Majesty's Name and to his Majesty's Use.

Prize Goods landed and put into Warehouses;

upon Declaration of the Captors of their Intention to re-ship them,

may be exported without paying Duty.

21 Geo. 2. c. 2. §. 8. *repeals this Clause as to Non-payment of Duty.*

Exporter to give Security.

CAP. XLVI.

An Act to prevent the Return of such Rebels and Traitors concerned in the late Rebellion, as have been or shall be pardoned on Condition of Transportation; and also to hinder their going into the Enemies Country.

Concerning Treason refer to 25 *Ed.* 3 *stat.* 5. *c.* 2. 11 *H.* 7. *c.* 1. 26 *H.* 8. *c.* 13. 33 *H.* 8. *c.* 20. 35 *H.* 8. *c.* 2. 1 *Ed.* 6. *c.* 12. 5 & 6 *Ed.* 6. *c.* 11. 1 *Mar. stat.* 1. *c.* 1. 1 *Mar. stat.* 2. *c.* 6. 1 & 2 *P.* & *M. c.* 10 & 11. 5 *El. c.* 11. 14 *El. c.* 3. 18 *El. c.* 1. 23 *El. c.* 1. 29 *El. c.* 2. 7 *W.* 3. *c.* 3. 13 & 14. *W.* 3. *c.* 3. 1 *Ann. stat.* 2. *c.* 17. 2 & 3 *Ann. c.* 20. 6 *Anne c.* 7. 7 *Ann. c.* 21. 17 *Geo.* 2. *c.* 39. 20 *Geo.* 2. *c.* 30.

'WHEREAS, during the Time of the late wicked and unnatural Rebellion, and since, a great 'Number of Persons who had taken up Arms, or were otherwise engaged in the said Rebellion, 'were by his Majesty's great Vigilance and Care apprehended, several of whom have been tried and con'victed of the said Treasons, and many conscious of their Guilt, have by their Petition implored his Ma'jesty's Mercy, upon Condition of their being transported to some of the *British* Colonies and Plantations 'in *America*: And whereas his Majesty out of his great Clemency hath been most graciously pleased to 'grant his Royal Pardon to several of them, as well those who were so tried and convicted, as those who 'by their Petitions have acknowledged their Guilt and implored his Majesty's Mercy as aforesaid, and 'others may hereafter be pardoned on the like Application and Condition: And whereas it is thought ex'pedient for the Publick Safety, that all proper Means should be taken to prevent their returning from the 'said Colonies or Plantations, or going to his Majesty's Enemies;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons to whom his Majesty has, or shall hereafter grant his most gracious Pardon for the said Treasons, or any of them, on Condition of their being transported to some of the *British* Colonies or Plantations in *America*, shall, without the Licence of his Majesty, his Heirs or Successors, under his or their Privy Seal or Sign Manual for that Purpose, or some other lawful Cause, return, or come into, or be at large in any Part of *Great Britain* or *Ireland*, or voluntarily go into or continue in any Part of the Dominions of the *French* King, or the King of *Spain*, in *Europe*, *America* or elsewhere, he, she or they so returning or coming into or being in any Part of *Great Britain* or *Ireland*, as aforesaid, or who shall voluntarily go into or continue in any Part of the Dominions of the *French* King, or King of *Spain*, shall not only have no Benefit of such Pardon, but shall be guilty of Felony, and shall suffer Death, and forfeit as in Cases of Felony, without Benefit of Clergy.

Rebels returning from Transportation without Licence,

or voluntarily going into France or Spain,

to suffer Death without Clergy.

II. And be it further enacted by the Authority aforesaid, That in case any Person or Persons whatsoever, shall knowingly aid or assist any such Person or Persons so pardoned or to be pardoned, on Condition of Transportation as aforesaid, in his, her or their unlawful returning or coming into, or becoming or being at large in *Great Britain* or *Ireland*, or in going into or continuing in any of the Dominions of the *French* King, or the King of *Spain*, without such Licence or other lawful Cause, such Person or Persons so offending shall be guilty of Felony, and suffer Death and forfeit as in Cases of Felony, without Benefit of Clergy.

Aiders of Persons returning,

to suffer Death, &c.

III. And in case any Person or Persons so pardoned or to be pardoned as aforesaid, shall unlawfully go into or continue in any of the Dominions of the *French* King, or the King of *Spain*, Be it further enacted, by the Authority aforesaid, That in such Case, if any of the Subjects of his Majesty, his Heirs or Successors (except such Person or Persons as shall be licensed for that Purpose by his Majesty, his Heirs or Successors, under his or their Sign Manual or Privy Seal) shall within this Realm or without, knowingly hold, entertain or keep any Intellegence or Correspondence in Person, or by Letters, Messages or otherwise, with any of the said Persons who shall have so gone into or continued in any of the Dominions of the *French* King, or the King of *Spain*, or with any Person or Persons employed by him, her or them, knowing such Person or Persons to be so employed, such Person so offending, being thereof lawfully convicted,

Subjects holding Correspondence with Rebels going into France or Spain,

or Persons employed by them,

to suffer Death, &c.

shall be adjudged guilty of Felony, and shall suffer Death and forfeit, as in Cases of Felony, without Benefit of Clergy.

Offences where to be tried.

IV. And be it further enacted by the Authority aforesaid, That all Offences made Felony by this Act, shall and may be enquired of, examined, tried and determined in the Court of *King's Bench* in that Part of *Great Britain* called *England*, or in the High Court of Justiciary in that Part of *Great Britain* called *Scotland* respectively, or in any County of this Realm, in such Manner and Form as if the Fact had been therein committed, or within any of the *British* Colonies or Plantations in *America*, within which any such Offence shall be committed, or in any County of *Ireland*, in case any such Offence shall be committed within that Kingdom.

Commander of Ship to deliver within a Week a List of the Persons transported to the Naval Officer.

List to be hung up in the Custom-house.

V. And in order that all Persons in the Colonies or Plantations to which the said Offenders shall be transported may have Notice of the Persons who are or shall be so pardoned and transported, Be it further enacted by the Authority aforesaid, That within the Space of one Week after any of the said Persons shall be transported or brought to any such Colonies or Plantations, the Naval Officer or other chief Officer of the Customs, at the Port whither they shall be brought, shall have and receive from the Master or Commander of the Ship in which they shall be brought, a true List, signed by such Officer or Commander, of the Names and Additions of the Persons so transported; which List shall be hung or set up in the publick Custom-house of such Port, there to be seen, read and copied by all Persons, without any Fee or Reward; and in case the same shall be defaced, taken away or lost, a new List shall from time to time be immediately set and kept up by such Naval or other Principal Officer; and if such Master or Commander shall, after this Act shall be published in any such Colony or Plantation, refuse or neglect to give such List, or if the said Naval or other Officer shall refuse or neglect to put or keep up the same as above directed, or if any Person shall voluntarily deface or take away the same, being so put up, kept or renewed, or any List put up in such Custom-house of Rebels transported, every Person so offending, shall forfeit the Sum of fifty Pounds Sterling for every such Offence; of which one Moiety shall belong to his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall sue for the same, in the Colony or Plantation where the Offence shall be committed, or in the Court of *King's Bench* in *England*, or of Justiciary in *Scotland*, in case the Offender shall be found in *England* or *Scotland*.

Persons offending,

to forfeit 50 l.

Distribution of the Forfeitures.

Indictments to be within 2 Years after the Offence.

VI. Provided always, and it is hereby declared, That no Person or Persons whatsoever, shall be convicted of any Offence or Crime made Felony by this Act, unless such Person or Persons shall be indicted for such Offence or Crime, within two Years next after committing thereof.

See 21 Geo. 2. c. 19. and 22 Geo. 2. c. 48. for regulating Trials for High Treason in Scotland.

CAP. XLVII.

An Act to continue several Laws for prohibiting the Importation of Books reprinted Abroad, and first composed or written and printed in *Great Britain*; for preventing Exactions of the Occupiers of Locks and Wears upon the River of *Thames* Westward, and for ascertaining the Rates of Water Carriage upon the said River; and for better securing the lawful Trade of his Majesty's Subjects to and from the *East Indies*; and for the more effectual preventing all his Majesty's Subjects trading thither under Foreign Commissions; and relating to Rice, to Frauds in the Customs, to the Clandestine running of Goods, and to Copper Ore of the *British* Plantations; and for the free Importation of Cochineal and Indico; and for Punishment of Persons destroying Turnpikes or Locks, or other Works erected by Authority of Parliament.

'WHEREAS the Laws herein after mentioned (which have by Experience been found useful and beneficial) are near expiring;' May it therefore please your Majesty, That it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That so much of an Act made in the twelfth Year of the Reign of his present Majesty (intituled, *An Act for prohibiting the Importation of Books reprinted Abroad, and first composed or written and printed in* Great Britain; *and for repealing so much of an Act made in the eighth Year of the Reign of her late Majesty Queen* ANNE, *as impowers the limiting the Prices of Books*) as relates to the prohibiting the Importation of Books reprinted Abroad, and first composed or written and printed in *Great Britain*; which was to continue in Force from the twenty-ninth Day of *September* one thousand seven hundred and thirty-nine, for and during the Space of seven Years, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued from the Expiration thereof until the twenty-ninth Day of *September* one thousand seven hundred and fifty-four, and from thence to the End of the then next Session of Parliament

12 Geo. 2. c. 36. for prohibiting the Importation of Books, &c.

continued till 29 Sept. 1754. 'Farther continued by 27 Geo. 2. c. 18.' *and again by* 33 *Geo.* 2. *c.* 16.

II. And be it further enacted by the Authority aforesaid, That an Act made in the third Year of the Reign of his present Majesty, intituled, *An Act for reviving and amending an Act made in the sixth and seventh Years of the Reign of his late Majesty King* WILLIAM *the Third, intituled*, 'An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River of *Thames* Westward, and for ascertaining the Rates of Water Carriage upon the said River;' which was to continue in Force from the first Day of *May* one thousand seven hundred and thirty, for the Term of nine Years, and from thence to the End of the then next Session of Parliament; and which, by another Act made in the thirteenth Year of the Reign of his

3 Geo. 2. c. 11. for preventing Exactions of the Occupiers of Locks and Wears upon the Thames, &c. 6 W. 3. c. 16. 13 Geo. 2. c. 18.

his present Majesty, for continuing several Laws therein mentioned, was further continued from the Expiration thereof until the first Day of *June* which shall be in the Year of our Lord one thousand seven hundred and forty-seven, shall be, and the same is hereby further continued from the Expiration thereof until the first Day of *June* one thousand seven hundred and forty-nine.

Continued till 1 June 1749. EXP.

'c. 8.' *which repeals* 6 & 7 *W.* 3. *c.* 16. *and* 3 'See 24 Geo. 2. *Geo.* 2. *c.* 11.

III. And be it further enacted by the Authority aforesaid, That an Act made in the fifth Year of the Reign of his present Majesty, intituled, *An Act for reviving an Act made in the fifth Year of the Reign of his late Majesty King* GEORGE *the First, intituled,* 'An Act for the better securing the lawful Trade of his Ma-'jesty's Subjects to and from the *East Indies*, and for the more effectual preventing all his Majesty's Subjects 'trading thither under Foreign Commissions;' which was to continue in Force from the first Day of *May* one thousand seven hundred and thirty-two, for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which was, by an Act made in the thirteenth Year of the Reign of his present Majesty, for continuing several Laws therein mentioned, further continued from the Expiration thereof till the first Day of *June* one thousand seven hundred and forty-seven; shall be, and the same is hereby further continued from the Expiration thereof until the twenty-fifth Day of *March* one thousand seven hundred and eighty.

5 Geo. 2. c. 29. for securing the Trade to the East Indies, &c. 5 Geo. 1. c. 21. 13 Geo. 2. c. 18. Continued till 25 March 1780.

IV. And be it further enacted by the Authority aforesaid, That an Act made in the third Year of the Reign of his present Majesty, intituled, *An Act for granting Liberty to carry Rice from his Majesty's Province of* Carolina *in* America, *directly to any Part of* Europe, *Southward of* Cape Finisterre, *in Ships built in and belonging to* Great Britain, *and navigated according to Law*; which was to be in Force for five Years, from the twenty-ninth Day of *September* one thousand seven hundred and thirty, and from thence to the End of the next Session of Parliament; and also an Act made in the eighth Year of the Reign of his present Majesty, to continue the said Act, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament, and to extend that Liberty to his Majesty's Province of *Georgia* in *America* (which said Acts were by an Act made in the fifteenth or sixteenth Year of the Reign of his present Majesty, continued, from the Expiration thereof until the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament) shall be, and the same are hereby further continued, from the Expiration thereof until the first Day of *June* one thousand seven hundred and and fifty-four, and from thence to the End of the then next Session of Parliament.

3 Geo. 2. c. 28. for importing of Rice from Carolina, &c. 8 Geo. 2. c. 19. 15 Geo. 2. c. 33. Continued till 1 June 1754. 'Farther continued by 27 Geo. 2. c. 18.' *and farther by* 33 *Geo.* 2. *c.* 16.

V. And be it further enacted by the Authority aforesaid, That the several Clauses in an Act made in the fifth Year of the Reign of his late Majesty, intituled, *An Act against clandestine Running of uncustomed Goods, and for the more effectual preventing of Frauds relating to the Customs*, relating to such Foreign Goods, Wares and Merchandizes as shall be taken in at Sea, out of any Ship or Vessel, in order to be landed or put into any other Ship, Vessel or Boat; and also relating to Goods not reported and found after clearing Ships; and whereby further Remedies are provided against relanding Goods prohibited to be worn in this Kingdom, and Foreign Goods shipped out for Parts beyond the Seas; and also relating to the opening or altering the Package of Goods on Board Ships outward-bound; and also relating to hovering Ships or Vessels of the Burthen of fifty Tons or under; and also concerning the Bales or Package in which Coffee shall be exported; and also relating to Rum imported in Casks or Vessels not containg twenty-Gallons at the least; and also relating to Certificate Goods entered in order to be exported to *Ireland*; which said several Clauses were to have Continuance for the Term of three Years from the several Times of the Commencement thereof, and from thence to the End of the then next Session of Parliament respectively; and by another Act passed in the ninth Year of his said late Majesty's Reign, were continued, from the Expiration of the several and respective Terms therein mentioned, for the Term of five Years, and from thence to the End of the then next Session of Parliament; and which said Clauses by an Act made in the second Year of the Reign of his present Majesty, were further continued until the twenty-ninth Day of *September* one thousand seven hundred and thirty-four, and from thence to the End of the then next Session of Parliament; and which said Clauses by another Act made in the eighth Year of the Reign of his present Majesty, were further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament; and which said Clauses by another Act made in the fifteenth and sixteenth Year of the Reign of his present Majesty, were further continued, from the Expiration thereof, until the first Day of *June* one thousand seven hundred and fourty-seven, and from thence to the End of the then next Session of Parliament, shall be and are hereby further continued from the Expiration thereof, until the said first Day of *June* one thousand seven hundred and fifty-four, and from thence to the End of the then next Session of Parliament.

Clauses in 5 Geo. 1. c. 11. for preventing Running of Goods, &c. 9 Geo. 1. c. 8. 2 Geo. 2. c. 28. 8 Geo. 2. c. 21. 15 Geo. 2. c. 33. Continued till 1 June 1754. 'Farther continued by 27 Geo. 2. c. 18.' *and again by* 33 *Geo.* 2. *c.* 16.

VI. And be it further enacted by the Authority aforesaid, That an Act made in the eighth Year of the Reign of his late Majesty, intituled, *An Act to prevent the clandestine running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarentine; and to subject Copper Ore of the Production of the* British *Plantations to such Regulations as other enumerated Commodities of the like Production are subject*; which was to be in Force for two Years, from the twenty-fifth Day of *March* one thousand seven hundred and twenty-two, and from thence to the End of the then next Session of Parliament; which Act (except the Clause obliging all Ships or Vessels to perform Quarentine) was by an Act made in the eleventh Year of his late Majesty's Reign, further continued, from the Expiration thereof, for three Years, and from thence to the End of the then next Session of Parliament; and which by another Act (except the Clause obliging all Ships or Vessels to perform Quarentine) made in the second Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and thirty-four, and from thence to the End of the then next Session of Parliament; and which Act (except the Clause obliging all Ships or Vessels to perform Quarentine) was

8 Geo. 1. c. 18. for preventing Running of Goods, &c. 11 Geo. 1. c. 29. 2 Geo. 2. c. 28.

8 Geo. 2. c. 21. 15 Geo. 2. c. 33. Continued till 1 June 1747. 21 Geo. 2. c. 33. §. 3. 'Farther continued by 27 Geo. 2. c. 18.' and 33 Geo. 2. c. 16.

by another Act made in the eighth Year of the Reign of his preſent Majeſty, further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament; and which ſaid Act (except ſo much of the ſame Act as relates to Ships or Veſſels performing Quarentine) was by another Act made in the fifteenth and ſixteenth Year of the Reign of his preſent Majeſty, further continued, from the Expiration thereof until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament, ſhall be (except ſo much of the ſame Act as relates to Ships or Veſſels performing Quarentine) and the ſame is hereby further continued from the Expiration thereof, until the ſaid firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

7 Geo. 2. c. 18. for the free importing of Cochineal and Indico.

VII. And be it further enacted by the Authority aforeſaid, That an Act made in the ſeventh Year of the Reign of his preſent Majeſty, intituled, *An Act for the Revival of an Act made in the thirteenth Year of the Reign of his late Majeſty King* GEORGE *the Firſt, intituled,* 'An Act for the free Importation of Cochineal 'during the Time therein limited,' *and alſo for the free Importation of Indico*; which was to continue in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act made in the fourteenth Year of the Reign of his preſent Majeſty, was further continued from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament, ſhall be and is hereby further continued from the Expiration thereof, until the ſaid firſt Day of *June* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament.

13 Geo. 1. c. 25. 14 Geo. 2. c. 34. Continued till 1 June 1754. 'Farther continued by 27 Geo. 2. c. 18.' and again by 33 Geo. 2. c. 16.

5 Geo. 2. c. 33. for puniſhing Perſons who ſhall pull down Turnpikes, &c. 8 Geo. 2. c. 20. 25 Geo. 2. c. 33. Continued till 1 June 1754. 'Made perpetual by 27 Geo. 2. c. 16.'

VIII. And be it further enacted by the Authority aforeſaid, That an Act made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to explain, amend and render more effectual an Act paſſed in the firſt Year of his preſent Majeſty's Reign, intituled,* 'An Act for puniſhing ſuch Perſons as ſhall wilfully 'and maliciouſly pull down and deſtroy Turnpikes for repairing Highways, or Locks or other Works 'erected by Authority of Parliament for making Rivers navigable;' and alſo an Act made in the eighth Year of the Reign of his preſent Majeſty, intituled, *An Act for rendering the Laws more effectual, for puniſhing ſuch Perſons as ſhall wilfully and maliciouſly pull down and deſtroy Turnpikes for repairing Highways, or Locks or other Works erected by Act of Parliament for making Rivers navigable; and for other Purpoſes therein mentioned*; which ſaid Acts expired, and were afterwards, by an made Act in the fifteenth and ſixteenth Year of his preſent Majeſty's Reign, revived, and were to be in Force for the Purpoſes therein mentioned, from the firſt Day of *June* one thouſand ſeven hundred and forty-two, until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, ſhall be and are hereby further continued from the Expiration thereof, until the ſaid firſt Day of *June* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament.

CAP. XLVIII.

An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Promotions within the Time limited by Law; and for allowing further Time for that Purpoſe. EXP.

Time given to 1 *Dec.* 1747.

CAP. XLIX.

An Act for declaring valid ſuch Acts as have been done by *Thomas Paulin*, as one of the Principal Land Coal-meters of the City and Liberty of *Weſtminſter*, between the twenty-ninth Day of *September* laſt and the eighth Day of *November* following.

29 Geo. 2. c. 35.

'WHEREAS by an Act of Parliament paſſed the laſt Seſſion, intituled, *An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of* Weſtminſter, *and that Part of the Dutchy of* Lancaſter *adjoining thereto, and the ſeveral Pariſhes of Saint* Giles in the Fields, *Saint* Mary le Bon, *and ſuch Part of the Pariſh of Saint* Andrew Holborn, *as lies in the County of* Middleſex, it was amongſt other Things enacted, That from and after the twenty-fourth Day of *September* one thouſand ſeven hundred and forty-ſix, there ſhould be and continue within the City and Liberty of *Weſtminſter* one publick Office, which ſhall be called by the Name of *The Land Coal-meters Office for the City and Liberty of* Weſtminſter; which ſaid Office ſhould, from time to time, be managed by two Perſons, to be nominated and appointed by his Majeſty, his Heirs and Succeſſors; which ſaid two Perſons ſo to be nominated and appointed, ſhould be called and known by the Name of *The Principal Land Coal-meters for the City and Liberty of* Weſtminſter: And it was further enacted by the ſaid Act, That no Perſon or Perſons ſhould be capable of acting as one of the Principal Land Coal-meters, until he or they ſhould take an Oath for the true and faithful Execution of the Office of one of the Principal Land Coal-meters for the City and Liberty of *Weſtminſter*, and other Places aforeſaid, as in and by the ſaid Act is declared: And it was further enacted, That it ſhould be lawful to and for the ſaid Principal Land Coal meters, or any one or more of them, to appoint a Number of Perſons to be Labouring Coal-meters within the ſaid City and Liberty of *Weſtminſter*, and other Places aforeſaid, to be ſtationed by the Principal Land Coal-meters, at the ſeveral Places and Times in the ſaid Act for that Purpoſe mentioned, to meaſure out Coals, which ſhall, from time to time, be ſold at any of the Wharfs or Warehouſes where ſuch Labouring Coal-meters ſhall be ſtationed: And it was further enacted, That no Perſon or Perſons ſhould be capable of acting as one of the Labouring Coal-meters, to be appointed as aforeſaid, until he or they ſhould take an Oath for the true and lawful Execution of the Office of one of the Labouring Coal-me-

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'ters for the said City and Liberty of *Westminster*, and other Places aforesaid, as in and by the said Act is 'expressed and declared: And whereas his Majesty, on or before the eighteenth Day of *September* one thou-'sand seven hundred and forty-six, did appoint *Thomas Paulin* Merchant, and *William Arnold* Fishmonger, 'to be Principal Coal-meters for the City and Liberty of *Westminster* aforesaid, and afterwards, by his 'Grant or Letters Patent under the Great Seal of *Great Britain*, bearing Date the eighth Day of *November* 'one thousand seven hundred and forty-six, reciting the said Act of Parliament herein before recited, did 'grant unto *Thomas Paulin* and *William Arnold* the said Land Coal-meters Office for the City and Liberty 'of *Westminster*, to have and to hold the said Office unto them the said *Thomas Paulin* and *William Arnold* 'jointly and severally, together with all Powers, Privileges, Advantages and Emoluments thereunto be-'longing, and as are granted in and by the said recited Act of Parliament, for and during his Majesty's 'Royal Will and Pleasure: And whereas the said *Thomas Paulin*, soon after his being nominated and ap-'pointed by his Majesty to be one of the Principal Land Coal-meters for the City and Liberty of *Westmin-'ster* aforesaid, to wit, the twenty-sixth Day of *September* one thousand seven hundred and forty-six (which 'was before his Majesty's Grant had passed the Great Seal) took the Oath required by the said Act of Par-'liament, for the true Execution of the said Office; and upon the twenty-ninth Day of the said Month of '*September* one thousand seven hundred and forty-six, entered upon the said Office, and put the said Act of 'Parliament in Execution, as one of the Principal Land Coal-meters for the said City and Liberty of *West-'minster*: And whereas it may be doubted, whether the Acts done by the said *Thomas Paulin*, between the 'the said twenty-ninth Day of *September* and the said eighth Day of *November* (on which last mentioned Day 'his Majesty's said Letters Patent bear Date) can be justified by the strict Rules of the Common Law;' Therefore, for obviating the said Doubt, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Act, Matter or Thing, done or committed by the said *Thomas Paulin*, as one of the Principal Land Coal-meters of the City and Liberty of *Westminster*, between the said twenty-ninth Day of *September* and the said eighth Day of *November* following, according to the Purport of the said Act, in his Duty and Office of a Principal Land Coal-meter of the said City and Liberty of *Westminster*, shall be deemed, and are hereby declared to be good and valid Acts; and all Actions, Suits, Prosecutions and Molestations whatsoever, if any there be against the said *Thomas Paulin*, for or by reason of any such Act, Matter or Thing by him done as aforesaid, are and shall be discharged and made void by this present Act; and if any Action or Suit hereby discharged, or intended to be discharged, shall be commenced or prosecuted, the said *Thomas Paulin* may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff shall become nonsuit or forbear further Prosecution, or suffer Discontinuance, or if a Verdict pass against him, the said *Thomas Paulin* shall recover his Double Costs, for which he shall have the like Remedy as in Cases where Costs by Law are given to Defendants.

Acts done by Mr. Paulin as Principal Coal-meter between 29 Sept. and 8 Nov. 1746. declared valid.

General Issue.

Double Costs.

CAP. L.

An Act for taking away the Tenure of Ward Holding in *Scotland*, and for converting the same into Blanch and Feu Holdings; and for regulating the Casualty of Non-entry in certain Cases; and for taking away the Casualties of Single and Life-rent Escheats, incurred there by Horning and Denunciation for Civil Causes; and for giving to Heirs and Successors there a summary Process against Superiors; and for discharging the Attendance of Vassals at Head Courts there; and for ascertaining the Services of Tenants there; and for allowing Heirs of Tailzie there to sell Lands to the Crown for erecting Buildings and making Settlements in the Highlands.

'WHEREAS it hath been found by Experience, that the Tenure of Lands in that Part of *Great 'Britain* called *Scotland*, by Ward Holding, and the Consequences of the same, being the Casualties 'of Ward Marriage and Recognition, have been much more burthensome, grievous and prejudicial to the 'Vassals Proprietors of the Lands held by that Tenure, than they have been beneficial to the Superiors;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Tenure of Lands or Heretages in *Scotland* by Ward Holding, whether simple or taxed Ward, and the Casualties consequent upon the same by Ward Marriage and Recognition, be taken away and discharged, and they are hereby taken away and discharged, from and after the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and forty-eight; any Law, Statute, Custom or Usage to the contrary hereof in any wise notwithstanding.

Tenure of Ward Holding taken away;

II. And be it enacted, That all Tenures of any Lands or Heretages in *Scotland*, that are now held or liable to be held of his Majesty by Ward Holding, whether simple or taxed Ward, are hereby enacted to be turned into Blanch Holding, for Payment of one Penny *Scots* at the Feast or Term of *Whitsunday* yearly, *si petatur tantum*, and as often as such Lands or Heretages shall fall in Non-entry, the same shall be no longer subject or liable to the annual Payment of the new Extent or Retour Duty of such Lands or Heretages, but instead thereof shall be subject and liable to the annual Payment of the Sum of one Pound *Scots* for every one hundred Pounds *Scots*, of the valued Rent of such Lands or Heretages, according to which they are now liable to pay the respective Proportions of his Majesty's Cess or Land Tax; and so proportionably for any lesser Quantity than one hundred Pounds *Scots* Valuation.

converted into Blanch Holding.

III. And in order to ascertain the *Quantum* of such Non-entry Duty, it is hereby enacted, That from and after the said twenty-fifth Day of *March*, in all Services upon the Brief of Mortancestry of any Heir or

For regulating the Casualty of Non-entry.

or Heirs in such Lands or Heretages as aforesaid, the Retour, over and above the setting forth the old and new Extent of the Lands, in such Manner as hath been heretofore practised, shall further set forth and express the Valuation of such Lands and Heretages as aforesaid, and the Proportion above mentioned of such Valuation, and no more shall be the Non-entry Duty of such Lands or Heretages, preceding the Citation in the general Declarator of Non-entry.

Tenure of Ward Holding held of Superiors converted into Feu Holding.

IV. And be it further enacted, That all Tenures of any Lands or Heretages in *Scotland*, that are now held or liable to be held Ward of any Subject Superior, whether simple or taxed Ward, are hereby enacted to be turned into Feu Holding, for Payment of a certain Rent or Feu Duty in Money, Victual, Cattle or otherwise, yearly, in Place of the said Casualties of Ward Holding hereby discharged, and of all Services, and shall be so construed, adjudged and deemed to be from the said twenty-fifth Day of *March* and for ever thereafter.

Court of Session to settle the Recompense,

V. And in order to ascertain the *Quantum* of the Feu Duty to be paid yearly, after the said twenty-fifth Day of *March*, by the Tenants or Vassals of the said Lands and Heretages heretofore held Ward to the Superiors thereof, Be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Court of Session in *Scotland*, and they are hereby impowered and required to take into their Consideration, the Difference in Value to the Vassals of the Change of their Holdings or Tenures from Ward to Feu hereby enacted, and what constant annual Rent or Feu Duty, payable to the Superior, will be a reasonable Satisfaction or Recompence for that Value or Difference, and thereupon to make and publish an Act of *Sederunt*, which shall be in Force, and observed by all the Subjects in that Part of the Kingdom, unless or until the same shall be altered by a future Act of Parliament; and according to the Rules prescribed in such Act of *Sederunt*, it shall and may be lawful for all and every the Superiors and Vassals, or Parties interested, to settle and adjust betwixt themselves the Feu Duties to be hereafter payable in Place of the Tenures hereby abolished or altered; and in case of Difference arising, it shall and may be lawful for the said Court of Session, upon Application made to them, by Bill or Petition, on Behalf of or by any Subject Superior of such Lands or Heretages, or by the Vassals or Proprietors thereof, summarily to determine the *Quantum* of the said annual Feu Duty, such as the Court shall judge to be a reasonable and equitable Recompence to the Superior, for the Change of the Holding hereby enacted, after having heard both Parties, or summoned the Party called as Defender, upon twenty-one Days Notice; and whatever annual Payment the said Court of Session shall so modify, shall be the Feu Duty payable for such Lands and Heretages as aforesaid, to the respective Superiors thereof, and all and singular their Heirs and Successors, and that yearly at *Whitsuntide*, from and after the said twenty-fifth Day of *March*, when the Change of Holding is hereby enacted to take Place, in the same Manner as if Feu Charters had been granted of that Date to the respective Vassals upon their Resignation, containing such Change of Holding, for Payment of the annual Feu Duties so to be modified.

and publish an Act of Sederunt,

and determine Differences in a summary Way.

Vassals not to forfeit for Feu Duties till Modification made.

VI. Provided always, That until such Modification shall be made by the Court of Session, the Vassal shall not be liable to incur any Forfeiture or Irritancy for Non-payment of the Feu Duties; and such Modification being made, shall be inserted as the Feu Duty payable for such Lands or Heretages in the future Renovations of the Infeftments thereof, by the present Vassals, their Heirs or Successors.

Life-rented Estates exonerated.

VIII. Provided also, That in every Case where the whole Lands or Estate so held Ward, on the said twenty-fifth Day of *March*, shall then stand provided in Life-rent to any Person or Persons, in such Manner as by the Laws of *Scotland* now in being, would be exclusive of the Casualty of Ward, such Life-renter or Life-renters during the Continuance of his, her or their Rights respectively, shall not be subject to pay the annual Feu Duties to be modified as aforesaid; and the same during the Subsistence of such Life-rent Rights, shall be suspended, and shall commence and become payable to the Superior at the first Term of *Whitsunday* after the Determination of such Life-rent Right; and in every Case where such Life-rent Right is not total of the whole Estate, the entire Feu Duty so to be modified, shall, during the Subsistence of such Life-rent Right, be payable to the Superior by the Fiar or Proprietor, out of such Parts of the Lands or Estate as shall not be Life-rented.

Infeftments of Vassals holding Lands in Ward confirmed.

VIII. Provided also, That the Infeftments now standing in the Persons of any Vassal in *Scotland*, holding their Lands or other Heretages Ward, shall remain good and valid, to all Intents and Purposes whatsoever, so long as the Persons now infeft shall retain the same, or not be denuded thereof; and they shall notwithstanding, by virtue of this present Act, be no longer subjected to the Casualties hereby discharged, but shall be subject to pay the annual Blanch or Feu Duties respectively, hereby provided to be payable in place of those Casualties.

No Tenure of Ward Holding to be granted.

IX. And be it further enacted by the Authority aforesaid, That no Tenure of any Lands or Heretages by Ward Holding, shall hereafter be created by his Majesty, his Heirs or Successors, or by any other Superior or Proprietor of Lands, or other Heretages in *Scotland*.

Tenure of Feu cum Maritagio, &c. taken away.

'X. And whereas there are certain Lands in *Scotland* held by the Tenure of *Feu cum Maritagio*, or 'with Clauses *de non alienando sine consensu Superiorum*;' It is also hereby enacted by the Authority aforesaid, That in all Time coming, from and after the said twenty-fifth Day of *March*, the Casualty of Marriage consequent upon such Holding, and all such prohibitory Clauses restraining the Power of Alienation, be taken away and discharged; and it shall and may be lawful in like Manner as is herein before directed in the Case of Ward Holding, for the respective Subject Superiors, or Vassals in Lands or Heretages that are held *Feu cum Maritagio*, or with such prohibitory Clauses as aforesaid, to apply to the Court of Session to modify such additional Feu Duty by the Vassal, as they shall judge a reasonable Recompence to the Superior for such Casualty of Marriage or prohibitory Clauses as aforesaid, hereby taken away and discharged.

Court of Session to modify the Recompence.

Casualties of Single and Life-rent Escheats in-

'XI. And whereas the Casualties of Single and Life-rent Escheat, consequent upon the Process compe-
'tent by the Law of *Scotland*, for recovering Payment of Civil Debts, or Performance of Obligations,
'have by Experience, been found highly rigorous, and liable to be abused;' Be it therefore enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March*, the Casualties of Single Escheat,

cheat, heretofore incurred by Horning and Denunciation of the Debtor in any Civil Debt or Obligation, and of Life-rent Escheat, heretofore incurred by such Debtor so denounced, continuing for a Year and Day unrestored or unrelaxed, be, and the same are hereby taken away and discharged for ever; and that from and after the said twenty-fifth Day of *March*, no Single Escheat or Life-rent Escheat shall become forfeited, or be consequent upon any such Process as is before mentioned; any Law, Custom or Usage to the contrary hereof in any wise notwithstanding.

Incurred by Horning and Denunciation for Civil Causes taken away.

'XII. And whereas the Methods of procuring Entry by Heirs, or singular Successors or Purchasers of 'Lands in *Scotland*, that are held of Subject Superiors, heretofore practised, are tedious and expensive;' Be it therefore enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March*, it shall and may be lawful and competent for any Person, who shall be duly served and retoured Heir to any of his Predecessors in any Lands or Heretages in *Scotland*, and to any Person who shall purchase or acquire such Lands or Heretages from the former Proprietor or Vassal, who was duly vested and seized therein, and who shall obtain from such Vendor or former Proprietor, a Disposition or Conveyance, containing a Procuratory of Resignation in Favour of such Purchaser or Disponee, to apply to the Ordinary on the Bills in the Court of Session for the time being, praying a Warrand for Letters of Horning, to charge the Superior, of whom such Lands or Heretages were respectively held, to receive or grant new Infeftment to such Heir or Purchaser respectively; and upon Production to the Lords of Session of a Special Retour of the Petitioner or Party so applying in any such Lands or Heretages, or upon Production of a Disposition or Conveyance, bearing a Procuratory of Resignation in Favour of such Petitioner, it shall and may be lawful for the said Lords of Session, and they are hereby authorized and required to grant Warrand for Letters of Horning, upon fifteen Days, to charge the Superior or Superiors in the Lands contained in such Special Retour or Procuratory of Resignation, to receive or grant new Infeftment to such Heir, Purchaser or Disponee respectively.

Heirs to, or Purchasers of, Lands, to apply for Letters of Horning to charge the Superior to grant new Infeftment.

XIII. Provided always, That no Superior shall be obliged to give Obedience to such Charge, unless the Charger at the same Time shall pay or tender to him such Fees or Casualties as he is by Law intitled to receive, upon the Entry of such Heir or Purchaser; and that it shall and may be lawful for every such Superior to shew cause why he ought not to be compelled to give Obedience to such Charge, by offering a Bill of Suspension in the usual Manner to the Court of Session.

Fees to be paid to the Superiors upon Entry of Heirs, &c.

'XIV. And whereas it hath been and may be found necessary for the publick Service, to erect Buildings and make Settlements in certain Places in the Highlands of *Scotland*, and in purchasing the Land upon which such Buildings are or may be erected, and Settlements made, a Difficulty may arise by reason of the same being Part of a Talzied Estate;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for any Person who is seized in, or possessed of, a Talzied Estate in *Scotland*, to sell, dispone or resign *ad perpetuam remanentiam*, any Part thereof, which his Majesty, his Heirs and Successors shall think fit to purchase, for erecting of Buildings, or making Settlements within the same; any Law, Charter, Tailzie or other Act or Deed to the contrary notwithstanding.

Heirs of Tailzie allowed to sell Lands to the Crown.

XV. Provided always, That the Monies paid as the Price of such Land, being Part of a Tailzied Estate, shall be laid out, and settled to the same Uses, and with the same Limitations and Restrictions, as such Land was settled before such Sale thereof as aforesaid, or applied for Payment of the Debts, if any such there be, of the Maker of the Intail, or other Debts that are effectual Burdens on the Talzied Estate, not being contracted by such Vendor himself; and for that Purpose, the said Money shall be paid into the Hand of such Trustees, who shall for that Purpose be appointed by his Majesty, his Heirs or Successors, by Sign Manual, and the Vendors; which Payments shall be good Discharges to his Majesty, his Heirs or Successors, of and from such Purchase-money; and such Trustees, and the Survivor and Survivors of them, and the Executors and Administrators of such Survivor, shall lay out the same in the Purchase of other Lands, and settle, and procure to be settled the same, or applied for Payment of Debts on the same Estate, in the Manner herein before directed.

Purchase-money how to be applied.

'XVI. And whereas the infranchising of Vassals of Subject Superiors, by causing them to become im-'mediate Vassals of the Crown, is a Matter of public Benefit which ought to be encouraged;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for any Person seized in, or possessed of a Tailzied Estate, in *Scotland*, comprehending Lands or Superiorities of Vassals, under or holding of him, to sell to such Vassals, or any of them, the Superiorities over their respective Lands, at such Prices as the Parties shall agree for, and thereupon to resign such Lands for new Infeftment, to be granted to such Buyer of his own Superiority, which shall be good and valid; any Law, Charter, Tailzie or other Act or Deed to the contrary notwithstanding.

Possessors of Tailzied Estates impowered to sell the Superiorities.

XVII. Provided always, That the Monies paid as the Price of such Superiority, or Superiorities, being Part of a Tailzied Estate, shall be laid out and settled to the same Uses, and with the same Limitations and Restrictions, as such Superiority was settled before the Sale thereof as aforesaid, or applied for Payment of the Debts, if any such there be, of the Maker of the Intail, or other Debts that are effectual Burdens on the Tailzied Estate, not contracted by such Vendor himself, and for that Purpose the Monies shall be paid into the Hands of Trustees, who shall be appointed by the Vendor of such Superiority or Superiorities, and the Purchaser or Purchasers thereof respectively; and such Trustees, and the Survivor and Survivors of them, and the Executors and Administrators of such Survivor, shall lay out the Monies arising from such Sale, in the Purchase of other Lands or Heretages, and settle, or procure the same to be settled as aforesaid, or such Monies to be applied for Payment of Debts on the Tailzied Estate in the Manner herein before directed.

Purchase-money how to be applied.

'XVIII. And whereas the ancient Usage of the Vassals of the King, and other Subject Superiors, being 'obliged to give Suit and Presence, or to appear at Head Courts at certain Times of the Year, has of a 'long Time been useless, and therefore ought not to be continued;' Be it therefore enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March*, no Proprietor of Lands in *Scotland* holding

Vassals discharged from attending at Head Courts.

holding of the King, or of any Subject Superior, shall be obliged to attend, appear, and give Suit and Presence by himself, or his Procurator, at any Head Court, or be liable to any Fine or Penalty, for Default of Attendance at such Head Court; any Law, Charter, Contract, Custom or Usage to the contrary in any wise notwithstanding.

Vassals to attend if summoned on Juries.

XIX. Provided always, That nothing herein contained shall exempt any Proprietors of Lands, being Vassals of the King, or any Subject Superior, from Attendance at any Court to which he is subject, being lawfully and specially summoned for that Effect, to serve as a Juryman upon Trials, or for any other lawful Purpose whatsoever,

Powers of the Freeholders Head Court reserved.

XX. Provided also, That nothing herein contained shall derogate from the Powers now competent by Law, to the Freeholders assembled at their *Michaelmas* Head Court, which it shall be lawful to hold, and for the Freeholders to act and proceed as formerly; any thing herein contained to the contrary notwithstanding.

'XXI. And whereas it hath been frequently practised in *Scotland*, to lett Lands to Tenants or Tacksmen, reserving or expressing, over and above the certain Rents and Duties payable for the same, Services used and wont, or Services indefinitely, or other general Words of the like Nature, without specifying or ascertaining the same; which Practice is liable to be abused, is productive of Disputes between Landlord and Tenant, and subject to divers Inconveniencies;' Be it therefore enacted by the Authority aforesaid,

Tacksmen discharged from all Services, &c. not mentioned in the Tack, &c.

That from and after the first Day of *July* in the Year of our Lord one thousand seven hundred and forty-seven, no Tenant or Tacksman of any Lands or Heretages in *Scotland*, by virtue of any Lease or Tack which shall be made in Writing, or by verbal Agreement, tacit Relocation, or otherwise, after the said first Day of *July*, or by virtue of the Prorogation of any Lease or Tack made before the said first Day of *July*, or any Assignee of any such Lease or Tack, shall be obliged or liable to perform any Services whatsoever to his Heretor or Landlord, other than such as shall be expresly and particularly reserved and specified, and the Number and Kinds thereof enumerated and ascertained in some written Lease or Tack, or by some Agreement made in Writing, and signed by the Parties thereto, or some Persons authorized by them; any former Law or Usage to the contrary notwithstanding.

Services due to Mills reserved.

XXII. Provided always, That nothing herein contained relating to Services to be performed by any Tenant or Tacksman, after the said first Day of *July*, shall extend, or be construed to extend, to any Services by Law or Custom due to Mills, or any Matter or Thing relative thereto.

CAP. LI.

An Act to enlarge the Time limited by an Act of the last Session of Parliament, for restraining the Use of the Highland Dress; and to enable the Heirs of Tailzie, Guardians, Tutors, Curators, and Trustees in *Scotland* to sell Lands to the Crown.

19 Geo. 2. c. 39.

'WHEREAS by a Clause of an Act made in the last Session of Parliament, intituled, *An Act for the more effectual disarming the Highlands in* Scotland, *and for more effectually securing the Peace of the said Highlands; and for restraining the Use of the Highland Dress; and for further indemnifying such Persons as have acted in Defence of his Majesty's Person and Government during the unnatural Rebellion; and for indemnifying the Judges, and other Officers of the Court of Justiciary in* Scotland, *for not performing the Northern Circuit in* May *one thousand seven hundred and forty-six; and for obliging the Masters and Teachers of Private Schools in* Scotland, *and Chaplains, Tutors and Governors of Children or Youth, to take the Oaths to his Majesty, his Heirs and Successors, and register the same*;' It is enacted, That from and after the first Day of *August* one thousand seven hundred and forty-seven, no Man or Boy, within that Part of *Great Britain* called *Scotland*, other than such as shall be employed as Officers and Soldiers in his Majesty's Forces, shall on any Pretence whatsoever, wear or put on the Clothes commonly called Highland Clothes; that is to say, the Plaid, Philibeg, or little Kilt, Trowse, Shoulder Belts, or any Part whatsoever of what peculiarly belongs to the Highland Garb; and that no Tartan, or party-coloured Plaid or Stuff, shall be used for Great Coats, or for Upper Coats: And whereas the Provision made by the said Clause is very necessary to be carried into Execution, but the Time thereby allowed for that Purpose has been found too short:' To the End therefore that a further Time and Opportunity may be given for paying due Obedience to the said Clause; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Time appointed by the same Clause for the Purposes therein mentioned, as to all those who are not landed Men, be enlarged from the said first Day of *August*, till the first Day of *August* one thousand seven hundred and forty-eight; and that from and after the said first Day of *August* one thousand seven hundred and forty-eight, the several Matters and Things provided and enacted by the said Clause be strictly observed, and carried into Execution.

Further Time allowed for the Use of the Highland Dress.

See 26 Geo. 2. c. 29.

'II. And whereas it may be necessary, for the Preservation of the Publick Peace, and the further civilizing the Inhabitants of the Highlands of *Scotland*, that Lands should be purchased there by his Majesty, his Heirs or Successors, which Lands may be subject to strict Tailzie, or belong to Infants, Pupils, Minors, Ideots, Lunaticks, fatuous or furious Persons;' Be it therefore enacted by the Authority aforesaid,

Tailzied Estates may be sold to the Crown.

That it shall and may be lawful for any Person, who is seised in, or possessed of a Tailzied Estate in *Scotland*, or for any Guardian, Tutor, Curator or Trustee of an Infant, Pupil, Minor, Ideot, Lunatick, fatuous or furious Person, to sell, dispose or resign *ad perpetuam Remanentiam*, the Whole, or any Part of such Tailzied Estate, or the Estate of such Infant, Pupil, Minor, Ideot, Lunatick, fatuous or furious Person, which his Majesty, his Heirs or Successors, may think fit to purchase for the Purposes aforesaid; which Lands so purchased shall remain in his Majesty, his Heirs and Successors, unalienable for ever; except as to the Power of granting Leases for seven Years, with a Diminution of a fifth Part of the usual Rent only.

Power of granting Leases,

III. Provided

III. Provided always, That in every such Case, the Monies paid as the Price of such Lands, shall be laid out and settled to the same Uses, and with the same Limitations and Restrictions, as such Lands were settled before the Sale thereof, or shall be applied for the Payment of Debts that are effectual to charge such Tailzied Estate, not contracted by the Vender himself, or the Estate of such Infant, Pupil, Minor, Ideot, Lunatick, fatuous or furious Person; and the said Monies shall be paid into the Hands of Trustees, who shall be appointed by his Majesty, his Heirs or Successors, by Sign Manual, and the Vendor or Vendors respectively (which Payments shall be good Discharges to his Majesty, his Heirs and Successors, of and from such Purchase-Money) and such Trustees, and the Survivor and Survivors of them, and the Executors and Administrators of such Survivor, shall lay out the Monies arising from such Sale, in the Purchase of other Lands or Heretages, and settle the same, or procure them to be settled, as aforesaid, or the Monies applied for the Payment of Debts, in the Manner herein before directed; and till such Purchase can be found, or Debts paid, they shall place out the Monies, or so much thereof as shall be unapplied, from time to time, as there shall be Occasion, upon good Security, at Interest; and such Interest shall go in the same Manner, as the Profits of the said Lands, if purchased, should have gone.

Purchase-money how to be applied.

See farther 21 *Geo.* 2. *c.* 34.

CAP. LII.

An Act for the King's most Gracious, General and Free Pardon.

GEORGE R.

THE King's most Excellent Majesty having already shewed his Royal Inclination to Mercy, by many particular Instances of Grace to such as had rendered themselves obnoxious to the Laws, and subject to the highest Penalties, by being concerned in the late unnatural Rebellion; and his Majesty being desirous of quieting the Minds of his Subjects in general, hath, upon mature Deliberation, resolved and determined to grant his general and free Pardon, in a large and bountiful Manner; not doubting but that, however it may be received by those who are obstinately bent on the Ruin of their Country, it will raise a due Sense of Gratitude in all who have been artfully misled into treasonable Practices against his Person and Government, and preserve them and others from standing in Need of the like Mercy for the future, when such Clemency may not be so expedient for the publick Welfare, as it would be agreable to his Majesty's Inclinations; and hoping that all his Subjects, by this Act of Grace, will be induced henceforth more carefully to observe the Laws, and live in a loyal and dutiful Obedience to his Majesty, therefore his Majesty is well pleased and contented, that it be enacted by the Authority of this present Parliament; And be it enacted by the Authority of the same, in Manner and Form following (that is to say) That all and every his Majesty's Subjects, as well Spiritual as Temporal of this his Majesty's Realm of *Great Britain*, their Heirs, Successors, Executors and Administrators, and every of them, and all and singular Bodies Politick and Corporate, and their Successors, and all Cities, Boroughs, Shires, Stewartries, Ridings, Hundreds, Lathes, Rapes, Wapentakes, Towns, Villages, Hamlets and Tythings, and every of them, shall be, by the Authority of this present Parliament, acquitted, pardoned, released and discharged against the King's Majesty, his Heirs and Successors, and every of them, of, and from all, and all Manner of Treasons, Misprisions of Treasons, Felonies, treasonable and seditious Words or Libels, Leasing-making, Misprisions of Felony, seditious and unlawful Meetings and Conventicles, and all Offences, whereby any Person may be charged with the Danger and Penalty of *Premunire*; and also of and from all Riots, Routs, Offences, Contempts, Trespasses, Entries, Wrongs, Deceipts, Misdemeanors, Forfeitures, Penalties and Sums of Money, Pains of Death, Pains Corporal and Pains Pecuniary, and generally of and from all other Things, Causes, Quarrels, Suits, Judgments and Executions, in this present Act hereafter not excepted or foreprized, which may be, or can be by his Majesty in any or by any Means pardoned, and have been had, made, done, committed, omitted, perpetrated, incurred or forfeited, before and unto the fifteenth Day of *June* in the Year of our Lord one thousand seven hundred and forty-seven.

Declaration of his Majesty's General and Free Pardon to all Persons and Places concerned in the late Rebellion.

II. And also the King's most Excellent Majesty is contented, that it be enacted by the Authority of this present Parliament, and be it enacted by the Authority of the same, That this his Majesty's Free Pardon shall be as good and effectual in Law to every of his said Subjects, Bodies Corporate, and others before rehearsed, in, for and against all Things aforesaid, and not hereafter in this present Act excepted and foreprized, as the same Pardon would have been, if all such Offences, Contempts, Forfeitures, Causes, Matters, Suits, Quarrels, Judgments, Executions, Penalties and other Things not hereafter in this Act particularly excepted and foreprized, had been particularly, singularly, specially and plainly named, rehearsed and specified, and also pardoned by proper and express Words and Names; and that his said Subjects, or any of them, the Heirs, Executors or Administrators of any of them, or the said Bodies Corporate, and others, before named and rehearsed, or any of them, be not, nor shall be sued, vexed or unquieted in their Bodies, Goods, Chattles, Lands or Tenements, for any Matter, Cause, Contempt, Misdemeanor, Forfeiture, Trespas, Offence, or any other Thing, suffered, done, or committed, or omitted, before the said fifteenth Day of *June* one thousand seven hundred and forty-seven, against his Majesty, his Crown, Dignity, Prerogative, or the Laws or Statutes of this Realm, but only for such Causes, Matters and Offences as be rehearsed or mentioned in the Exceptions of this present Act, to be excepted and foreprized, and for none other; any Statute or Statutes, Laws or Customs heretofore had, made, or used to the contrary in any wise notwithstanding.

His Majesty's Free Pardon to extend to all Persons and Things not particularly excepted.

III. And the King's Majesty, of his bounteous Liberality, and by the Authority of this present Parliament, doth grant, and freely give to every of his Subjects, every of the said Bodies Corporate, and others before rehearsed, and every of them, all Goods, Chattles, Debts, Fines, Issues, Profits, Amerciaments, Forfeitures and Sums of Money by any of them forfeited, which to his Majesty do or shall appertain, by reason

Penalties and Forfeitures remitted.

reason of any Offence, Contempt, Trespass, Entry, Misdemeanor, Matter, Cause or Quarrel, suffered, done or committed by them or any of them, before the said fifteenth Day of *June* one thousand seven hundred and forty-seven, not hereafter in this present Act foreprized and excepted.

Grants of Forfeitures, &c.

IV. Provided nevertheless, and be it enacted, That all Grants thereof, or of any Part thereof, made by any such as have so forfeited the same, and are hereby restored as aforesaid, and all Executions thereof, or of any Part thereof, had against any such, after such Forfeiture thereof committed or made, shall be of such Force and Effect, as if no such Forfeiture had been had or made, and of no other, the same Forfeiture, or any thing in this Act before to the contrary notwithstanding.

Persons not excepted may plead this Act, without Fee.

V. And be it further enacted, That all and every of his Majesty's Subjects, and all and singular Bodies Corporate and others before rehearsed, may by him or themselves, or by his or their Deputy or Deputies, or by his or their Attorney or Attorneys, according to the Laws of this Realm, plead and minister this Act of Free Pardon, for his or their Discharge, of or for any thing that is by virtue of this Act pardoned, discharged, given or granted, without any Fee, or any other Thing paying to any Person or Persons for the Writing or Entering of the Judgments, or other Cause concerning such Plea, Writing or Entry, but only sixteen Pence to the Clerk or Officer that shall enter such Plea or Matter for Judgment, or the Parties Discharge in that Behalf; any Law, Custom or Usage to the contrary notwithstanding.

Clerk's Fee for entering the Plea.

His Majesty's Free Pardon to be construed in the most beneficial Sense.

VI. And further the King's Majesty is contented and pleased, that it be enacted by the Authority aforesaid, That this his Majesty's Free Pardon, by the general Words, Clauses and Sentences before rehearsed, shall be reputed, deemed, adjudged, expounded, allowed and taken, in all Manner of Courts of his Majesty, and elsewhere, most beneficial and available to all and singular the said Subjects, Bodies Corporate, and others before rehearsed, and to every of them, in all Things not in this present Act excepted and foreprized, without any Ambiguity, Question, or other Delay whatsoever, to be made, pleaded, objected or alledged by the King's Majesty, his Heirs or Successors, or by his or any of their General Attorney or Attorneys, Advocate or Advocates, or by any Person or Persons, for his Majesty, or any of his Heirs or Successors.

Exceptions.

Persons in the Service of the Pretender, the King of Spain,

and of the French King.

Excepted and foreprized out of this Act of General and Free Pardon, all Persons being on the said fifteenth Day of *June* in the Service of, or any Ways employed by the Person, who since the Death of the late King JAMES hath taken upon himself the Stile and Title of *King of England*, or *King of Great Britain*, or who have been in the Service of, or employed by the King of *Spain*, since the nineteenth Day of *December* in the Year one thousand seven hundred and thirty-nine, being two Months after his Majesty's Declaration of War against the said King of *Spain*, or who have been in the Service of or employed by the *French* King since the twenty-ninth Day of *April* in the Year one thousand seven hundred and forty-four, being one Month after the said *French* King's Declaration of War against his Majesty.

Persons beyond the Seas, concerned in levying War;

VII. And also excepted out of this Pardon, all Offences of levying the War against his Majesty, which began in this Realm in the Year one thousand seven hundred and forty-five, by any Person or Persons who has or have been, or shall be beyond the Seas, at any Time between the twentieth Day of *July* one thousand seven hundred and forty-five, and the said fifteenth Day of *June* one thousand seven hundred and forty-seven.

or assisting in the Invasion of this Kingdom, or in the late Rebellion;

VIII. And also excepted out of this Pardon, all Offences of conspiring, carrying on, consenting to, assisting or being concerned in any Design or Proposal for invading, or procuring an Invasion of this Realm, by the Forces of the *French* King, or by any other Foreign Force, or for raising or carrying on a Rebellion within the same, committed by any Person or Persons who have been, or shall be beyond the Seas, at any Time between the said twentieth Day of *July* one thousand seven hundred and forty-five, and the said fifteenth Day of *June* one thousand seven hundred and forty-seven.

counterfeiting the Great Seal, Sign Manuel or Signet, &c. in Scotland; or in counterfeiting the Coin, &c.

IX. And also excepted out of this Pardon, all Offences of forging and false counterfeiting the Great Seal, Privy Seal, Sign Manuel, or Privy Signet, the Seal kept and made use of in *Scotland*, in Things relating to private Rights or Grants which usually passed the Great Seal of *Scotland*, before the Union of the two Kingdoms, the Privy Seal, or Signet in *Scotland*; and also all Offences of counterfeiting any of the Monies current within this Realm; and also all Offences of clipping, washing, scaling, lightening, impairing, or other unlawful diminishing any of the said Monies, by any Ways or Means whatsoever or in making or mending any Tool or Instrument to be made use of in Coining, contrary to the Laws and Statutes of this Realm.

or in bringing in false Monies.

X. And also excepted the Offences of bringing into this Realm, any false or counterfeit Money, made or counterfeited out of this Realm, knowing the same to be counterfeit, and uttering any such false or counterfeit Money; and all Misprisions and Concealments of any of the Offences before excepted; and all abetting, aiding, comforting and procuring of the same Offences; and also all Offences against an Act made in the fifteenth Year of his Majesty's Reign, intituled, *An Act for the more effectual preventing the counterfeiting of the current Coin of this Kingdom; and the uttering or paying of false or counterfeit Coin.*

Offences against 15 Geo. 1. c. 28.

Violations of the Privileges of Foreign Ministers.

XI. And also excepted out of this Act of Pardon, all Violations of the Privileges of Ambassadors, and other Publick Ministers of Foreign Princes and States.

Murthers and other Offences.

XII. And also excepted all manner of voluntary Murthers, Petty Treasons, wilful Poisonings, and all Slaughters of Fore-thought Felony, done or committed by any Person or Persons; and also all wilful Burning of Houses, or Stacks of Corn, or Barns with Corn in them, at the Time of such Burning; and all and every the Accessaries to the same Offences, or any of them; and also all Offences, of setting Fire to any House, Barn or Out-house, or to any Hovel, Cock, Mow or Stack of Corn, Straw, Hay or Wood, or of Shooting at any Person in any Dwelling-house or other Place, or sending any Letter without any Name subscribed thereto, or signed with a fictitious Name, demanding Money, Venison or other valuable Thing, committed or done contrary to an Act of Parliament made in the ninth Year of the Reign of his late Majesty King GEORGE the First, of glorious Memory, intituled, *An Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's*

9 Geo. 1. c. 22.

Majesty's Subjects, and for the more speedy bringing the Offenders to Justice, or any Act made for the Continuance thereof.

XIII. And also excepted out of this General Pardon, all Piracies and Robberies committed upon the High Seas; and all and every procuring or abetting any such Offenders, and comforting and receiving of them, or any of them, and of receiving any Goods taken by the Way of Piracy or Robbery upon the Seas, as aforesaid. Piracies.

XIV. And also excepted all Offences made Felony in and by an Act or Acts of Parliament made against the wilful casting away, burning or otherwise destroying any Ships or Vessels. Wilful destroying Ships.

XV. And also excepted out of this General Pardon, all Offences committed or done since the twenty-fifth Day of *December* one thousand seven hundred and forty-three, against an Act made in the thirteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for the establishing Articles and Orders for the regulating and better Government of his Majesty's Navies, Ships of War and Forces by Sea*; or against any Acts of Parliament, intituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, other than the Desertion of such Offenders, who shall on or before the first Day of *November* next return to his Majesty's Service in the Regiment, Troop or Company to which they did belong at the respective Times of such Desertion. Offences against 13 Car. 2. st. 1. c. 9. and against Mutiny Acts.

XIV. And also excepted out of this Pardon, all Burglaries, and all Robberies of Churches, and stealing any Plate, Utensils or Goods belonging to the same; and also all Robberies committed on any Person or Persons in or near the Highway. Robberies.

XVII. And also excepted the detestable and abominable Vices of Sodomy and Buggery. Sodomy.

XVIII. And also excepted all Rapes and Carnal Ravishmenets of Women. Rapes.

XIX. And also excepted all Offences of Perjury and Subornation of Witnesses, and endeavouring or conspiring to bribe or corrupt any Person to give false Testimony; and the Offences of forging or counterfeiting, and Solicitation of forging and counterfeiting any Fines or other Records, Deeds, Wills, Probates of Wills, or Letters of Administration, Escripts or Writings whatsoever, or publishing or making use in Evidence of any such, knowing the same to be forged. Perjury. Forgery.

XX. And also excepted all Offences of forging and counterfeiting the Bills of Credit, commonly called *Exchequer Bills*, and the tendering in Payment any such forged or counterfeited Bill of Credit, or demanding Money thereupon at the Exchequer or elsewere (knowing the Bill so tendered, or whereupon the Money shall be so demanded, to be forged and counterfeited) and also all Offences of forging and counterfeiting the Common Seal of the Corporation of the Governor and Company of the Bank of *England*, or of any sealed Bank Bill, made and given out in the Name of the said Governor and Company for the Payment of any Sum of Money, or of any Bank Note whatsoever, signed for the said Governor and Company of the Bank of *England*, or the altering or rasing any Indorsement on any Bank Bill or Note of any Sort, Exchequer Orders, Lottery Orders, Lottery Tickets, or any Indorsement or Assignment thereof, or demanding Money thereupon, or the tendering in Payment, uttering, vending, exchanging, bartering or indorsing any forged Bank Bill or Bank Note, or demanding or receiving any Money thereon. Forging Exchequer Bills. Common Seal of the Bank, and Bank Bills, &c.

XXI. And also excepted all Offences made Felony by an Act of Parliament made in the Second Year of his Majesty's Reign intituled, *An Act for the more effectual preventing and further Punishment of Forgery, Perjury and Subornation of Perjury; and to make it Felony to steal Bonds, Notes, or other Securities for Payment of Money*; or in and by another Act of Parliament made in the seventh Year of his Majesty's Reign, intituled, *An Act for the more effectual preventing the forging the Acceptance of Bills of Exchange, or the Numbers or principal Sums of accountable Receipts for Notes, Bills or other Securities for Payment of Money or Warrants, or Orders for Payment of Money, or Delivery of Goods.* Offences against 2 Geo. 2. c. 25. 7 Geo. 2. c. 22.

XXII. And also excepted all Offences made Felony in and by an Act made in the eighth Year of his late Majesty King GEORGE the First, of Glorious Memory, intituled, *An Act to prevent the Mischiefs by forging Powers to transfer Stocks, or to receive such Annuities or Dividends as are therein mentioned, or by fraudulently personating the true Owners thereof, and to rectify Mistakes of the late Managers for taking Subscriptions for increasing the Capital Stock of the* South Sea *Company, and in the Instruments founded thereupon*; or in and by one other Act made in the twelfth Year of his said late Majesty's Reign, intituled, *An Act for better securing the Monies and Effects of the Suitors of the Court of* Chancery, *and to prevent the counterfeiting of* East India *Bonds and Indorsements thereon, as likewise Indorsements on* South Sea *Bonds.* 8 Geo. 1. c. 22. 12 Geo. 1. c. 32.

XXIII. And also excepted all Offences made Felony, by one other Act made in the fifth Year of his said late Majesty's Reign, intituled, *An Act for the better preventing Frauds committed by Bankrupts*; or in and by one other Act, made in fifth Year of his present Majesty's Reign, intituled, *An Act to prevent the committing of Frauds by Bankrupts.* 5 Geo. 1. c. 24. 5 Geo. 2. c. 30.

XXIV. And also excepted all Offences in unlawfully and maliciously breaking or cutting down the Bank or Banks of any River, or any Sea Banks, or setting or causing to be set on Fire any Mine, Pit, or Delph of Coal, or Cannal Coal, made Felony by any Act or Acts of Parliament. Breaking Banks and setting on Fire Mines, &c.

XXV. And also excepted the Offences of forging and counterfeiting Seamens Tickets, or Authorities for receiving any Sums of Money due to Seamen; and the Offences of publishing, as true ones, forged or counterfeit Tickets, knowing them to be forged or counterfeit; and also all Offences in forging, counterfeiting or altering any Pass, commonly called a *Mediterannean Pass*, and publishing as true any such forged, counterfeit or altered Pass, knowing the same to be forged, counterfeit or altered. Counterfeiting Seamens Tickets and Mediterranean Passes.

XXVI. And also excepted all Offences, Contempts or Misdemeanors (not being Capital) done contrary to any Act of Parliament (other than using or causing to be used, any Craft, Mystery or Occupation, by any Person not brought up therein seven Years as an Apprentice) or contrary to the Laws of this Realm, for which any Action, Bill, Plaint, Information, Indictment or other Prosecution, at any Time within two Years next before the last Day of *Easter* Term in the Year one thousand seven hundred and forty-seven, hath been, or shall be found, commenced or sued in any of his Majesty's Courts at *Westminster*, or before Contempts and Misdemeanors, &c.

any Commiſſioners of *Oyer* and *Terminer*, Gaol Delivery, Juſtices of Aſſize, or Juſtices of the Peace, and on the ſaid laſt Day of *Eaſter* Term depending and remaining to be proſecuted, on which no Outlawry, Verdict, Conviction, Judgment or Decree ſhall, on the fifteenth Day of *June* one thouſand ſeven hundred and forty-ſeven, be had or obtained, and which have been proſecuted at the Charge of any private Perſon or Perſons, unleſs the Defendant or Defendants, in ſuch Proſecution or Proſecutions, ſhall pay to ſuch private Proſecutor or Proſecutors, his or their Executors or Adminiſtrators, ſuch Coſts as the Court, where or before whom ſuch Proſecution ſhall be, ſhall award to be paid to ſuch private Proſecutor or Proſecutors in reſpect of the Charges of ſuch Proſecution.

Felonies, Contempts, and Miſdemeanors.

XXVII. And alſo excepted all Felonies, Contempts and Miſdemeanors had, committed or done, contrary to any Act of Parliament (other than uſing, or cauſing to be uſed, any Craft, Myſtery or Occupation, by any Perſon or Perſons not brought up therein ſeven Years as an Apprentice) or contrary to the Laws of this Realm for which any Perſon hath been, or ſhall be ſo far proſecuted, that on or before the laſt Day of *Trinity* Term one thouſand ſeven hundred and forty-ſeven, any Verdict hath been, or ſhall be obtained upon ſuch Proſecution, or any Outlawry, Conviction, Judgment by Default, or other Judgment, Sentence or Decree, had, given or entered in any of his Majeſty's Courts, or before any Commiſſioners of his Majeſty, or any of his Royal Predeceſſors, within this Realm of *Great Britain*, or by the Commiſſioners of his Majeſty, or any of his Royal Predeceſſors, for the Management of the Receipt of Exciſe, or other Duties under their Management, or by Juſtices of the Peace.

9 Geo. 2. c. 35. 19 Geo. 2. c. 34. and other Acts for ſecuring the Revenues.

XXVIII. And alſo excepted out of this Pardon, all Offences and Miſdemeanors againſt an Act of Parliament made in the ninth Year of his Majeſty's Reign, intituled, *An Act for indemnifying Perſons who have been guilty of Offences againſt the Laws made for ſecuring the Revenues of Cuſtoms and Exciſe; and for enforcing thoſe Laws for the future*; And an Act of Parliament made in the nineteenth Year of his Majeſty's Reign, intituled, *An Act for the further Puniſhment of Perſons going armed or diſguiſed, in Defiance of the Laws of Cuſtoms or Exciſe, and for indemnifying Offenders againſt thoſe Laws, upon the Terms in this Act mentioned; and for the Relief of Officers of the Cuſtoms in Informations upon Seizures*; and all Convictions and Attainders by virtue thereof, or againſt any other Acts of Parliament made for the paying or ſecuring his Majeſty's Revenues of Land-tax, Cuſtoms, Exciſe, Inland Duties, or of the Poſt-office, Stamp Duties, Window and Houſe-tax, or other Duties, or for the preventing the Exportation of Wool, or the unlawful Importation, Landing, Re-landing, or Exportation of any Goods, Wares and Merchandizes, or for puniſhing or bringing to Juſtice Offenders againſt the Laws relating to the Revenues of Cuſtoms and Exciſe, and the Exportation of Wool.

Rebels who were poſſeſſed of any Civil Employment, &c. for Life; and ſhall claim the ſame.

XXIX. Provided alſo, That if any Perſon ſhall have committed High Treaſon, in levying War againſt his Majeſty, in the Rebellion which began in the Year of our Lord one thouſand ſeven hundred and forty-five, within this Realm, who, at the Time of ſuch Treaſon committed, or ſince, was poſſeſſed of, or intitled to any Civil Office for Life, or for any Eſtate of Inheritance within this Realm granted by his Majeſty, or any of his Predeceſſors, or claimed by or under ſuch Grant, or to any Office, Place or Employment of and in any City, Borough or Town Corporate within this Realm, and ſhall claim to have and enjoy ſuch Office, Place or Employment, it ſhall and may be lawful to proceed in due Form of Law againſt ſuch Perſon for the ſaid High Treaſon, as if this Act had not been made.

Perſons of the Name and Clan of M'Gregour.

XXX. Excepted alſo out of this Pardon, all and every Perſon and Perſons of the Name and Clan of *Mac Gregour*, mentioned and intended in and by an Act of Parliament made in *Scotland*, in the firſt Parliament of the late King CHARLES the Firſt, intituled, *Anent the Clan* Gregour, whatever Name or Deſignation he or they may have, or do aſſume, or commonly paſs under.

Offences concerning the Highways, &c.

XXXI. And alſo excepted out of this Pardon, all Offences concerning any common Highways or Bridges, and all Informations, Indictments, and other Proceedings thereon, and all Iſſues returned upon any Proceſs concerning the ſame.

Imbezilling Stores.

XXXII. and alſo excepted all Offences in taking away, imbezilling or purloining any of the Goods, Monies, Chattles, Jewels, Armour, Munition, Stores, Naval Proviſions, Shipping, Ordnance, and other Habiliments of War belonging to the Crown.

Forfeitures by Covenant, &c.

XXXIII. And alſo excepted all Conditions and Covenants, and all Penalties, Titles, and Forfeitures of Conditions or Covenants, accrued or grown to his Majeſty, by reaſon of the Breach or Non-performance of any Covenant or Condition whatſoever.

Offences, &c. by Officers of the Revenue,

XXXIV. And alſo excepted out of this Act of Pardon, all Offences, Miſbehaviours, Miſdemeanors, or Omiſſions committed, ſuffered or done by any Officer of the Exchequer or Revenue, in or concerning the Execution of his Office, or by Colour thereof, and all Forfeitures, Diſabilities, Incapacities and Penalties whatſoever, to which any ſuch Officer is or may be liable by reaſon of ſuch Offences, Miſbehaviours, Miſdemeanors or Omiſſions, and all Suits, Proceedings and Proſecutions, had or to be had for or by reaſon thereof.

by Aſſeſſors and Collectors of Taxes.

XXXV. And alſo excepted out of this Act of Pardon, all wilful Offences, Miſbehaviours or Miſdemeanors, or Omiſſions committed, ſuffered or done by any Aſſeſſor or Aſſeſſors, Collector or Collectors of any Aids or Taxes, granted by any Act or Acts of Parliament, in or concerning the Execution of their Offices, or by Colour thereof, and all Suits, Proceedings, and Proſecutions, had or to be had for or by reaſon thereof.

Quare Impedit.

XXXVI. And alſo excepted all Titles, Suits, and Actions of *Quare Impedit*.

Inceſt, Simony, Dilapidations.

XXXVII. And alſo excepted all Offences of Inceſt, Simony, or Dilapidations, and all Proceedings and Sentences thereupon.

Firſt-fruits and Tenths.

XXXVIII. And alſo excepted out of this Pardon all Firſt-fruits and Tenths, Penſions, Procurations, Synodals, and other Payments out of any Eccleſiaſtical Promotion or Benefice, and Arrears of the ſame.

Cuſtom and Exciſe, &c.

XXXIX. And alſo excepted out of this Pardon, all and every the Sums of Money and Duties, accruing or ariſing by or from any Cuſtoms or Subſidies, Exciſe, Impoſition upon Wine or other Liquors, or Commodities,

modities, Duties upon Malt, Hops, Candles, Soap, Paper, Duties on Printing, Painting, staining or dying Silks, Callicoes, Linens, and Stuffs, Duties on Starch, Duties upon Gilt and Silver Wire, Duties on Salt, Duties upon Tonnage of Ships, Duties upon Parchment, Vellum and Paper, Arrears of any Land-tax, Poll-money, all Arrears of Rent, and all other Sums of Money due or owing from any Licensed or Hackney Coachmen or Chairmen, or Stage-Coachmen, Duties arising by Wine Licences, or the Post-office, or by or from any other Tax, Assessment, Duty, Imposition, Debt, or Sum of Money whatsoever, to the King's Majesty given or belonging, or leviable by any Act of Parliament, or otherwise due or belonging to the King's Majesty, and all Arrears thereof respectively, and all Concealments and wrongful Detainment thereof respectively, and all Penalties, Forfeitures and Disabilities arising thereby, or for the Non-payment, Concealment, or detaining thereof, and all Corruptions and Misdemeanors of any Officer or Minister of, in, or concerning the same, and all Accounts and Suits whatsoever now depending, or to be had, made, or prosecuted for the same; and all Concealments, Frauds and Offences, by which his Majesty or his Royal Father, hath or have been deceived, and not truly answered for the same, or any of them.

XL. And also excepted out of this Act, all Offences committed or done contrary to an Act of Parliament, made in the fifth Year of the Reign of his late Majesty King GEORGE the First, of glorious Memory, intituled, *An Act for the better securing the lawful Trade of his Majesty's Subjects to and from the* East-Indies, *and for the more effectual preventing all his Majesty's Subjects trading thither under Foreign Commissions*; or contrary to an Act of Parliament made in the seventh Year of his said late Majesty King GEORGE the First, of glorious Memory, intituled, *An Act for the further preventing his Majesty's Subjects from trading to the* East Indies *under Foreign Commissions, and for encouraging and further securing the lawful Trade thereto*; *and for further regulating the Pilots of* Dover, Deal, *and the Isle of* Thanet; and all Forfeitures and Penalties which any Person or Persons is, are, or may be liable to, by reason of any of the Offences committed against either of the said Acts, or contrary to any other Acts of Parliament made for the ascertaining, securing, or improving the Trade of the *East India* Company to and in the *East Indies*. 5 Geo. 1. c. 21. 7 Geo. 1. c. 21.

XLI. And also excepted all Offences committed by any Person or Persons in taking or converting to their own Use any Goods, Chattles, Rents, or Profits of Land belonging to the Crown, by any Title or Pretence whatsoever. Converting Goods, &c. belonging to the Crown.

XLII. And also excepted out of this Pardon, all Arrears of Rent due from any Farmer or Tacksman of any Part of the Publick Revenue, and all Arrears of Fee-farm Rents and other Rents. Arrears of Farmers.

XLIII. And also excepted all and singular Accounts of all and every Collector and Collectors, Commissioners, Treasurers, Receivers, or other Officers, or other Accountant whatsoever, who have received or collected, or are any other way accountable to his Majesty for any the Customs, Subsidies, Impositions, Excises, Duties, Land-taxes, Poll-money, Rents, or other Matters before-mentioned, or for Prize Goods, or for any other Tax, Assessment, Duty, Imposition, Debt, Sum of Money, or other Things whatsoever, given to the King's Majesty, or leviable by Act of Parliament, or otherwise belonging to his Majesty; and all Accounts of every other Person whatsoever, that ought to be Accountant to the King's Majesty, for or in respect of any Receipt or other Charge, and the Heirs, Executors, Administrators and Sureties of any Person that ought to account, for all Things touching only the same Accounts, and all and singular Arrearages of Accounts, and all Impetitions, Charges, Seizures, Suits, Demands and Executions, which may or can be had of or for any such Account or Accounts, or any Arrearages of the same. Accounts of Officers.

XLIV. And also excepted all Recognizances, Obligations, and other Securities given or entered into by any Receiver of any Land-tax, or other Duties or Impositions, or any other Sums of Money whatsoever, due or payable to his Majesty by Act of Parliament, or otherwise, or by any Reeve, Bailiff, Collector, or other Accountant, in either of the Courts of Exchequer in *England* or *Scotland*, or given or entered into by any Person or Persons impowered or permitted by any such Receiver, Reeve, Bailiff, Collector, or other Accountant, to have or receive any Sum or Sums of Money arising from the Land-tax, or other Duties or Impositions, or any other Sums of Money whatsoever, due or payable to his Majesty by Act of Parliament, or otherwise, and their Sureties, and their Accounts respectively, and all other Recognizances and Obligations whatsoever, with or upon Condition to account, or for Payment of Money; and all Obligations, or other Securities given or entered into by any Officer or Officers of any of the Revenues of his Majesty, or any of his Royal Predecessors, or their Sureties, for the true Discharge of his or their Trusts. Securities of Receivers.

XLV. And it is hereby declared and enacted, That this Act shall not extend, or be construed to pardon or discharge any Recognizance or Obligation not yet forfeited, nor to pardon or discharge any forfeited Recognizance or Obligation, or any other Forfeiture or Penalty, whereof any Person or Persons who are or have been Farmers or Tacksmen of any Part of the publick Revenue, ought to receive any Benefit or Advantage; nor to pardon or discharge any Debt due by any Recognizance or Obligation, or otherwise, to any Person or Persons indebted to the Crown, which hath been duly seized in Aid of the Crown's Debt; nor to pardon or discharge any Debt due by Recognizance, Obligations, Condemnation, or otherwise, whereupon any Estalment or Seizure has been at any Time heretofore made, upon which Estalment or Seizure any thing is, or at any Time since the twenty-fourth Day of *July* one thousand seven hundred and twenty-one, hath been answered and paid; nor to pardon or discharge any Penalties, Forfeitures or Sums of Money due or accrued to his Majesty by reason of any Act, Statute or Statutes, which Forfeitures, Penalties, and Sums of Money, since the said twenty-fourth Day of *July* one thousand seven hundred and twenty-one, be converted into the Nature of any Debt by Judgment, Order or Decree, or by the Agreement of the Offender or Offenders, or have been estalled, or any Seizure made for the same, and upon such Seizure or Estalment, any thing answered or paid since the said twenty-fourth Day of *July* one thousand seven hundred and twenty one; nor to extend, or be construed to pardon or discharge any Recognizance which hath been entered into, and forfeited for or on account of any Crimes, or other Matters, which by this Act are excepted or foreprized out of this Pardon. Debts due to the Crown.

XLVI. And

Issues and Fines by Sheriffs, &c.

XLVI. And also excepted out of this Pardon all Issues, Fines and Amerciaments, lost, imposed or assessed since the said twenty-fourth Day of *July* one thousand seven hundred and twenty-one, which have been, or shall be totted, levied or received by any Sheriff, Under Sheriff, Bailiff, Minister or other Officer, who are to account for the Year ending at *Michaelmas* now next ensuing, at any Time before they shall finish such their Accounts respectively.

Post Fines, &c.

XLVII. And also excepted all Fines *pro licentia concordandi*, commonly called *Post Fines*, and all such Issues, Fines and Amerciaments, above the Sum of six Pounds, which have been lost, imposed or assessed, and have been affeered, taxed, set, estreated or entered, since the said twenty-fourth Day of *July* one thousand seven hundred and twenty-one.

Issues and Fines enteredin Courts of Record.

XLVIII. And also excepted all such Issues, Fines and Amerciaments, returned, affeered, taxed, set or entered in any Court of Record within this Realm of *Great Britain*, at any Time since the fifteenth Day of *June* one thousand seven hundred and forty-five; and yet nevertheless, all the Estreats of such Fines, Issues and Amerciaments, as be now pardoned by this Act, and which be already estreated forth of either of the Courts of *Exchequer* of *England* or *Scotland*, and be remaining in the Hands of the Sheriff, Under Sheriff, Bailiff, or other proper Officer for collecting of the same Fines, Issues and Amerciaments, shall, upon the Return of the said Estreats, be duly and orderly charged and delivered by Scrows into the Office of the Pipe in the said respective Courts of *Exchequer*, as hath been heretofore accustomed in *England*, to the Intent that thereupon Order may be taken, that his Majesty may be truly answered all such Fines, Issues and Amerciaments, not by this Act pardoned, and which any Sheriff, Under Sheriff, Bailiff, or other Officer or Minister, has received, or ought to answer, by Force or Colour of any such Estreat, Process or Precept to him or them made for levying thereof; and yet all and every Sheriff and Sheriffs, and other Accountant upon his or their Petition or Petitions, to be made for the Allowance of any such Fines, Issues or Amerciaments, as by this Act are pardoned, shall have all and every such his and their Petition allowed in his and their Account and Accounts, without paying any Fee or Reward to any Officer, Clerk or other Minister, for the making, entering and allowing of any such Petition or Petitions; any Usage or Custom to the contrary thereof in any wise notwithstanding.

Sheriffs, &c. Petitioning, to be allowed the same gratis.

Persons disabled by Judgment to exercise any Office, not restored.

XLIX. Provided always, That this Act shall not extend to give or restore any Ability or Capacity to take, have, hold or exercise any Office, Place, Authority or Employment, Ecclesiastical, Civil or Military, to any Person or Persons, who, by virtue or reason of any Judgment of any Court of Justice, were or are made or become incapable or disabled to have, take, hold or execute the same; but that all and every such Person and Persons shall remain and continue under all and every the Disabilities and Incapacities aforesaid; any thing in this present Act to the contrary notwithstanding.

Persons divested of any Estate or Employment not restored.

L. Provided, and it is hereby declared, That nothing in this Act shall be construed to extend to restore, regrant or revest, to or in any Person, any Office, Place or Employment, Civil or Military, or any Real or Personal Estate, which has, or have been, or shall be, on or before the said fifteenth Day of *June* one thousand seven hundred and forty-seven, divested out of such Person, by virtue of any Judgment, Attainder, Conviction, or Act of Parliament.

Persons attainted, &c. of High-Treason before 15 June 1747.

LI. And also excepted out of this Pardon all such Persons as, on or before the said fifteenth Day of *June* in the Year one thousand seven hundred and forty-seven, are or shall be attainted of High Treason, by Act of Parliament, or Judgment, or convicted of High Treason, by Verdict, Confession, or otherwise.

Persons transported.

LII. and also excepted all Persons who have been or shall be transported into Parts beyond the Seas, on or before the last Day of *Trinity* Term in the Year one thousand seven hundred and forty-seven, for any Offence.

Treasons against 13 Will. 3. c. 3.

LIII. And also excepted out of this Pardon, all Treasons contrary to an Act of Parliament made in the thirteenth Year of the Reign of the late King WILLIAM the Third of glorious Memory, intituled, *An Act for the Attainder of the pretended Prince of* Wales *of High Treason*, committed since the first Day of *July* one thousand seven hundred and forty-two, and before the twentieth Day of *July* one thousand seven hundred and forty-five.

17 Geo. 2. c. 39.

LIV. And also all Treasons against an Act of Parliament made in the seventeenth Year of his Majesty's Reign, intituled, *An Act to make it High Treason to hold Correspondence with the Sons of the Pretender to his Majesty's Crown, and for attainting them of High Treason, in case they shall land, or attempt to land in* Great Britain, *or any of the Dominions thereunto belonging; and for suspending the Operation and Effect of a Clause in the Act of the seventh Year of the late Queen* ANNE, *for improving the Union of the two Kingdoms, relating to Forfeitures for High Treason, until after the Decease of the Sons of the said Pretender*, committed before the said twentieth Day of *July* one thousand seven hundred and forty-five.

Persons concerned in procuring an Invasion.

LV. Also excepted out of this Pardon all Offences of High Treason, and Misprision of High Treason, committed at any Time or Times whatsoever by any Person or Persons, who, after the said first Day of *July* one thousand seven hundred and forty-two, and before the said twentieth Day of *July* one thousand seven hundred and forty-five, hath or have conspired, carried on, consented to, assisted or been concerned in any Design or Proposal for invading, or procuring an Invasion of this Realm, by the Forces of the *French* King or any other Foreign Force, or for raising or carrying on a Rebellion within the same.

Offences committed by Popish Priests against 27 Eliz. c. 2.

LVI. And also excepted out of this Pardon, all and every Offence and Offences committed or done by any Jesuit, Seminary, or other *Romish* Priest whatsoever, contrary to the Tenure or Effect of the Statute, made in the twenty-seventh Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act against Jesuits, Seminary Priests, and other such like disobedient Persons*, and all Outlawries, Proceedings, Judgments, and Executions for the same Offences, or any of them; and except all Convictions of Popish Recusants for their Recusancy, and the Consequences thereof; and all Forfeitures of Estates, Real and Personal, given for supporting superstitious Uses, mentioned in an Act of the first Year of the Reign of his late Majesty King GEORGE the First, of glorious Memory, intituled, *An Act for appointing Commissioners to enquire of*

1 Geo. 1. c. 50.

the

the Estates of certain Traitors, and of Popish Recusants, and of Estates given to superstitious Uses, in order to raise Money out of them severally for the Use of the Publick.

LVII. And also excepted all Offences contrary to an Act of Parliament, made in the first Year of the Reign of his said late Majesty King GEORGE the First, intituled, *An Act to oblige Papists to register their Names and Real Estates.* 1 Geo. 1. c. 55.

LVIII. And also excepted all Contempts in Causes depending on or before the twentieth Day of *June* in the Year one thousand seven hundred and forty-seven, in any Court of Law or Equity, or for Non-performance of Awards, or for Non-payment of Costs, given or awarded by such Courts on or before the said fifteenth Day of *June* in the Year one thousand seven hundred and forty-seven, and all Proceedings upon such Contempts and Securities taken thereon, and all Usurpations and Forfeitures of Franchises or Offices, for which any Prosecution hath been commenced or begun since the said twentieth Day of *July* one thousand seven hundred and forty-five, and is on the said fifteenth Day of *June* depending and remaining to be prosecuted. Contempts in Courts of Law, or Equity, or Non-performance of Awards, &c.

LIX. And also excepted all Contempts in any Ecclesiastical Court, in such Causes only that have been commenced for Matters of Right, and not for Correction; and also all Contempts in any Court of Admiralty proceeding civilly and not criminally. Contempts in Ecclesiastical and Admiralty Courts.

LX. And also excepted out of this Act of Pardon, *Charles* Earl of *Traquair*, *Alexander* Earl of *Kellie*, *Robert Maccarty*, stiling himself Earl of *Clancarty*, Sir *James Stewart* Baronet of *Good Trees*, Sir *John Douglas* Baronet, Sir *James Harrington* Baronet, Sir *James Campbell* Baronet of *Auchinbreck*, otherwise *Achinbreck*; Sir *William Dunbar* Baronet of *Durn*, Sir *Alexander Bannerman* of *Elsick*, Baronet; *Archibald Steuart*, late Provost of *Edinburgh*; *Peter Barry* Doctor in Physick, *Thomas Blair* of *Glasclune*, *Alexander Blair* Writer in *Edinburgh*, *Peter Byers* otherwise *Byres* of *Tonlay*, *James Carnegie* of *Boysack*, *Charles Cumming* of *Kinnimond* otherwise *Kinnimount*, *William Cumming* the younger of *Pitully*, *Roderick Chisholm* of *Comar* in *Strathglass*, *Alexander Cameron* of *Dungallon*, *William Drummond* of *Bahaldie*, otherwise *Bohaldie*, *William Drummond* of *Callendar*, *James Fraser* of *Foyers*, *Simon Fraser* of *Avochnacloy*, *John Fraser*, *Mc Gelispick*, *Hugh Fraser* Son to *Alexander Fraser* of *Leat Clan*, *James Farquharson* of *Balmurral*, otherwise *Balmurle*, *John Fullerton* of *Dudwick* the younger, *John Dow Fraser* of *Little Garth*, *John Fraser* of *Browich*, late Steward to Lord *Lovat*; *Thomas Fraser* of *Gortuleg*, *Alexander Garioch* of *Margie*, *Arthur Gordon* of *Carnousie*, *George Gordon* of *Hawhead*, otherwise *Hallhead*, *John Gordon* of *Abachie*, otherwise *Abochie*, *James Gordon* of *Gobardie*, otherwise *Cobardie*, *Francis Gordon* of *Mill* of *Kincardine*, *Robert Gordon* of *Logie* the younger, *James Gordon* of *Glasterum*, otherwise *Clashtirum*, *Robert Graham* of *Garrick*, *Patrick Grant* of *Glenmorison*, *John Graham* of *Kilmardinny*, *David Hunter* of *Burntside*, otherwise *Burnside*, *John Halden*, otherwise *Haldane*, otherwise *Haldon*, of *Lanrick*, *Alexander Halden*, otherwise *Haldane*, otherwise *Haldon*, Son to the said *John*; *Andrew Hay* the younger of *Ranus*, otherwise *Ranas*; *Alexander Irvine* of *Drum*, *George Kelly*, *James Levistonne*, otherwise *Levingston*, late Postmaster of *Falkirke*; *Cole*, otherwise *Col Mc Donald* of *Barisdale*, *Greger Mc Gregor*, otherwise *James Greeme*, otherwise *Graham*, of *Glengyle*; *Malcolm Mc Leod* of *Rasa*, *Archibald Menzies* of *Sean*, otherwise *Shien*; *Gilbert Menzies* junior of *Pitfoddles*; *Thomas Mercer* Merchant in *Aberdeen*, *William Moir* of *Lonemay*, otherwise *Longmay*, *James Moir* of *Stonywood*, *Oeneas*, otherwise *Angus Mc Donald* late Banker at *Paris*; *James Mc Donald* Brother to *Mc Donald* of *Kinloch Moidart*, *John Murray* late Clerk of the Customs at *Alloa*, *Donald Mc Donald* of *Inveroy*, *John Mc Donald* the elder of *Glengary*, *Alexander Mc Donald* of *Glenco*, *Robert Murray* of *Glencarnock*, *Thomas Ogilvie* of *East Mill*, *Alexander Ogilvie* of *Achiries*, *Thomas Ogilvie* of *Coul* Merchant in *Dundee*, *John Riddle*, otherwise *Riddel* of *Grange*, *David Robertson* of *Easter Bleaton*, *George Robertson* of *Faskelly*, *James Robertson* of *Blairfetty*, *Alexander Robertson* of *Strouan*, *Duncan Robertson* of *Drummachean*, *Donald Smith* Merchant in *Aberdeen*, *David Smith* of *Inveramsay*, *Daniel Spalding*, otherwise *Spaldane*, of *Ashentully*, *James Stirling* of *Craig Barnett*, *Charles Steuart* of *Ballachallan*, *David Stuart* of *Kynnachin*, *Robert Stuart* of *Killiharry*, otherwise *Killihasly*, *John Turner* the younger of *Turner Hall*, *Alexander Thomson*, otherwise *Thompson* of *Fechfield*, otherwise *Fochfield*, otherwise *Fairfield*; *David Tulloch* of *Bugtown*, otherwise *Bugtoun*, *William Vaughan* the younger of *Courtfield*, in the County of *Monmouth*; *Andrew Wauchop*, otherwise *Warcupp*, of *Nidrie*, Esquire; and *Alexander White* the younger, of *Ardlehill*. Names of Persons excepted.

LXI. Provided always, and be it enacted by the Authority aforesaid, That no Process of Outlawry, or any Proceedings thereon, at the Suit of any Person Plaintiff, shall be, by virtue of this Pardon, stayed or avoided, unless the Defendant appear, and put in Bail, where by Law Bail is necessary, and take out a Writ of *Scire Facias* against the Party, at whose Suit he was outlawed; and that this Pardon be not allowed to discharge any Outlawry after Judgment, till Satisfaction or Agreement be made to, or with the Party, at whose Suit the Outlawry was obtained. Process of Outlawry not to be stayed, unless the Defendant put in Bail, &c.

LXII. And it is further enacted by the Authority aforesaid, That every Person or Persons hereby pardoned, may plead the General Issue, without special pleading of this Pardon, and give this Act of Pardon in Evidence for his Discharge; and that the same shall be thereupon allowed, and Advantage thereof had, as fully to all Intents and Purposes, as if the same had been fully and well pleaded. General Issue.

LXIII. And be it further enacted by the Authority aforesaid, That this present Pardon shall be of as good Force and Effect, to pardon and discharge all and singular the Premisses above-mentioned, and intended to be pardoned and discharged, as well against such Person or Persons, Bodies Politick and Corporate, as do or shall claim the same, by or under any Letters Patents, or Lease, or Grant by the King's Majesty, or any his Predecessors, as against the King's Majesty himself. Validity of this Act.

Anno vicesimo primo GEORGII II. Regis.

'AT the Parliament begun and holden at *Westminster*, the tenth Day of *November*, *Anno Dom.* 1747, in the twenty-first Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, &c. being the first Session of this present Parliament.

CAP. I.

An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*; and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*; for the Service of the Year one thousand seven hundred and forty-eight. EXP.

CAP. II.

An Act for granting to his Majesty a Subsidy of Poundage upon all Goods and Merchandizes to be imported into this Kingdom; and for raising a certain Sum of Money by Annuities and a Lottery, to be charged on the said Subsidy; and for repealing so much of an Act made in the twentieth Year of his present Majesty's Reign, as enacts, *That Prize Goods and Merchandize may be exported without any Duty of Custom or Excise for the same.*

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, for the better enabling your Majesty to defray the Charge of this present War, and for other your Majesty's most necessary and important Occasions, have given and granted unto your Majesty the further Subsidies, Rates, Duties and Sums of Money hereafter mentioned; and do humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That over and above all Subsidies of Tonnage and Poundage, and over and above all additional Duties, Impositions and other Duties whatsoever, by any other Act or Acts of Parliament, or otherwise howsoever already due and payable, or which ought to be paid to his Majesty, his Heirs or Successors, for or upon any Goods or Merchandizes, which, from and after the first Day of *March*, which shall be in the Year of our Lord one thousand seven hundred and forty-seven, shall be imported or brought into the Kingdom of *Great Britain*, one further Subsidy of Poundage of twelve Pence in the Pound shall be paid to his Majesty, his Heirs or Successors, upon all Manner of Goods or Merchandizes to be imported or brought into this Realm, or any his Majesty's Dominions to the same belonging, at any Time or Times after the said first Day of *March* one thousand seven hundred and forty-seven, by the Importer of such Goods or Merchandizes, before the landing thereof, according to the several particular Rates and Values of the same Goods and Merchandizes, as the same are now particularly and respectively rated and valued, in the respective Books of Rate referred to by the Acts of the twelfth Year of the Reign of King CHARLES the Second, and the eleventh Year of his late Majesty, or by any other Act or Acts of Parliament; and so after that Rate or Value, or which do now pay any Duty *ad Valorum*.

Additional Duty of 12 d. in the Pound laid on all Goods imported;

as valued in the Book of Rates 12 Car. 2. c. 4. and 11 Geo. 1. c. 7.

'II. And whereas it may happen, that several Goods and Merchandizes may be imported by the *East India* Company, which are not rated by any Act of Parliament;' Be it enacted by the Authority aforesaid, That all such unrated Goods and Merchandizes shall pay the said Subsidy of Five *per Centum*, granted by this Act on the gross Price for which the Goods shall be sold at the Candle, without any Allowance or Deduction whatsoever; and that nothing in this Act shall any ways alter the present Method of computing the reduced Value and Duties at present payable upon unrated *East India* Goods, but the same shall be computed as if this present Act had never been made; and the Subsidy hereby granted shall be paid by the said United *East India* Company, at the same Times as the other Subsidies on *East India* Goods imported by the said Company are now due and payable; any Law or Custom to the contrary notwithstanding.

Unrated East India Goods to pay 5 l. per Cent. on the gross Price.

III. And be it further enacted by the Authority aforesaid, That the Subsidy of Poundage hereby granted, shall be raised, levied and collected by the respective Officers of his Majesty's Customs in this Kingdom, under the Management and Direction of the respective Commissioners of the Customs for the time being; and shall be brought and paid, or answered, into the Receipt of his Majesty's Exchequer, for the Purposes in this Act mentioned (such additional Charge as shall be necessary for the Management of this Revenue only excepted) and that all and every the Clauses, Powers, Directions, Penalties, Forfeitures, Matters and Things whatsoever contained in the said Act of the twelfth Year of the Reign of King CHARLES the Second, or in any other Laws or Statutes whatsoever now in Force, for raising, levying, collecting, answering and paying the Subsidy of Tonnage and Poundage thereby granted, shall be applied, practised, and put into Execution, for the raising, levying, securing, collecting, answering and paying the Subsidy of Poundage by this Act granted, as fully and effectually, to all Intents and Purposes, as if all and every the said Clauses, Powers, Directions, Penalties and Forfeitures, were particularly repeated and again enacted in the Body of this present Act.

Duties how to be levied, &c.

IV. Provided always, That nothing herein contained shall extend, or be construed to extend, to any Goods or Merchandizes which were or are now allowed by the said Act of the twelfth Year of the Reign of King

Not to extend to Goods imported free, nor to pro-

King CHARLES the Second, or any other Act or Acts of Parliament to be imported Duty free, nor to any prohibitted Goods or Merchandizes which may be imported by the United *East India* Company.

Prohibited Goods imported by the India Company.

V. Provided also, and it is the true Intent and Meaning of this Act, That the Importers of Tobacco shall, upon paying down the Subsidy hereby granted, have the same Allowance with respect to the Subsidy, as they are intitled to by any Law now in Force upon Tobacco imported; but in case the said Subsidy hereby granted shall not be paid down an aforesaid, then the said Importers shall become bound to his Majesty, his Heirs or Successors, with one or more sufficient Sureties, to be approved of by the Collector of the Port where the Tobacco shall be imported, with the Consent of the Comptroller of such Port, in one or more Bond or Bonds, at the Election of the Importer, for Payment of the said Subsidy within eighteen Months, to commence at the End of thirty Days after the Master's Report of the Ship, or to commence from the Merchant's Entry of the Goods within those thirty Days, which shall first happen; any thing herein contained to the contrary thereof in any wise notwithstanding.

Allowance to the Importer of Tobacco.

Bond to be given on Non-payment of the Duty.

Concerning Tobacco see farther 24 *Geo.* 2. *c.* 41. 26 *Geo.* 2. *c.* 13.

VI. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That in all Cases where any Goods or Merchandizes that have paid the Subsidy hereby granted, shall at any Time or Times be again exported by any Merchant or Merchants, within three Years from the Importation thereof, the Subsidy by this Act granted, and which shall have been actually paid for such Goods, Wares or Merchandizes, shall, without any Delay or Reward, be repaid unto such Merchant or Merchants who shall export the same, or the Security vacated; except for such Goods or Merchandizes, as by any former Act or Acts of Parliament it is declared no Drawback shall be paid or allowed upon Exportation, and except as is herein after excepted in relation to Prize Goods.

Drawback allowed upon Exportation within 3 Years.

Exception.

VII. And be it further enacted by the Authority aforesaid, That for every hundred Weight of Sugar imported into *Great Britain*, after the said first Day of *March* one thousand seven hundred and forty-seven, and refined there (and so in proportion for a greater or lesser Quantity) that shall be exported out of this Kingdom, after the said first Day of *March* one thousand seven hundred and forty-seven, during the Continuance of this Act, there shall be repaid at the Custom House to the Exporter, within thirty Days after the Demand thereof, the Sum of three Shillings, over and above the present Bounties; Oath being first made by the Refiner, that the Sugar so exported, was produced from Brown and Muscovada Sugar, charged by this Act, and that he verily believes the same was imported from his Majesty's Plantations in *America*, and the Duty duly paid at the Time of the Importation thereof, the Exporter making Oath that the same was duly exported, and his Majesty's Searcher also certifying the Shipping thereof, and all other Requisites being performed according to the respective Books of Rates.

Drawback of 3 s. per Hundred Weight on Sugar refined in Great Britain, and exported, &c.

Concerning Customs see farther 28 *Geo.* 2. *c.* 21. 30 *Geo.* 2. *c.* 18. & 29. 32 *Geo.* 2. *c.* 10.

'VIII. And whereas by an Act of Parliament made and passed in the twentieth Year of his Majesty's 'Reign (intituled, *An Act to continue several Laws relating to the Manufactures of Sail Cloth and Silk; to give 'further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Appren-'tices, and for better securing the Payment of the said Duties; and declaring that Prize Ships lawfully condemn-'ed, shall be deemed* British-*built Ships; and for allowing Prize Goods to be landed and secured in proper Ware-'houses, without Payment of any Duty, until it can be determined whether they are fit for Exportation or Home 'Consumption)* it was amongst other Things enacted, That all Goods and Merchandizes that then had 'been or should, during the Continuance of the present War with *France* or *Spain*, be taken from his Ma-'jesty's Enemies, and landed from any Ship or Vessel in any Port within the Kingdom of *Great Britain*, 'after being subject to the several Rules and Restrictions prescribed and mentioned in the said Act, might 'be exported again to Foreign Parts by the Captors or other Owners thereof, without being liable to or 'paying any Duty of Custom or Excise for the same, as by the said Act, Relation being thereunto had, 'will more fully and at large appear:' Be it therefore enacted by the Authority aforesaid, That so much of the said Act as relates to the Nonpayment of the said Duties of Custom or Excise on Prize Goods or Merchandizes lodged in Warehouses, and so exported as aforesaid, shall, from and after the first Day of *March* one thousand seven hundred and forty-seven be, and is hereby repealed and made void; and that the Subsidy hereby granted shall not be drawn back, on the Exportation of any Prize Goods or Merchandizes taken by any of his Majesty's Ships or Vessels of War; any thing in the said recited Act, or any other Act or Acts of Parliament to the contrary notwithstanding.

Part of 20 Geo. 2. c. 45. repealed.

No Drawback allowed on Exportation of Prize Goods.

IX. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the Receipt of Exchequer at *Westminster*, a Book or Books, in which all the Monies hereby appointed to be paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid or payable there to his Majesty, his Heirs or Successors, upon any Account whatsoever; and the said Money so appointed to be paid into the said Receipt of Exchequer as aforesaid, shall be the yearly Fund for the several Purposes herein after mentioned.

Books to be kept for entering the Monies coming in by this Act.

X. And be it further enacted by the Authority aforesaid, That all and every the Annuities which by this Act shall be granted and made payable, in respect of the principal Sum of six millions three hundred thousand Pounds to be raised in Manner and Form as is herein after directed; as also the additional Capital of ten Pounds in Lottery Tickets, herein after directed to be added to every one hundred Pounds, advanced towards raising the said Sum of six millions three hundred thousand Pounds, until Redemption thereof by Parliament, shall be charged and chargeable upon, and payable out of the several Subsidies, Rates and Duties by this Act granted to his Majesty; and the said several Subsidies, Rates and Duties shall be, and are hereby appropriated for that Purpose accordingly.

Appropriation of the Duties.

'XI. And whereas several Persons, Natives and Foreigners, Bodies Politick and Corporate, have sub-'scribed and agreed to advance the said Sum of six millions three hundred thousand Pounds, for the Pub-'lick Service, for the Purchase of Annuities after the Rate of four Pounds *per Centum per Annum*; and the 'said Subscribers or Contributors have, in pursuance of a Resolution of the Commons of *Great Britain* in 'Parliament assembled, deposited with and paid to the first or Chief Cashier or Cashiers of the Governor 'and Company of the Bank of *England* for the time being, the Sum of ten Pounds *per Centum* in Part of

'the Principal Sums by them reſpectively ſubſcribed as aforeſaid; and have alſo paid to the ſaid Caſhier or 'Caſhiers the further Sum of ten Pounds *per Centum*, on or before the twenty-eighth Day of *January* one 'thouſand ſeven hundred and forty-ſeven; and have alſo advanced and paid ſeveral other Sums of Money 'to the ſaid Caſhier or Caſhiers, by virtue and in purſuance of the ſaid Reſolutions, in further Part of the 'ſaid Sum of ſix millions three hundred thouſand Pounds, and are deſirous to pay the remaining Principal 'Sums by them ſubſcribed as aforeſaid, at ſuch Times, and in ſuch Manner, as are herein after appointed 'in that Behalf;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all and every ſuch Contributor or Contributors, who have already depoſited with, or paid to the ſaid Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, the ſaid two ſeveral and reſpective Sums of ten Pounds *per Centum*, or other Sums of Money, in Part of the ſaid Sum of ſix millions three hundred thouſand Pounds as aforeſaid, to advance and pay unto the ſaid Caſhier or Caſhiers, at or before the reſpective Days or Times, and in the Proportions herein after by this Act limited in that Behalf, the remaining Principal Sums by them ſubſcribed towards the ſaid Sum of ſix millions three hundred thouſand Pounds, for the Purchaſe of any certain Annuity or Annuities, to commence from the Feaſt of Saint *Michael* the Archangel, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-eight, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, in Manner herein after mentioned; which Annuities before mentioned ſhall be computed at the Rate of four Pounds *per Centum* for every one hundred Pounds, and proportionably for any greater or leſs Sum ſo to be advanced and paid; and the remaining Purchaſe Money for every ſuch Annuity, at the Rate aforeſaid, is hereby appointed to be paid unto the ſaid Caſhier or Caſhiers aforeſaid, at or before the reſpective Days or Times herein after limited; that is to ſay, The Sum of ten Pounds *per Centum*, Part thereof, on or before the twenty-ſeventh Day of *February* one thouſand ſeven hundred and forty-ſeven; the Sum of ten Pounds *per Centum* other Part thereof, on or before the twenty-fourth Day of *March* then next enſuing; the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-ſecond Day of *April* then next enſuing; the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-fourth Day of *May* then next enſuing; the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-firſt Day of *June* then next enſuing; the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-firſt Day of *July* then next enſuing; the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-third Day of *Auguſt* then next enſuing; and the remaining Sum of ten Pounds *per Centum*, on or before the twentieth Day of *September* then next following: All which Annuities ſo to be purchaſed, ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, the Feaſts of the Annunciation of the Bleſſed Virgin *Mary*, and of Saint *Michael* the Archangel, by even and equal Portions, or within ſix Days after every of the ſaid Feaſt Days; the firſt Payment thereof to be due and payable at the Feaſt of the Annunciation of the Bleſſed Virgin *Mary*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-nine, or within ſix Days after the ſaid Feaſt Day: Nevertheleſs the ſaid Annuities ſhall be redeemable according to the Purport and true Meaning of a Proviſo or Condition herein after mentioned in that Behalf, and not otherwiſe; and the ſaid Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England* for the time being, is and are hereby authorized and required forthwith to give Receipts in Writing, ſigned by himſelf or themſelves, to ſuch Contributor or Contributors, for all Sums of Money by them depoſited with, or paid unto ſuch Caſhier or Caſhiers before the paſſing of this Act, as alſo for ſuch other Sum or Sums of Money as ſhall hereafter be advanced or paid to him or them by any ſuch Contributors or Payers thereof; which Receipts ſhall be aſſignable by Endorſement thereupon made, at any Time before the twentieth Day of *September* one thouſand ſeven hundred and forty-eight, and no longer; and the ſaid Caſhier or Caſhiers are hereby required to give Security to the good Liking of any three or more of the Commiſſioners of the Treaſury now being, or of the High Treaſurer or Commiſſioners of the Treaſury for the time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer, all the Monies which he or they have already received by Way of Depoſite or otherwiſe, or ſhall hereafter receive, from time to time, of or for the ſaid Sum not exceeding ſix millions three hundred thouſand Pounds, as faſt as he or they ſhall receive the ſame, or any Part thereof, and to account for all the Monies ſo to be advanced and paid to him or them, in his Majeſty's Court of Exchequer, according to the due Courſe thereof.

Contributors who have paid two tenths to pay in the Remainder in the Proportions limited.

Annuities to come Michaelmas 1748, at 4 l. per Cent.

Times of advancing the Sums.

First Payment 25 March 1749.

Caſhier of the Bank to give Receipts.

The Receipts to be aſſignable.

Caſhier to give Security.

XII. And be it enacted by the Authority aforeſaid, That the ſaid Caſhier or Caſhiers ſhall, and they are hereby authorized and required to give a Note or Writing, ſigned by him or them, to ſuch Contributor or Contributors, obliging himſelf or themſelves to deliver to ſuch Contributor or Contributors, or their Aſſigns, a Ticket in the Lottery herein after mentioned, of the Value of ten Pounds, by way of additional Capital, for every one hundred Pounds by them reſpectively ſubſcribed towards raiſing the ſaid Sum of ſix millions three hundred thouſand Pounds, for the Purpoſes aforeſaid, as ſoon as the Managers and Directors, to be appointed for preparing and delivering out the ſaid Tickets in the ſaid Lottery, ſhall deliver to the ſaid Caſhier or Caſhiers the Books comprehending the ſaid Tickets; which ſaid additional Capital in Tickets as aforeſaid, amounting in the whole to the Sum of ſix hundred and thirty thouſand Pounds, ſhall be attended with Annuities after the Rate of four Pounds *per Centum per Annum*, and ſhall be charged upon, and paid out of the ſaid ſeveral Subſidies, Rates and Duties by this Act granted, at the ſame Half-yearly Feaſt Days, and in the ſame Manner, as the Annuities herein before made payable, in reſpect of the ſaid Principal Sum of ſix millions three hundred thouſand Pounds, are to be paid and payable, and ſubject alſo to the ſame Proviſo of Redemption as is herein after contained in that Behalf; and the ſaid Notes or Writings, to be ſigned and delivered by the ſaid Caſhier or Caſhiers of the ſaid Contributor or Contributors, as aforeſaid, ſhall be aſſignable by Endorſement thereupon made at any Time before the ſaid twentieth Day of *September* one thouſand ſeven hundred and forty-eight, and no longer.

Caſhier to give Notes for Delivery of a Ticket in the Lottery for every 100 l. ſubſcribed,

which is to carry 4 l. per Cent. Intereſt.

XIII. And

XIII. And be it further enacted by the Authority aforeſaid, That the ſaid Caſhier or Caſhiers ſhall, and they are hereby authorized and required to pay into the ſaid Receipt of Exchequer, not only all ſuch Sum and Sums of Money, as have already been depoſited with or paid to them, by the ſaid Contributor or Contributors, towards raiſing the ſaid Sum of ſix millions three hundred thouſand Pounds, but alſo all ſuch further Sum or Sums of Money as ſhall be hereafter paid into their Hands, at the reſpective Days or Times herein before limited and appointed for Payment thereof, as faſt as he or they ſhall receive the ſame; and that it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, from time to time, to iſſue and apply all ſuch Sum or Sums of Money as ſhall be ſo paid into the ſaid Receipt, by the ſaid Caſhier or Caſhiers, towards the ſaid Sum of ſix millions three hundred thouſand Pounds, to ſuch Services as ſhall then have been voted by the ſaid Commons of *Great Britain* in this Seſſion of Parliament.

Caſhier to pay the Monies into the Exchequer.

Treaſury to apply the Money to the Services voted by Parliament.

XIV. And it is hereby enacted, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the time being, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entered the Names of all who ſhall be the Contributors for ſuch Annuities, after the Rate of four Pounds *per Centum per Annum* as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sums ſo paid; and it ſhall and may be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, from time to time, and at all ſeaſonable Times, to have reſort to, and inſpect the ſaid Book or Books without any Fee or Charge; and the ſaid Accomptant General for the Time being, ſhall, on or before the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty, tranſmit an atteſted Duplicate fairly written on Paper, of the ſaid Book or Books, into the Office of the Auditor of the Receipt of his Majeſty's Exchequer, there to remain for ever.

Contributors Names, &c. to be entered in the Office of the Accomptant General of the Bank.

Duplicate to be tranſmitted into the Auditor's Office.

XV. And it is hereby enacted by the Authority aforeſaid, That all and every Contributor and Contributors upon this Act, duly paying the whole Conſideration or Purchaſe Money, at the Rate aforeſaid, at or before the reſpective Days and Times in this Act limited in that Behalf, for ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint, his, her or their reſpective Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall have, receive and enjoy, and be intitled by virtue of this Act, to have, receive and enjoy the reſpective Annuity and Annuities ſo to be purchaſed, together with the Annuity or Annuities made payable by this Act, in reſpect to the ſaid additional Capital as aforeſaid, out of the Monies by this Act appropriated or appointed for Payment thereof as aforeſaid, and ſhall have good and ſure Eſtates and Intereſts therein for ever, ſubject only to the Proviſo or Condition of Redemption, in this Act afterwards contained concerning the ſame; and that all the ſeveral and reſpective Annuities, payable in purſuance of this Act, after the Rate of four Pounds *per Centum per Annum*, on all and every the principal Sums for which the ſame are payable, ſhall be free from all Taxes, Charges and Impoſitions whatſoever.

The Monies appropriated to Payment of the Annuities, free from Taxes.

XVI. And it is hereby provided and enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall become intereſted in, or intitled unto any Annuity or Annuities, Part of the ſaid Sum of ſix millions three hundred thouſand Pounds ſubſcribed for in purſuance of this Act, who ſhall, before the paſſing of this Act, have advanced or paid, or ſhall hereafter advance and pay to the ſaid Caſhier or Caſhiers, the Whole or any Part of the remaining Purchaſe-money, payable in reſpect thereof, at or before any of the reſpective Days or Times herein limited or appointed for Payment thereof, ſuch Perſon or Perſons ſhall be allowed Intereſt after the Rate of five Pounds *per Centum per Annum*, for all and every ſuch Sum and Sums of Money as ſhall be ſo advanced and paid to ſuch Caſhier or Caſhiers, by any ſuch Contributors as aforeſaid, to be computed from the Day on which ſuch actual Payment ſhall have been made, to *Michaelmas* one thouſand ſeven hundred and forty-eight; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and required to cauſe the ſaid Intereſt to be paid upon ſuch reſpective Sums as ſhall be ſo advanced accordingly, out of the Monies to be contributed in purſuance of this Act; and in caſe any ſuch Perſon or Perſons ſhall compleat the Payment of the whole Purchaſe Money, payable for any ſuch Annuities, he, ſhe or they ſhall have ſuch reſpective Sums as they ſhall become intereſted in or intitled unto, forthwith placed to the Credit of the ſaid Contributors, and made transferrable in the Books of the Bank of *England*, by this Act appointed to be kept for that Purpoſe.

Contributors to be allowed 5 l. per Cent.

The Annuities to be transferrable at the Bank.

XVII. Provided, That in caſe any ſuch Contibutors as aforeſaid, who have already depoſited with, or paid to the ſaid Caſhier or Caſhiers any Sum or Sums of Money at the Times, and in the Manner before mentioned, in Part of his, her or their Perchaſe-money, or his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, do not advance and pay to the ſaid Caſhier or Caſhiers the Sum of ten Pounds *per Centum*, in further Part of his, her or their Conſideration-money, ſo to be paid for ſuch reſpective Annuity or Annuities as aforeſaid, on or before the twenty-ſeventh Day of *February* one thouſand ſeven hundred and forty-ſeven; and the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-fourth Day of *March* then next enſuing; and the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-ſecond Day of *April* then next enſuing; and the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-fourth Day of *May* then next enſuing; and the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-firſt Day of *June* then next enſuing; and the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-firſt Day of *July* then next enſuing; and the Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-third Day of *Auguſt* then next enſuing; and the remaining Sum of ten Pounds *per Centum*, on or before the twentieth Day of *September* then next following; then, and in every ſuch Caſe reſpectively, ſo much of the Conſideration-money as ſhall have been actually paid in Part thereof only, to the ſaid Caſhier or Caſhiers, for ſuch reſpective

Contributors who have paid Part and not making good the Whole, to forfeit what has been paid in.

The Time for Payment is enlarged by 21 Geo. 2. c. 14. sect. 7.

tive Annuity, shall be forfeited for the Benefit of the Publick; any thing in this Act contained to the contrary notwithstanding.

'XXX. And whereas it is intended, That every Contributor of the Sum of one hundred Pounds, towards raising the said Sum of six millions three hundred thousand Pounds, shall have and be intitled unto an additional Capital of ten Pounds in a Lottery Ticket, which Tickets are to be prepared, and the Lottery to be drawn, in manner herein after mentioned;' Be it therefore further enacted by the Authority aforesaid, That such Persons as the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall nominate or appoint, shall be Managers and Directors for preparing and delivering out Tickets, and to oversee the Drawing of Lots, and to order, do and perform such other Matters and Things as are hereafter in and by this Act directed and appointed by such Managers and Directors to be done and performed; and that such Managers and Directors shall meet together, from time to time, at some publick Office or Place for the Execution of the Powers and Trusts in them reposed by this Act; and that the said Managers or Directors, or so many of them as shall be present at any such Meeting, or the major Part of them, shall cause Books to be prepared, in which every Leaf shall be divided or distinguished into three Columns, and upon the innermost of the said three Columns there shall be printed sixty three thousand Tickets, &c.

Treasury to appoint Managers of the Lottery.

Managers to meet together for executing their Powers.

Method of the Lottery Books.

"Eight thousand seven hundred and fifty Tickets shall be Fortunate, three of them ten thousand Pounds "Principal, four five thousand Pounds, seven two thousand Pounds, nineteen one thousand Pounds, thir- "ty-nine five hundred Pounds, one hundred and seventy-one one hundred Pounds, four hundred and forty- "two fifty Pounds, eight thousand and sixty-five twenty Pounds; which Sums, with five hundred Pounds "to the first drawn Ticket, and one thousand Pounds to the last drawn, will amount to three hundred and "four thousand and five hundred Pounds; which being added to three hundred and twenty-five thousand "and five hundred Pounds, the Principal payable on the remaining fifty-four thousand two hundred and "fifty Blank Tickets, six Pounds each, amount to six hundred and thirty-thousand Pounds to be convert- "ed into Annuities in respect of the Lottery. Time and Place of drawing the Lottery. Prizes to be en- "tered in a Book. A List of the Prizes to be printed. Counterfeiting of Tickets, Certificates or the Num- "bers of them, Felony. Persons selling Shares in Tickets of which they are not possessed to forfeit 500*l.* "The Tickets to be exchanged for Certificates." EXP.

Accomptant General to give Credit for the Sums named in the Certificates;

which may be transferred,

XXXI. And be it further enacted by the Authority aforesaid, That the said Accomptant General of the Bank of *England* for the Time being, to whom the said Certificates are to be directed as aforesaid, shall, upon receiving and taking in the said Certificates, or any of them, give Credit to the Persons named in the same Book or Books to be by him provided and kept for that Purpose, for the Principal Sums contained in every such Certificate; and the Persons to whose Credit such Principal Sums shall be entered in the said Book or Books, his, her or their Executors and Administrators shall and may have Power to assign and transfer the same, or any Part, Share or Proportion thereof, to any other Person or Persons, Bodies Politick or Corporate whatsoever, in other Books, to be prepared and kept by the said Accomptant General for that Purpose; and the Principal Sums so assigned or transferred, shall carry the said Annuity of four Pounds *per Centum per Annum*, and shall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authorities herein after mentioned, until the Redemption thereof as aforesaid; and the said Accomptant General of the Bank of *England* for the time being, is hereby authorized and directed to cancel and file the Certificates, as they shall from time to time be received and taken in by him, and to give the Persons bringing in the same a Note under his Hand, testifying the principal Money for which they shall have Credit in the said Book or Books, by Reason or Means of the Certificates so received, taken in and cancelled as aforesaid, and of the Annuities attending the same.

and carry 4 per Cent. Interest.

Certificates to be cancelled, and Notes given.

XXXII. And for the more easy and sure Payment of the several and respective Annuities, amounting to six millions three hundred thousand Pounds, by this Act authorized to be purchased as aforesaid, as also of the several Annuities payable in respect of the said additional Capital, by way of Lottery as aforesaid; It is hereby further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall from time to time, until the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, shall be redeemed according to this Act, appoint and employ one or more sufficient Person or Persons within their Office in the City of *London*, to be their Chief or First Cashier or Cashiers, and one other sufficient Person, within the same Office, to be their Accomptant General; and that so much of the Monies, from time to time arising into the said Receipt of the Exchequer, for the said Subsidies, Rates and Duties by this Act appropriated for this Purpose, as shall be sufficient, from time to time, to answer the said several and respective Annuities, and other Payments directed to be paid and discharged out of the same, shall, by Order of the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or Commissioners of the Treasury of his Majesty, his Heirs or Successors for the time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, from time to time, at the respective half yearly Feast Days, or Days of Payment, in this Act before appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer, to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the time being, by way of Imprest, and upon Account for the Payment as well of the said several and respective Annuities to be purchased upon this Act, as of the Annuities payable in respect of the said additional Capital by way of Lottery, at such Times, and in such Manner and Form as are by this Act prescribed in that Behalf; and that all and every such Cashier or Cashiers, to whom the said Monies shall from time to time be issued, shall from time to time, without Delay, apply and pay the same accordingly, and render his Account thereof according to the due Course of the Exchequer; any thing herein contained to the contrary notwithstanding.

Cashier and Accomptant General to be appointed.

Monies for Payment of the Annuities to be issued from the Exchequer, &c.

XXXIII. And

XXXIII. And it is hereby also enacted, That the said Accomptant General for the time being, shall, from time to time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence, or Delay; and that all and every Person and Persons whatsoever, who shall be intitled to any of the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, and all Persons lawfully claiming under them, shall be possessed thereof as of a Personal Estate, and the same shall not be descendible to the Heir, and shall not be liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Statute or Custom to the contrary notwithstanding.

Accomptant General to inspect the Cashiers Receipts.

Annuities to be a Personal Estate, &c.

XXXIV. And be it further enacted by the Authority afore said, That all the Monies to be advanced or contributed, or to which any Person or Persons shall become entitled to upon this Act, for or towards the said Sum not exceeding six millions three hundred thousand Pounds, together with the additional Capital by way of Lottery, shall be deemed, reputed, and taken to be one Capital or Joint Stock, on which the said several and respective Annuities, after the Rate of four Pounds *per Centum per Annum*, shall be attending; and that all and every Person and Persons, and Corporations whatsoever, in Proportion to the Money by him, her or them advanced, or to which they shall become intitled as aforesaid, upon this Act, shall have, and be deemed to have a proportional Interest and Share in the said Stock, and in the Annuity attending the same, at the Rate aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferrable as this Act directs, and not otherwise; and that there shall be constantly kept at all seasonable Times, in the Office of the said Accomptant General for the time being, within the City of *London*, a Book or Books, wherein all Assignments or Transfers of the said whole Capital or Joint Stock, or any Part thereof, and the proportional Annuities attending the same, at the Rate aforesaid, shall be entered and registered; which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if such Parties be absent, by his, her or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be attested by two or more credible Witnesses; and that the Person or Persons, to whom such Transfer shall be made, do underwrite his, her or their Acceptance thereof; and that no other Method of assigning or transferring the said Stock, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good or available in Law.

The Monies contributed to be a Joint Stock, &c.

andtransferrable.

Book to be kept for Transfers.

Entries to be signed by the Parties transferring and accepting.

XXXV. Provided always, That any Person or Persons possessed of such Stock, with the Annuity or Annuities attending the same, or any Estate or Interest therein, may devise the same by Will, in Writing, attested by two or more credible Witnesses; but that such Devisee shall receive no Payment thereupon, till so much of the said Will, as relates to the said Stock or Annuity, be entered in the said Office; and in Default of such Transfer or Devise, the said Stock and Annuities attending the same, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on the said Transfers, or any of them; any other Law or Statute to the contrary notwithstanding.

Annuities devisable by Will, &c.

XXXVI. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, (nowithstanding the Redemption of all or any their own Funds, in pursuance of the Acts for establishing the same, or any of them) shall continue a Corporation, with all the Powers, Privileges and Advantages thereunto belonging, for the Purposes in this Act expressed, till all the Annuities to be purchased on this Act shall be redeemed by Parliament, according to the Proviso herein after contained in that Behalf; and the said Governor and Company, or any Members thereof, shall not incur any Disability for or by Reason of their doing any Matter or Thing in pursuance of this Act.

The Bank to continue a Company till Redemption of the Annuities.

XXXVII. And it is hereby enacted by the Authority aforesaid, That no Fee or Gratuity whatsoever, shall be demanded or taken of any of his Majesty's Subjects, for receiving or paying the said Contribution-monies, or any of them, or for any Tallies or Receipts concerning the same, or for issuing the Monies for paying the said several Annuities, or any of them; and that no Fee or Gratuity shall be demanded or taken for any Transfer of any Sum, great or small, to be made in pursuance of this Act; upon pain that any Officer or Person offending, by taking or demanding any Fee or Gratuity contrary to this Act, shall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*.

No Fee for Payment of Contribution-money, or for Transfers.

Penalty.

XXXVIII. Provided always, and be it enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall have Power, and they are hereby authorized out of the said several Subsidies, Rates and Duties by this Act granted and appropriated as aforesaid, to discharge all such incident Charges, as shall necessarily attend the Execution of this Act, in such Manner, as to them shall seem just and reasonable; and also to settle and appoint such Allowances out of the Contributions to the Annuities granted by this Act as aforesaid, as they shall think just and reasonable, for the Service, Pains and Labour of the Cashier or Cashiers of the Governor and Company of the Bank of *England*, for receiving and accounting for the said Contributions; and also such further Allowances (out of the said Subsidies, Rates and Duties by this Act appropriated) as they shall think just and reasonable, for receiving, paying and accounting for the several and respective Annuities payable in respect thereof; and also for the Service, Pains and Labour of the Accomptant General of the said Governor and Company, for performing the Duty and Trust incumbent on him by this Act; all which Allowances hereby impowered to be made as aforesaid, in respect of the Service, Pains and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any thing herein contained to the contrary notwithstanding.

Treasury to pay the Charges of this Act out of the Duties,

and appoint Salaries for the Cashiers and other Officers.

XXXIX. And it is hereby enacted by the Authority aforesaid, That if at any Time or Times the Produce of the said several Subsidies, Rates and Duties shall happen to be so low or deficient as that the Monies arising

Deficiencies to be made good.

ing therefrom into the Exchequer, ſhall not be ſufficient to pay and diſcharge the ſeveral and reſpective Annuities, and other Charges directed to be paid thereout, at the End of any or either of the reſpective half-yearly Days of Payment, at which the ſame are hereby directed to be paid, then, and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of the Overplus Monies, that ſhall or may happen to ariſe and be paid into the Exchequer in any of the ſubſequent half Years, as the ſaid reſpective Annuities ſhall, from time to time, become due and payable; and in caſe ſuch Overplus Monies ſhall not be ſufficient to ſatisfy the Deficiencies hereby intended from time to time to be paid thereout, that then, and in every ſuch Caſe, the Deficiencies ſo from time to time happening, ſhall, from time to time, be anſwered and made good by and out of the firſt Supplies which ſhall be granted in Parliament next after ſuch Deficiencies ſhall appear; and in caſe no ſuch Supplies ſhall be granted within ſix Months next after ſuch Deficiencies ſhall happen, then the ſame ſhall be made good out of any the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, or Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſame Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of ſaid Sinking Fund ſhall and may be from time to time iſſued and applied accordingly; and if at any Time or Times before any Monies of the ſaid Subſidies, Rates and Duties hereby granted ſhall be brought into the Exchequer as aforeſaid, there ſhall happen to be a Want of Money for paying the ſeveral Annuities aforeſaid, which ſhall be actually incurred and grown due at any of the ſaid half-yearly Days of Payment before mentioned, that then, and in every ſuch Caſe, the Money ſo wanted ſhall and may be ſupplied out of the Monies of the ſaid Sinking Fund (except as before excepted) and be iſſued accordingly.

Sinking Fund to be replaced.

XL. Provided always, and be it enacted by the Authority aforeſaid, That whatſoever Monies ſhall be ſo iſſued out of the ſaid Sinking Fund, ſhall from time to time be replaced by and out of the firſt Supplies to be then after granted in Parliament.

Surplus Monies how to be applied.

XLI. Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid ſeveral Subſidies, Rates and Duties, after the ſaid ſeveral and reſpective Annuities, and other Payments or Charges by this Act directed to be paid thereout, and all Arrears thereof are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe, ſuch Surplus or Remainder ſhall, from time to time, be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by the Authority of Parliament, and as ſhall be directed by any future Act or Acts of Parliament; any thing in this or any former or other Act or Acts of Parliament notwithſtanding.

Clauſe of Redemption.

XLII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the half yearly Feaſt Days, for Payment of the ſaid ſeveral and reſpective Annuities, and upon Repayment by Parliament, of the Principal Sum of ſix millions three hundred thouſand Pounds, and alſo upon Payment of the ſaid additional Capital of ſix hundred and thirty thouſand Pounds, amounting together to the Principal Sum of ſix millions nine hundred and thirty thouſand Pounds, for which the ſaid reſpective Annuities are payable, to ſuch reſpective Perſons or Corporations, as ſhall be intitled to the ſame Annuities, and alſo upon full Payment of all Arrearages of the ſame Annuities; then, and not till then, the ſaid reſpective Annuities ſhall ceaſe and determine, and be underſtood to be redeemed; and from and after ſuch Redemption, the Monies ariſing from the ſaid ſeveral Subſidies, Rates and Duties, by this Act granted as aforeſaid, ſhall not be iſſued or applied to any Uſe or Purpoſe, but as ſhall be directed by any future Act or Acts of Parliament; any thing in this or any former Act or Acts of Parliament to the contrary notwithſtanding; and that any Vote or Reſolution of the Houſe of Commons ſignified by the Speaker in Writing, to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* of *London* as aforeſaid, ſhall be deemed and adjudged to be ſufficient Notice, within the Words and Meaning of this Act.

General Iſſue.

XLIII. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted and proſecuted for any thing done by virtue or in purſuance of this Act, or any the Clauſes therein contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence for his or their Defence; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his or their Action, or be nonſuited, or Judgment ſhall be given againſt him or them, upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall

Treble Coſts.

have treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

CAP. III.

An Act to revive and make perpetual two Acts of Parliament, one made in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act to prevent frivolous and vexatious Arreſts*; and the other made in the fifth Year of his preſent Majeſty's Reign, to explain, amend and render more effectual the ſaid Act.

12 Geo. 1. c. 29.

5 Geo. 2. c. 27.

'WHEREAS great Benefit hath accrued to this Kingdom by an Act of Parliament, paſſed in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act to prevent frivolous and vexatious Arreſts*; which was to continue in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-ſix, for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the fifth Year of his preſent Majeſty's Reign, was explained, amended and rendered more effectual, and further continued for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament; which ſaid Act, ſo

'amended

'amended and explained, was, by a Clause in an Act made in the thirteenth Year of the Reign of his pre-
'sent Majesty, continued until the first Day of *June* one thousand seven hundred and forty-seven; which
'said Act so passed in the twelfth Year of his said late Majesty's Reign, and also the said Act for explaining
'and amending the same, passed in the fifth Year of his present Majesty's Reign, are now expired;' Be it
therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords
Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the
same, That the said Act passed in the twelfth Year of his late Majesty's Reign, together with the said Act
which passed in the fifth Year of his present Majesty's Reign, explaining, amending and rendering more
effectual the same, shall be, and are by virtue of this Act revived, and shall be in Force from and after the
fourteenth Day of *February* one thousand seven hundred and forty-seven, for ever.

The said Acts revived and made perpetual.

CAP. IV.

An Act to prohibit Assurance on Ships belonging to *France*, and on Merchandizes or Effects laden thereon, during the present War with *France*.

Assurance on Ships or Merchandizes belonging to *France*, prohibited during the present War; and Contracts for such Policies declared void. 500*l.* Penalty on Persons making Assurance on *French* Ships or Effects, EXP.

CAP. V.

An Act for repairing the High Road from the Town of *Bowes*, in the County of *York*, to *Barnard Castle*, in the County of *Durham*, and from thence through *Staindrop* to *Newgate* in *Bishop Auckland*, and from *Newgate* along *Gibb Chair* to *Gaundless Bridge*, and from thence by *Melderston Gill*, otherwise *Coundon Gill*, to the Turnpike Road near *Sunderland Bridge*, in the County of *Durham*. PR.

Certain Tolls granted for 21 Years, &c.

CAP. VI.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. EXP.

Amended by 21 *Geo.* 2. *c.* 13.

CAP. VII.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and forty-eight. EXP. At 4*s.* in the Pound.

CAP. VIII.

An Act for impowering *George Montgomerie* and *Thomas Byrd*, Esquires, and *Ezra Patching*, to complete an Undertaking, for furnishing the Inhabitants of the several Parishes and Places of *Stratford*, *Westham*, *Bromley*, *Bow*, *Mile-End*, *Stepney* and other Parishes and Places adjacent, with Water; and for better securing their Property in such Undertaking. PR.

CAP. IX.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law; and for allowing further Time for that Purpose. EXP.

Further Time to 28 *Nov.* 1748, allowed to Persons who have omitted to qualify themselves. None to be restored to Places already avoided by Judgment, or filled up.

CAP. X.

An Act for explaining, amending and further enforcing the Execution of an Act passed in the last Session of Parliament, intituled, *An Act for repealing several Rates and Duties upon Houses, Windows, and Lights; and for granting to his Majesty other Rates and Duties upon Houses, Windows or Lights; and for raising the Sum of four millions four hundred thousand Pounds by Annuities, to be charged on the said Rates or Duties.*

'WHEREAS by an Act of Parliament made and passed in the twentieth Year of the Reign of his present Majesty, intituled, *An Act for repealing the several Rates and Duties upon Houses, Windows and Lights; and for granting to his Majesty other Rates and Duties upon Houses, Windows or Lights; and for raising the Sum of four millions four hundred thousand Pounds by Annuities, to be charged on the said Rates or Duties*) it was enacted, That there should be charged, raised, levied and paid unto his Majesty, his Heirs and Successors, the several Rates and Duties upon Houses, Windows or Lights, in the said Act mentioned; and divers Provisions were made, and Directions given by the said Act, for the assessing, raising, collecting, levying and paying of the several Rates and Duties thereby granted: And whereas Doubts have arisen concerning the Construction of the said Act; and the Provisions made thereby for the assessing, charging, raising and paying of the said Rates and Duties have proved ineffectual to answer the Purposes intended by the said Act; and the Times appointed by the said Act for hearing and determining of Appeals have been found to be inconvenient:' Therefore, for the obviating and removing of all Doubts, and to the end that the said Rates and Duties may for the future be rated, assessed and raised in one uniform and equal Manner throughout *Great Britain*; Be it enacted by the King's most Excellent Ma-

20 Geo. 2. c. 3.

jesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-eight, every Kitchen, Scullery, Buttery, Pantry, Larder, Washouse, Laundry, Bakehouse, Brewhouse, and Lodging-room belonging to or occupied with any Dwelling-house, whether the same shall or shall not be within or contigious to, or disjoined from the Body of such Dwelling-house, shall be deemed and taken to be Part of such Dwelling-house; and all Windows or Lights therein shall be accordingly charged with the Rates and Duties granted by the said Act.

Windows in Houses contiguous to, or disjoined from the Dwelling-house, to be charged.

'II. And whereas Doubts have been raised, whether Sky-lights, or Windows or Lights in Stair-cases, 'Garrets, Cellars, Passages and some other Parts of Dwelling-houses, are chargeable with the said Tax, 'by virtue of the said Act;' Be it declared and enacted by the Authority aforesaid, That Sky-lights and Windows or Lights in the said Places, and in all other Parts of Dwelling-houses, to what Use or Purpose soever applied, were, are and shall be deemed to be chargeable with the said Duties.

Sky-lights to be charged.

III. And be it further enacted by the Authority aforesaid, That no Person who now is, or hereafter shall be named or appointed a Commissioner for putting in Execution any Act of Parliament for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, shall act as a Commissioner for putting in Execution the Powers granted by the said Act or this present Act, for raising the said Duties upon Houses, Windows or Lights, unless such Person shall be duly qualified to act as a Commissioner for putting any such Act in Execution, on Pain of forfeiting for every such Acting the Sum of twenty Pounds, to be levied as other Penalties and Forfeitures are by this Act directed to be levied.

Penalty on Commissioners acting who are not qualified.

20 Geo. 2. c. 3. §. 8.

IV. And be it further enacted by the Authority aforesaid, That that Part of the said Act whereby the Commissioners thereby appointed for putting the same in Execution have Power to enlarge, alter, abate or diminish the Assessments to be delivered to the said Commissioners, before such Commissioners shall have set their Hands to such respective Assessments, testifying their Allowance thereof, shall be, and the same is hereby repealed.

Power given to the Commissioners to enlarge or abate the Assessments, repealed.

V. And be it further enacted, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-eight, no Assessment which shall be made or delivered to the said Commissioners, or any three or more of them, pursuant to the said Act, or this present Act, shall be altered or diminished before the Time herein after appointed, or directed to be appointed, for the hearing and determining of Appeals, and then only upon the said Commissioners hearing the Matter of the Appeal particularly relating thereto, or concerning the same, upon a General Appeal-day.

Assessments delivered to the Commissioners not to be altered, but upon hearing on a General Appeal-day.

VI. And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors of the Rates and Duties granted by the said Act, appointed or to be appointed, as in the said Act is mentioned, shall twice in every Year, to wit, on or before the tenth Day of *August* and the tenth Day of *January* yearly, certify in Writing under his or their Hand or Hands, by way of Surcharge, to any three or more of the said Commissioners, what Dwelling-houses, Windows or Lghts have been omitted to be charged with the said Rates and Duties in the Assessment made of the same, for the then current Year; and that thereupon, and upon Oath being first made, that Notice was left in Writing at the Dwelling-houses of the several Occupiers so charged or surcharged by virtue of such Certificate, that the Surveyors intended to charge them in such Manner, and for such Number of Windows or Lights as they shall be charged for by virtue of such Certificate, the said Commissioners, or any three or more of them, shall cause such Assessments to be rectified according to such Certificate, and delivered to the Collectors; and the said Rates and Duties to be levied accordingly.

Surveyors to certify, by way of Surcharge, Houses and Windows omitted in the current Year.

Notice to be given to the Occupiers, and the Commissioners to rectify the Assessments.

VII. And be it further enacted by the Authority aforesaid, That those Parts of the said Act whereby it is enacted, That the Day or Days of Appeal which should be appointed by the said Commissioners, should be within thirty Days from the respective quarterly Days, by the said Act appointed for Payment of the said Rates and Duties; and that all Appeals once heard and determined by the said Commissioners, or any three or more of them, or the major Part of them then present, on the Day or Days by them appointed for hearing Appeals, should be final without any further Appeal; and that all Questions and Differences that should arise, touching any of the said Rates and Duties, should be heard and finally determined by three or more of the Commissioners, upon Complaint thereof to them made by any Person or Persons thereby grieved, without further Trouble or Suit in Law, shall be, and the same are hereby repealed; and that from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-eight, all such Appeals as shall be made to the said Commissioners, between the twenty-fifth Day of *March* and the twentieth Day of *August* yearly, shall be heard and determined by the said Commissioners upon such Days as shall by them be appointed for the hearing of such Appeals, between the twentieth Day of *August* and the fifteenth Day of *September* following; and that all such other Appeals as shall be made to the said Commissioners, between the twenty-ninth Day of *September* and the twentieth Day of *January* following yearly, shall be heard and determined by the said Commissioners, upon such other Days as shall be appointed by the said Commissioners for the hearing thereof, between the twentieth Day of *January* and the tenth Day of *February* following yearly.

Clauses in the Act relating to a certain Time for appealing, repealed.

20 Geo. 2. c. 3. §. 11.

Commissioners to appoint Days for Appeals.

VIII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any of them, shall not upon the hearing of any Appeal, make any Abatement or Defalcation in the Charge or Surcharge made upon any Person by the said Assessment, or the Surcharge of the said Surveyor, but the same shall stand good and remain Part of the annual Assessment, unless it shall then appear to the said Commissioners, by Examination upon Oath, that such Person is over-rated in and by the said Assessment or the said Surcharge; and every Person intending to appeal to the said Commissioners shall, and is hereby required to give at the least ten Days Notice thereof in Writing to the said Surveyor, or to one or more of the Assessors of the Parish wherein such Person is rated, of such Intention to appeal; and such Surveyor and Assessors may then and there attend to justify the said Assessment and Surcharge; and such Surveyor and Assessors

No Abatement to be made, unless it appears on Oath that the Person is over rated.

Ten Days Notice to be given of Appeals.

Assessors and Appellant to be present.

Assessors, and Appellant, unless they misbehave, shall have full and free Liberty to be present during all the Time of hearing such respective Appeal, and of the said Commissioners determining the same.

Appeals heard to be final.

IX. And be it further enacted by the Authority aforesaid, That all Appeals once heard and determined by the said Commissioners, or any three or more of them, or the major Part of them then present on the Day or Days by them appointed for hearing of Appeals, shall be final, except as is herein after directed.

Exception.

Surveyor or Appellant in England, dissatisfied,

X. And be it further enacted by the Authority aforesaid, That if either the said Surveyor, or the Person so appealing in that Part of *Great Britain* called *England*, or in *Wales*, or in *Berwick* upon *Tweed*, shall apprehend the Determination made by the said Commissioners to be contrary to the true Intent and Meaning of this and the said former Act, and shall then declare himself dissatisfied with such Determination, it shall and may be lawful to and for such Surveyor, or Person respectively, to require the said Commissioners to state specially and sign the Case upon which the Question arose, together with their Determination thereupon; which Case the said Commissioners, or the major Part of them then present, are hereby required to state and sign accordingly, and to cause the same to be delivered to the Party making such Request as aforesaid, to be by him transmitted to one of the Justices of the Court of *King's Bench* or *Common Pleas*, or to one of the Barons of the Coif of *Exchequer* for the time being; and every such Justice and Baron is hereby required, with all convenient Speed, to return an Answer to such Case so transmitted, with his Opinion thereupon subscribed thereto, according to which Opinion so certified, the Assessment which shall have been the Cause of such Appeal shall be altered or confirmed; and that if either the said Surveyor or the Person so appealing in that Part of *Great Britain* called *Scotland*, shall apprehend the Determination made by the said Commissioners to be contrary to the true Intent and Meaning of this and the said former Act, and shall then declare himself dissatisfied with such Determination, it shall and may be lawful to and for such Surveyor, or Person dissatisfied respectively, to require the said Commissioners, or the major Part of them then present, to state specially and sign the Case upon which the Question arose, together with their Determination thereupon; which Case the said Commissioners are hereby required to state and sign accordingly, and to cause the same to be delivered to the Party making such Request as aforesaid, to be by him transmitted to one of the Judges of the Court of Session, or of the Barons of the Exchequer in *Scotland*; and every such Judge and Baron is hereby required, with all convenient Speed, to return an Answer to such Case so transmitted, with his Opinion thereupon subscribed thereto, according to which Opinion so certified the Assessment which shall have been the Cause of such Appeal shall be altered or confirmed: Provided always, That notwithstanding any such Case so transmitted to any of the said Justices, Judges or Barons, the Determination of the said Commissioners shall stand with respect to the Payments which shall become due precedent to the Opinion certified by any such Justice, Judge or Baron, upon such Case.

the Commissioners to state the Case to be transmitted to one of the judges,

who is to give his Opinion, and the Assessment to be regulated thereby.

Surveyor or Appellant in Scotland dissatisfied to proceed in like Manner, &c.

Determinination of the Commissioners to stand with respect to Payments due.

'XI. And whereas, in order to evade the Payment of the Duties upon Windows or Lights, several 'Windows or Lights in several Dwelling-houses have been fradulently, and not effectually stopped up;' Be it therefore enacted by the Authority aforesaid, That no Window or Light shall be deemed to be stopped up, unless such Window or Light shall be stopped up effectually with Stone or Brick, or Plaister upon Lath, or upon any other Materials commonly used to plaister upon, or with the same Kind of Materials whereof the Outside of such Dwelling-house doth chiefly consist.

Regulations concerning the stopping Windows.

XII. Provided always, That nothing in this Act shall be construed to extend to any Windows which were really and *bona fide* stopped up with any Materials whatsoever before the making of the said Act of the last Session of Parliament; any thing herein contained to the contrary notwithstanding.

Proviso for Windows stopped before the Act.

XIII. And be it further enacted by the Authority aforesaid, That the Payment of any of the Rates and Duties granted by the said Act, by any Occupier or Occupiers of any Dwelling-house or Houses in any Parish or Place, shall not intitle the Person or Persons so paying such Rates or Duties to a legal Settlement in such Parish or Place.

None to gain a Settlement by Payment of these Duties.

XIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time hereafter wilfully obstruct or molest any Assessor or Assessors, Surveyor or Surveyors, in the due Execution of his or their said Office or Offices, Duty or Duties respectively, such Person or Persons shall, for every such Offence, forfeit the Sum of five Pounds, to be levied in such Manner as the Rates and Duties granted by the said Act are directed to be levied.

Penalty of obstructing Officers.

XV. And be it further enacted, That all Fines, Penalties and Forfeitures which shall be levied by Warrant under the Hands and Seals of three or more of the Commissioners appointed by the said Act, or by this present Act, pursuant to the Directions of and in the said Act, or of this present Act (save only and except one Moiety of such Fines, Penalties and Forfeitures, as shall be imposed and levied for and in respect of the opening of any Window or Light, after the same is stopped up, without giving such Notice as is required by the said Act, which shall be paid to the Person who shall give Notice or Information of the opening such Window or Light) shall be respectively paid to the Collector or Collectors of the Parish or Place within which the same shall be levied; and the same shall be respectively added to the respective Assessments of the said Rates and Duties, within, or for such Parish or Place respectively delivered or to be delivered to the Collectors, and also to the Duplicates, within, or for the same Parish or Place, and be given in charge to the respective Receivers General, and be paid to them respectively, together with and amongst the said Rates and Duties, and be paid into the Receipt of his Majesty's Exchequer.

Fines, &c. levied by Warrant to be paid to the Collectors;

except the Moiety due to the Informer;

and to be added to the Assessments, &c.

XVI. And be it further enacted by the Authority aforesaid, That that Part of the said Act, whereby the Commissioners thereby appointed for putting the same in Execution, have Power of rating and assessing any other Commissioners or Assessors who reside or dwell in the respective Divisions, for which they act for or in respect of the said Duties on Houses, Windows or Lights thereby granted, shall be, and the same is hereby repealed; and that from and after the said twenty-fifth Day of *March* one thousand seven hundred and forty-eight, the several Commissioners and Assessors residing in any County, Shire, Stewartry or other Place shall be assessed for such Rates and Duties, by the Assessors appointed for the respective Place or Places, wherein such Commissioners and Assessors reside in the same Manner as any other Persons residing there are rated or assessed; any thing in this or the said former Act to the contrary in any wise notwithstanding.

Clause relating to the Powers given to Commissioners to assess one another, repealed.

20 Geo. 2. c. 3. §. 18.

Commissioners to be rated by the Assessors.

Commiſſioners to cauſe Arrears to be levied.

'XVII. And whereas it may happen, that ſeveral Arrears of the ſaid Duties upon Houſes, Windows, or 'Lights, granted by the ſaid former Acts, may from time to time remain unſatisfied and unpaid, which 'ought to have been levied and paid at the Times and in the Manner by the ſaid Acts directed;' Be it therefore enacted and declared by the Authority aforeſaid, That in all ſuch Caſes it ſhall and may be lawful to and for the reſpective Perſons, who are or ſhall be nominated or appointed Commiſſioners for putting the ſaid former and this preſent Act in Execution for the time being (being duly ſworn and qualified as aforeſaid in that Behalf) or ſo many of them as are thereby impowered to cauſe the ſaid reſpective Duties to be aſſeſſed, levied, and paid, to cauſe the Monies, ſo from time to time in Arrear and unpaid as aforeſaid, to be raiſed, levied and collected by the reſpective Collectors of the ſeveral Pariſhes or Places, Shires or Boroughs, where ſuch Arrears ſhall happen, by the ſame Ways and Means, and in the ſame Manner, and under the like Penalties, as are directed and appointed by the ſaid former or this preſent Act, with reſpect to the raiſing or levying the ſaid Duties; and the Monies ſo received by the ſaid Collectors for any ſuch Arrears, ſhall be paid to the reſpective Receivers General where ſuch Arrears ſhall happen, to the end the ſame may be paid into the Receipt of his Majeſty's Exchequer, for the Purpoſes in the ſaid Acts mentioned.

Windows in the Inns of Court how to be rated.

'XVIII. And whereas Doubts have ariſen, in what Manner the ſaid Duties ſhould be rated and paid 'within the ſeveral Inns of Court and Chancery,' Be it further enacted and declared, That every Inhabitant or Occupier of any Chamber in the ſaid Inns of Court or Chancery, ſhall be rated and pay for every Window or Light in his Chamber the Sum of one Shilling.

Perſons renting Chambers, not chargeable to the Duty of 2 s.

XIX. Provided always, That no Inhabitant or Occupier of any ſuch Chamber ſhall be compelled to pay or to contribute towards the Payment of the Duty of two Shillings, charged by the ſaid Act, and made payable by the Inhabitant or Occupier of a Dwelling-houſe inhabited.

Officers, &c. ſued, may plead the

General Iſſue.

Treble Coſts.

XX. And be it further enacted by the Authority aforeſaid, That if any Action, Plaint, Suit or Information ſhall be brought, commenced or proſecuted againſt any Commiſſioner or Commiſſioners, Aſſeſſor or Aſſeſſors, Collector or Collectors, Surveyor or Surveyors, or other Perſon or Perſons, for or concerning any Act, Matter or Thing, that he, they, or any of them, ſhall do or cauſe to be done, in purſuance or Execution of the ſaid Act, or of this preſent Act, in *England*, *Wales*, or *Berwick* upon *Tweid*, ſuch Perſon or Perſons ſo ſued in any Court whatſoever, ſhall and may plead the General Iſſue, Not Guilty, and upon Iſſue joined, may give the ſaid Act, and this preſent Act, and the ſpecial Matter in Evidence; and if the Plaintiff ſhall become nonſuit, or forbear further Proſecution, or ſuffer a Diſcontinuance; or if a Verdict paſs againſt him, the Defendants ſhall recover treble Coſts, for which they ſhall have the like Remedy, as in Caſes were Coſts by Law are given to Defendants.

Power to Surveyors in Scotland for viewing of Houſes.

'XXI. And whereas it hath been found by Experience, that the Powers granted by the ſaid Act for 'charging, raiſing, levying and collecting of the Duties aforeſaid upon the Windows or Lights liable to 'the ſame in that Part of *Great Britain* called *Scotland*, have been ineffectual:' Be it further enacted by the Authority aforeſaid, That the Surveyor or Surveyors, appointed or to be appointed as by the ſaid Act is directed, ſhall have Power, twice in the Year, to enter into, and paſs through any Houſe or Houſes, within any City or Royal Burgh in *Scotland*, and view the ſame internally as well as externally, and to view any other Houſe or Houſes in *Scotland* externally, and in like Manner, as Surveyors are impowered to view Houſes by the ſaid Act, for the Purpoſes in the ſaid Act mentioned; any thing therein contained to the contrary notwithſtanding.

The Rates in Scotland to be paid Half-yearly.

XXII. And be it further enacted, That the ſaid Rates and Duties, by the ſaid Act granted as aforeſaid, with reſpect to Lights or Windows of Dwelling-houſes in *Scotland*, liable for the ſame, ſhall be paid by the Inhabitants or Occupiers for the time being, of the reſpective Dwelling-houſes in which ſuch Lights or Windows are contained, his, her or their Heirs or Executors reſpectively Half-yearly, at the Days of Payment following; that is to ſay, the twenty-ninth Day of *September* and twenty-fifth Day of *March*, by even and equal Portions, the firſt Payment thereupon to be made the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-eight, for the Half-year, commencing from the Term of *Whitſunday*, and ending at the Term of *Martinmas* in the ſaid Year; and the ſecond Payment to be made the twenty-fifth Day of *March* aforeſaid which ſhall be in the Year one thouſand ſeven hundred and forty-nine, for the Half Year, commencing from the ſaid Term of *Martinmas* one thouſand ſeven hundred and forty-eight, and ending at the Term of *Whitſunday* in the Year one thouſand ſeven hundred and forty-nine, and ſo on Half-yearly thereafter.

Commiſſioners for the Land Tax in Scotland to be Commiſſioners for this Act.

Times and Places of Meeting.

XXIII. And be it further enacted, That for the Execution of the ſaid Act with regard to *Scotland*, and for the charging, ordering, raiſing, collecting, levying and paying of the ſeveral Rates and Duties by the ſaid Act granted, and chargeable for or in reſpect of the Windows or Lights of any Dwelling-houſe there, all and every the Perſons named or appointed to be Commiſſioners for putting in Execution an Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-eight*, or who ſhall hereafter be named or appointed Commiſſioners for putting in Execution any future Act or Acts of Parliament, for granting an Aid to his Majeſty, his Heirs or Succeſſors, by a Land Tax in *Great Britain*, in and for the ſeveral Shires, Stewartries, Cities or Boroughs in *Scotland*, being duly qualified as aforeſaid, ſhall be Commiſſioners for putting in Execution this preſent Act, and the Powers therein contained, within and for the reſpective Shires, Stewartries, Cities or Boroughs within *Scotland*, for which they ſeverally are or ſhall be named and appointed Commiſſioners of the Land Tax as aforeſaid; which ſaid Commiſſioners, in order to the ſpeedy Execution of this Act, ſhall meet together at the moſt common or uſual Place of their Meeting as Commiſſioners of the Land Tax, within their reſpective Shires, Stewartries, Cities or Boroughs, on or before the firſt *Wedneſday* of *July* one thouſand ſeven hundred and forty-eight, for charging and ordering the firſt of the two Half-yearly Payments before mentioned, and on or before the firſt *Wedneſday* of *January* next thereafter, for charging and ordering the ſecond of the ſaid Half-yearly Payments before mentioned, and in like Manner ſhall meet yearly and every Year on the firſt *Wedneſday* of each of the ſaid two Months of

of *July* and *January*, for the charging and ordering of the Payments for the Half-year, current at and on the ſaid reſpective Days; and the ſaid Commiſſioners, or ſo many of them as ſhall be preſent at any of the Meetings to be held on the ſaid ſtated Days, ſhall direct their Precept or Precepts (under the Hand of ſuch one of them, as ſhall, by the major Part of thoſe met, be elected Preſes of the Meeting) to ſuch Inhabitants of every Pariſh, within their ſeveral Shires, Stwartries, Cities or Boroughs, and ſuch Number of them as the major Part of the Commiſſioners ſo met ſhall in their Diſcretions think moſt convenient to be Aſſeſſors, to the Effect after-mentioned, requiring them to appear before the ſaid Commiſſioners in their ſaid uſual Place of Meeting, at a Day to be ſpecified in the ſaid Precept or Precepts, which ſhall not exceed ten Days, from the ſtated Day of Meeting aforeſaid; and at and on the Day ſo prefixed, the Commiſſioners ſhall again meet, and ſhall then openly read or cauſe to be read to the Inhabitants of each Pariſh, required to appear as aforeſaid, or ſuch of them as ſhall appear, the ſeveral Rates and Duties in the ſaid Act, and openly declare the Effect of their Charge unto them, and how or in what Manner they ought and ſhould make their Certificates and Aſſeſſments according to the ſeveral Rates aforeſaid, and ſhall then and there adminiſter an Oath to the ſaid Inhabitants, or ſuch of them as ſhall be there preſent, and ſhall be appointed Aſſeſſors by the ſaid Commiſſioners, for the due and faithful Adminiſtration of their ſaid Office, and prefix another Day, not exceeding fifteen Days longer, for the ſaid Perſons to appear again before the ſaid Commiſſioners, and the ſaid Perſons ſhall then appear accordingly, and bring in their Certificates in Writing under their Hands, of every Dwelling-houſe inhabited and charged by the aforeſaid Act, within the Limits of thoſe Pariſhes for which they ſeverally act, and of the Number of Windows or Lights in each Houſe, together with the Names of the ſeveral Occupiers or Inhabitants of each reſpective Dwelling-houſe aforeſaid and of the ſeveral Sums of Money which they ought to pay by virtue of the ſaid Act, without Concealment or Favour, upon Pain of Forfeiture of any Sum, not exceeding five Pounds, nor leſs than forty Shillings, Sterling Money, to be levied as by this Act is appointed; and that the ſaid Commiſſioners, or the major Part of them as ſhall be preſent, ſhall, upon the Day appointed for the firſt General Meeting of the Commiſſioners of Shires and Stewartries, Cities and Boroughs, for the Land Tax, granted for the Service of the Year one thouſand ſeven hundred and forty-eight, by the Act of this preſent Seſſion of Parliament before-mentioned, and ſoon ſuch Day as ſhall be appointed for the firſt General Meeting of the ſaid Commiſſioners for the Land Tax, to be granted for the Service of any ſubſequent Year by any future Act or Acts of Parliament, granting an Aid to his Majeſty by a Land Tax, elect and chuſe ſome one fit Perſon to be Collector of the ſaid Rates and Duties ariſing within the Shire, Stewartry, City or Borough for which the ſaid Commiſſioners are Commiſſioners, and ſhall take Bond with ſufficient Caution from him, for his due and faithful Adminiſtration of his ſaid Office, and for duly paying over at *Edinburgh* the Rates or Duties and other Sums to be by him collected by virtue of the ſaid Act, or this preſent Act, within forty Days after the Terms before-mentioned, appointed for Payment thereof, unto ſuch Perſon as ſhall, from time to time, be appointed by his Majeſty, or the Commiſſioners of the Treaſury now or for the time being, or any three or more of them, or by the High Treaſurer for the time being, to be Receiver General of the ſaid Rates or Duties ariſing from Windows or Lights within *Scotland*, under a Penalty of one hundred Pounds Sterling, to be forfeited in caſe of Failure in the due and faithful Adminiſtration of his Office, or in the due Payment of the Monies to be received by him, which Bond the Commiſſioners taking the ſame, ſhall cauſe to be forthwith regiſtered in the Books of Council and Seſſion, and deliver an Extract thereof to the Receiver General to be appointed as aforeſaid, and the ſaid Receiver General ſhall pay ſo much of the ſaid Rates and Duties, and Sums, as he ſhall receive from every ſuch Collector (with Deduction of his own Allowance in reſpect thereof) into the Receipt of his Majeſty's Exchequer at *Weſtminſter* by Half-yearly Payments on the ſeveral Days herein before appointed for Payment thereof, or within forty Days after.

Aſſeſſors to be ſworn.

Days to be prefixed for bringing in Certificates.

Collectors to be appointed;

who are to give Security,

Penalty.

Bond to be regiſtered, and an Extract given to the Receiver General, &c.

XXIV. And be it further enacted, That the Collector to be elected for each Shire, Stewartry, City or Borough as aforeſaid, ſhall, within the Space of ſix Days after Delivery of the Copy to him aforeſaid, of the ſaid Aſſeſſments for the ſame, deliver, or cauſe to be delivered, to ſome one of the Perſons who were appointed Aſſeſſors for each Pariſh, within ſuch Shire, Stewartry, City or Borough, a Copy under his Hand, of the ſaid Aſſeſſment for ſuch Pariſh, with an Order thereon for ſuch Aſſeſſors delivering a Note of the Sum aſſeſſed upon or for every Dwelling-houſe charged within ſuch Pariſh, to ſome Perſon within the ſaid Dwelling-houſe, in caſe Acceſs can be had, or affixing ſuch Note on the Door of ſuch Dwelling-houſe; and the Aſſeſſor to whom ſuch Copy and Order ſhall be delivered, ſhall, within ſix Days after the Receipt thereof, make Notification as aforeſaid thereupon, and return the ſaid Copy and Order to the Collector from whom he received the ſame, with a Certificate upon Oath before one of the Commiſſioners aforeſaid, that he did notify the ſame in the Form preſcribed by this Act.

Collector to give a Copy of the Aſſeſſment to the Pariſh Aſſeſſor, and an Order, thereon, &c.

Aſſeſſor to return the Copy, &c.

XXV. And be it further enacted, That every Perſon and Perſons liable to and charged with any of the Rates or Duties before-mentioned, for or in reſpect of any Dwelling-houſe in *Scotland*, ſhall be obliged, and is hereby required to make Payment of the Sum which ſhall be aſſeſſed upon him, her or them, to the Collector of the Shire, Stewartry, City, Borough or Pariſh, where ſuch Dwelling-houſe lies, at his Office, within ſuch City, Borough or Pariſh, or within the Head Burgh of ſuch Shire or Stewartry reſpectively, within the Space of ten Days after Notification ſhall have been made to him, her or them, in the Manner herein preſcribed, of ſuch Sum, upon Pain of forfeiting treble the Sum, in caſe he or ſhe fail to make the ſaid Payment within the ſaid Time; and in ſuch Caſe it ſhall and may be lawful to and for any Commiſſioner aforeſaid, for any Shire, Stewartry, City or Borough, and every ſuch Commiſſioner is hereby required, upon the Application of the Collector of the Rates and Duties aforeſaid, for ſuch Shire, Stewartry, City or Borough, and Inſpection had of the Aſſeſſor's Certificate of Notification, to iſſue and grant a Warrant or Warrants under his Hand, for the ſaid Collector, pounding or diſtraining the Goods and Effects of any Perſon or Perſons mentioned in ſuch Certificate, and who ſhall not have paid the Sum therein aſſeſſed upon him, her or them, or any moveable Goods or Effects, being for the Time within the Dwelling-

Penalty of not paying the Duties, &c. within ten Days after Notification.

Commiſſioners to iſſue Warrants for levying the Duties.

Collectors to distrain, and make Sale.

house, for the Windows of which such Sum shall happen to be assessed and due, for Payment of the said Forfeiture; and the said Collector shall be, and is hereby impowered to cause Poind or Distrain accordingly, and the Goods so poinded or distrained to keep by the Space of four Days, at the Costs and Charges of the Owners thereof; and if the said Owners do not pay the respective Sums of Money, for which such Warrant of Poinding or Distress was granted, within the said four Days, then the said Goods shall be appraised at, and in the Place where they are, by two or more Persons, to be called and sworn for that Purpose, and shall be sold for Payment of the said Sums of Money, and the Charges of taking and keeping the Poind and Distress, and the Overplus coming by such Sale (if any be) to be immediately restored to the Owner; and where no Goods sufficient for Payment of the said Sums can or may be found, to be poinded or distrained, and the Person liable, shall neglect or refuse to pay the same, in every such Case any one of the Commissioners aforesaid, shall be, and hereby is authorized and required, by Warrant under his Hand, to commit such Person to the common Goal, there to be kept without Bail, until Payment shall be made; and in Case any such Collector in that Part of *Great Britain* called *Scotland*, shall not make Payment of the Sums to be received by him, in Terms of his Bond aforesaid, to the Receiver General to be appointed as aforesaid, Diligence shall and may proceed by Horning, Arrestment, Poinding, Denunciation, Caption, Imprisonment and otherwise, upon such Bond, against such Collector and his Cautioners, at the Suit of the said Receiver General, for Payment of the whole Sums assessed upon the Shire, Stewartry, City or Borough for which he is Collector, in so far as they have not been paid unto the said Receiver General, and of the Penalty in such Bond, subject to such Relief and Modification in Law or Equity, as shall be awarded and granted by the Lord Chief Baron of his Majesty's Exchequer in *Scotland*, or by any two of the said Barons, upon summary Application to be made to them by such Collector, and giving Notice to, and Hearing the said Receiver General on Behalf of his Majesty.

For want of Distress, the Person to be committed.

Collectors not making Payment to be sued, &c.

Method of charging the Duties in Scotland.

XXVI. And for obviating Doubts which may arise about the charging of Windows or Lights, and the Persons liable in Payment of the Rates and Duties for the same, in *Scotland*, within the Meaning of the aforesaid Act, and of this present Act; Be it enacted by the Authority aforesaid, That every Person and Persons occupying any Dwelling-house in any Edifice or Land, within any County, Stewartry, City, Borough, Town or Place respectively, within that Part of *Great Britain* called *Scotland*, having more than nine Windows, whether such Dwelling-house be in a separate Building, and under a distinct and separate Roof, or be Part of any Edifice, Land or Building, and under the same Roof with other Dwelling-houses, and which Dwelling-house any Persons shall have been in Possession of, at any Time after the Term of *Whitsunday* or *Martinmas*, immediately preceeding any of the Half-yearly Days appointed for the Payment of the said Rates and Duties, shall be deemed and taken to be the Occupier or Occupiers, and Tenant or Tenants of such House, to all Intents and Purposes, as if such Dwelling-house was a separate Building, and under a distinct and separate Roof.

Commissioners and Assessors neglecting their Duty,

XXVII. And be it further enacted, That in case the Commissioners hereby appointed for putting the said Act in Execution, with regard to *Scotland*, shall refuse or neglect to issue their Precept or Precepts, under the Hand of such one of them, as shall, by the major Part of those met, be elected Preses of the Meeting, to such Inhabitants of every Parish, within their several Shires, Stewartries, Cities or Boroughs, and such Number of them, as the major Part of the Commissioners so met, shall, in their Discretions, think most convenient to be Assessors as aforesaid, requiring them to appear before the said Commissioners as herein before is mentioned; or if the Persons who shall be so required to appear, shall refuse or neglect to appear, as is herein before directed, or if the Persons who shall be appointed Assessors by the said Commissioners, as herein before is mentioned, shall fail or neglect to bring in their Certificates in Writing, under their Hands, of every Dwelling-house inhabited or charged by the said Act, within the Limits of those Parishes in which they shall severally be appointed to act, and of the Number of Windows or Lights in each House, with the Names of the several Occupiers or Inhabitants of each respective Dwelling-house, and of the Sums of Money which they ought to pay by virtue of the said Act, as aforesaid; or if the said Commissioners, or the major Part of them, who shall be present upon the Day appointed for the first General Meeting of the Commissioners of Shires and Stewartries, Cities and Boroughs, for the Land Tax, granted for the Service of the Year one thousand seven hundred and forty-eight, or on such Days, as shall be appointed for the first General Meeting of the Commissioners of the Land Tax, to be granted for the Service of any subsequent Year, by any future Act or Acts of Parliament, shall fail or neglect to elect and chuse some fit Person to be Collector of the said Rates and Duties as aforesaid, or to take such Bond, with sufficient Caution from him, for his due Execution of the said Office, and for other Purposes herein before directed; that then, and in such Case, it shall and may be lawful to and for the said Surveyor or Surveyors, to make a Certificate in Writing, under their respective Hands, of every Dwelling-house inhabited or charged by the said Act, within the Limits of those Parishes in which they severally act, and of the Number of Windows or Lights in each House, with the Names of the several Occupiers or Inhabitants of each respective Dwelling-house, and of the Sums of Money which they ought to pay by virtue of the said Act as aforesaid, and to return such Certificates to the Surveyors General of the said Rates and Duties at *Edinburgh*, who are forthwith to deliver the same to the Barons of the Court of Exchequer in *Scotland*; and that it shall and may lawful to and for the said Barons, or any two of them, to appoint Collectors for collecting the said Rates and Duties as aforesaid, within such respective Places, and that the Collectors so to be appointed by two of the said Barons as aforesaid, shall have the same Power to collect, receive and recover the said Rates and Duties, as such Collectors would have had in case they had been appointed to be Collectors by the said Commissioners as aforesaid; and that the said Barons of the Exchequer in *Scotland* shall have all such and the same Powers to act in and about collecting, recovering, getting in, receiving and paying of the said Rates and Duties upon Houses, as are given to the said Commissioners by the said former Act, or this present Act, so that the said Rates and Duties may be fully and effectually raised and paid, according to the true Intent and Meaning of the said recited Act, and of this present Act.

the Surveyors to return Certificates to the Surveyors General, &c.

The Barons to appoint Collectors.

XXVIII. And

XXVIII. And be it further enacted, That all Penalties and Forfeitures to be incurred for any Offences againſt this Act in that Part of *Great Britain* called *Scotland* (other than thoſe to be incurred by any Collector) ſhall be and be made payable to the Collector of the Shire, Stewartry, City or Borough, within which the ſame ſhall be incurred; and all Penalties and Forfeitures to be incurred by any Perſon for any Offence againſt this Act, for levying of which there is no particular Way herein before preſcribed or appointed, ſhall be levied by Warrant under the Hands of three or more Commiſſioners of Supply for ſuch Shire, Stewartry, City or Borough, by poinding and diſtraining, and Sale of the Offender's Goods, rendering the Overplus to the Owner thereof, after Deduction of reaſonable Charges for diſtraining the ſame; and that the Collector of every Shire, Stewartry, City or Borough, ſhall keep an exact Account of all Fines, Forfeitures and Sums of Money which he ſhall happen to levy in Force of this Act, other than and beſide the ſingle Rates and Duties to be contained in the Aſſeſſment to be delivered to him ſigned by the Commiſſioners as aforeſaid, ſeparate and diſtinct from his Account of the ſaid ſingle Rates and Duties, and ſhall lay ſuch Account before the Commiſſioners aforeſaid half-yearly, at the Time of their ſtated half-yearly Meetings as aforeſaid; which ſaid Commiſſioners, or the major Part of them, ſhall have Power to deduct and allow to ſuch Collector, ſuch Part of the Sums charged in his ſeparate Account, as to them ſhall ſeem meet, for anſwering and defraying the Expence of levying the ſame, or ſuch other incidental Expences as may accrue and ariſe in the Execution of this Act, and are not thereby provided for: And the ſaid Commiſſioners ſhall cauſe to be tranſmitted Certificates of the Balance remaining due on every ſuch Account, to the Offices of the King's Remembrancer in the Exchequer in *Scotland*, and of the Receiver General to be appointed for the Rates and Duties aforeſaid at *Edinburgh*, to the End that ſuch Ballance may be made a Charge upon ſuch Collector; and ſuch Collector ſhall be obliged, and may be compelled, to pay the Ballance ſo certified, to the ſaid Receiver General; and the ſaid Receiver General ſhall be obliged to pay the ſame into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, in the ſame Manner as is herein before provided with reſpect to the aforeſaid Rates and Duties.

Forfeitures to whom payable, and how to be recovered.

Account to be kept of the Forfeitures, &c.

Allowance to be made to Collectors.

Certificates of the Ballance to be tranſmitted to the Exchequer.

Receiver General to pay the Monies into the Exchequer at

Weſtminſter. *See farther* 26 *Geo.* 2. *c.* 17. 31 Geo. 2. c. 22. 32 *Geo.* 2. *c.* 33.

CAP. XI.

An Act for further regulating the Proceedings upon Courts-martial in the Sea Service; and for extending the Diſcipline of the Navy to the Crews of his Majeſty's Ships, wrecked, loſt, or taken; and for continuing to them their Wages upon certain Conditions. [Rep. 22 Geo. 2. c. 33.]

'WHEREAS ſeveral Laws heretofore made, relating to Courts-martial in the Sea Service, have not proved effectual to anſwer the Ends thereby propoſed; therefore for remedying and ſupplying the ſaid Defects, and for maintaining a proper and ſtrict Government and Diſcipline in his Majeſty's Navy;' Be it enacted, *&c.*

"The Officer upon whom the Command of a Fleet *&c.* ſhall devolve, impowered to hold Courts-martial. The Officer next in Command, to preſide. The Commander in Chief to impower the Commander of a Squadron, ordered on ſeparate Service, to hold Courts-martial. Where five or more Ships meet in Foreign Parts, the ſenior Captain to hold Courts-martial, and preſide. Where it ſhall be improper for the Officer next in Command to preſide, the third Officer to be appointed. Admiralty impowered to direct what Officer ſhall hold Courts-martial in any Port in *Great Britain* or *Ireland*. No Court-martial to conſiſt of more than 9 or leſs than 5. Where there are not more than 3 Captains to be had, other Commanders to be called in. No Member of the Court to go on Shore, till Sentence given. Officers conſtituting a Court-martial to take an Oath. The Judge Advocate to take an Oath. Penalty of an Evidence guilty of Contempt or Miſbehaviour; or of Perjury, *&c.* Articles of War eſtabliſhed by 18 Geo. 2. c. 35. to be in Force with reſpect to the Crews of Ships loſt, *&c.* Clauſe for continuing their Pay to the Officers and Men, after a Ship is taken by an Enemy, *&c.* Act 18 Geo. 2. c. 35. and Part of 2 W. & M. appointing the Form of an Oath, repealed."

CAP. XII.

An Act for holding the Summer Aſſizes for the County of *Buckingham* at the County Town of *Buckingham*.

'WHEREAS for many Years paſt it hath been uſual in the Adminiſtration of Juſtice to his Majeſty's Subjects, reſiding at the different Ends of the County of *Buckingham*, which is of a great Length, to appoint the Summer Aſſizes at the County Town of *Buckingham*, and the Winter Aſſizes at *Aleſbury*: And whereas this Uſage was unneceſſarily broken in upon in the laſt Summer: And whereas it will tend to preſerve the Peace and Quiet of the County to fix the Diſtribution of Juſtice in its uſual Channel, within the ſaid County:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June* one thouſand ſeven hundred and forty-eight, all the Commiſſions of Aſſize and *Niſi prius*, and all General Commiſſions of *Oyer* and *Terminer*, and all Commiſſions of General Goal Delivery, which ſhall be appointed to be held and executed for the ſaid County next after the Term of *Holy Trinity*, ſhall be held and executed in each Year at and in the

The Summer Aſſizes for the County of Buckingham to be held at Buckingham yearly.

the said Town of *Buckingham*, and at no other Place within the said County of *Buckingham*; any Law, Statute, Usage, Matter or Thing to the contrary notwithstanding.

In Cases of Exigency only, the Assizes may be removed to some other Place, during their Continuance.

II. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That if at any Time hereafter the said Town of *Buckingham* shall be wholly unfit for holding the Assizes there, by Accident of Fire, or by Means of any Contagious or Epidemical Distemper, or by any other unforeseen Cause or Exigency, to be made appear before the Lord High Chancellor, or Lord Keeper, or Lords Commissioners for keeping the Great Seal of *Great Britain* for the time being; that then, and in such Cases only, it shall and may be lawful to and for the Lord High Chancellor, or Lord Keeper, or Lords Commissioners for keeping the Great Seal of *Great Britain* for the Time being, with the Advice of the Justices of Assize, from time to time, in and during the Continuance of such respective Exigencies only, and for and at no other Time or Times, to appoint another convenient Place within the said County for holding the said Assizes, instead of the said Town of *Buckingham*; any thing in this present Act contained to the contrary notwithstanding.

CAP. XIII.

An Act to rectify a Mistake in an Act made in this Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.* EXP.

21 *Geo.* 2. *c.* 6. 'WHEREAS by a Clause in an Act made this Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters*; it is provided and declared, That from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-eight, when and as often as any Person or Persons should be inlisted as a Soldier or Soldiers in his Majesty's Land Service, he and they were to be carried before the next Justice of Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate, who was required, in case such Person or Persons appeared to be duly inlisted, to certify under his Hand, among other Things, that the seventh and tenth Articles of War against Mutiny and Desertion were read to such Person and Persons: And whereas in the said Clause, Mention is made of the seventh and tenth Articles of War by Mistake, instead of the second and sixth Sections of such Articles:' For rectifying the said Mistake, be it enacted, *&c.*

"Justices to certify, that the second and sixth Sections of those Articles of War were read to Persons inlisted.'

CAP. XIV.

An Act for permitting Tea to be exported to *Ireland*, and his Majesty's Plantations in *America*, without paying the Inland Duties charged thereupon by an Act of the eighteenth Year of his present Majesty's Reign; and for enlarging the Time for some of the Payments to be made on the Subscription of six millions three hundred thousand Pounds, by virtue of an Act of this Session of Parliament.

18 Geo. 2. c. 26. 'WHEREAS in and by an Act passed in the eighteenth Year of the Reign of his present Majesty (intituled, *An Act for repealing the present Inland Duty of Four Shillings per Pound Weight upon all Tea sold in* Great Britain, *and for granting to his Majesty certain other Inland Duties in lieu thereof; and for better securing the Duties upon Tea, and other Duties of Excise; and for pursuing Offenders out of one County into another*) an Inland Duty of one Shilling *per* Pound Weight Avoirdupois, and in that Proportion for a greater or lesser Quantity, is charged upon all Tea which should be sold in *Great Britain* from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-five, and also a further Duty of twenty-five Pounds for every one hundred Pounds, of the gross Price at which such Tea should be sold at the publick Sales of the United Company of Merchants of *England* trading to the *East Indies*, and proportionably for a greater or lesser Sum, over and above all Customs, Subsidies and Duties payable to his Majesty for the same upon the Importation thereof; which said several Duties of one Shilling *per* Pound Weight, and twenty-five Pounds *per Centum*, it is thereby enacted should be paid down in ready Money by the Proprietor or Proprietors of such Tea, or such Person or Persons as should be appointed by him, her or them, to the Receiver or Collector of the said Inland Duties, before such Proprietor or Proprietors, or other Person or Persons, should receive or take out for any Purpose whatsoever such Tea, from the Warehouse or Warehouses wherein the same was appointed to be lodged by an Act made in the tenth 10 Geo. 1. c. 10. Year of the Reign of his late Majesty King GEORGE the First, according to the Directions of the said Act: And whereas the Importation of Tea into this Kingdom, by the said United Company of Merchants of *England* trading to the *East Indies*, may be greatly increased, if the same be permitted to be exported to *Ireland*, and his Majesty's Plantations in *America*, without paying the Duties charged thereupon by the said Act;' We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June* one thousand seven hundred and forty-eight, all such Tea as shall then have been or hereafter shall be imported into the Kingdom of *Great Britain* from any Foreign Parts, and which shall be afterwards exported to the Kingdom of *Ireland*, or to his Majesty's Plantations in *America*, and which shall have been duly entered, and for which the several Subsidies and additional Imposts due on the Importa-

Tea permitted to be exported to Ireland and America without paying the Inland Duties.

Importation thereof, ſhall have been paid or ſecured to be paid, and which ſhall have been carried or put into ſuch Warehouſe or Warehouſes, as aforeſaid, ſhall and may, from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and forty-eight, upon due Entry thereof being made by the Proprietor or Proprietors thereof, or by ſuch Perſon or Perſons whom they ſhall appoint for that Purpoſe, be delivered out of any ſuch Warehouſe to the reſpective Proprietor or Proprietors thereof, or ſuch Perſon or Perſons as ſhall be appointed by him, her or them, and who ſhall before ſuch Delivery have duly entered the ſame for Exportation to *Ireland*, or his Majeſty's Plantations in *America*, without Payment being made of all or any the reſpective Inland Duties charged or impoſed upon the ſame by the ſaid Act; any thing therein contained to the contrary thereof in any wiſe notwithſtanding; ſuch Proprietor or Proprietors, or other Perſon or Perſons, firſt giving Bond, with ſufficient Security to his Majeſty, his Heirs and Succeſſors, to be approved of by the Commiſſioners of the ſaid Inland Duties for the time being, or any three of them, or by ſuch Perſon or Perſons as they ſhall, from time to time, appoint for that Purpoſe, in double the Value of the Goods, that the ſame, and every Part thereof ſhall (the Dangers of the Seas and Enemies excepted) be really and truly exported to, and landed in ſuch Port of the Kingdom of *Ireland*, or ſuch Place in his Majeſty's Plantations in *America*, for which the ſame has been ſo entered for Exportation, and that the ſame ſhall not be exported, or carried to any other Place or Country whatſoever, nor relanded in any Part of *Great Britain*, or the Iſlands of *Guernſey*, *Jerſey* or *Man*, or either of them; and ſuch Bonds ſo entered into, for the carrying ſuch Tea into the Kingdom of *Ireland*, or to any of his Majeſty's Plantations in *America*, which has not paid the Inland Duty herein before-mentioned, ſhall not be delivered up nor diſcharged, until a Certificate ſhall be produced under the Hands and Seals of the Collector, Comptroller or Surveyor of the Cuſtoms of the Port in *Ireland*, or the Plantations in *America*, where ſuch Tea ſhall be landed, teſtifying the Landing thereof; and for the future, the Condition of all ſuch Bonds to be given for the Exportation of any ſuch Tea to *Ireland*, ſhall be to produce ſuch Certificate in ſix Months from the Date thereof (the Danger of the Seas and Enemies excepted) and the Condition of all ſuch Bonds to be given for the Exportation of any ſuch Tea to the Plantations in *America*, ſhall be to produce ſuch Certificate in eighteen Months from the Date thereof (the Danger of the Seas and Enemies excepted) and in caſe no ſuch Certificate ſhall be produced within the reſpective Times herein before-mentioned, it ſhall and may be lawful for the ſaid Commiſſioners of the ſaid Inland Duties, to cauſe ſuch Bonds to be put in Suit, unleſs they ſhall find ſufficient Cauſe to forbear the ſame; any Law, Cuſtom or Uſage to the contrary notwithſtanding: And upon ſuch Proprietor or Proprietors, or other Perſon or Perſons, producing to the reſpective Keeper or Keepers of ſuch Warehouſes, a Certificate or Certificates, ſigned by ſuch Perſon or Perſons as the Commiſſioners of his Majeſty's Cuſtoms for the time being, or any four of them, ſhall for that Purpoſe appoint, ſignifying that ſuch Entry has been made, and that the ſeveral Subſidies and additional Impoſts, due on the Importation thereof, have been paid or ſecured; and alſo producing a Certificate under the Hands of the Commiſſioners of the ſaid Inland Duties, or any three of them, that ſuch Security for Exportation hath been given as herein before-mentioned; which Certificate or Certificates the ſaid Commiſſioners are hereby required to give accordingly; ſuch Warehouſe-keeper or Warehouſe-keepers ſhall deliver out of ſuch Warehouſe or Warehouſes, to ſuch Proprietor or Proprietors, or other Perſon or Perſons, in the ſame Package, and no other than that in which it was imported, ſo much Tea intended, and entered for Exportation to the aforeſaid Places, and no other, as ſhall be mentioned or expreſſed in ſuch Certificate or Certificates reſpectively, without Payment being made of all or any the reſpective Inland Duties charged or impoſed thereon by the ſaid Act; and the reſpective Warehouſe-keeper and Warehouſe-keepers are thereupon to give ſuch Proprietor or Proprietors, or other Perſon or Perſons, a Permit or Certificate to accompany ſuch Tea ſo delivered out, till the ſame is ſhipt for Exportation; which Permit or Certificate ſhall be alſo ſigned by an Officer attending the ſaid Warehouſe or Warehouſes, who ſhall be appointed by the Commiſſioners of the ſaid Inland Duties, or the major Part of them, to prevent the ſeizing thereof; and ſuch Proprietor or Proprietors, or other Perſon or Perſons, ſhall, at and before the Tea therein mentioned is ſhipt or laden on Board the Ship or Veſſel in which it is entered, and intended to be exported, deliver ſuch Permit or Certificate to the Searcher, or other proper Officer of the Cuſtoms of the Port from which ſuch Tea is entered for Exportation, who is hereby enjoined and required (if he ſhall have Cauſe to ſuſpect the Tea to be deficient in Quantity or Quality, from what is or ſhall be ſpecified in the ſaid Permit or Certificate) to open, weigh, ſearch and ſtrictly examine all the Cheſts, Caſks, and other Package, in which ſuch Tea is contained, to ſee if the Goods agree in Quantity and Quality with the Permit or Certificate ſigned by the Officer of the ſaid Inland Duties, as before-mentioned, and whether the ſame has been rightly and duly entered outwards, and the Quantity and Quality rightly and truly expreſſed in the Exporter's Indorſement upon his Entry; and if on ſuch Examination the ſame ſhall be found to be right entered, and that they agree in Quantity and Quality with the Permit or Certificate of the Officers of the ſaid Inland Duties, the Searcher or other proper Officer ſhall at his own Charge cauſe the ſame to be repacked (which Charge ſhall be allowed to the ſaid Officer by the Commiſſioners of the Cuſtoms, if they think it reaſonable) but in caſe the Officer ſhall on Examination find ſuch Goods to be of any other Species or Quality, or to be more in Quantity or Quality than is expreſſed in ſuch Permit or Certificate, or in the Exporter's Indorſement upon his Entry outwards, or that they ſhall have been entered under a wrong Denomination, whereby his Majeſty would have been defrauded, all ſuch Goods, together with the Cheſts, Caſks, and other Packages containing the ſame, ſhall be forfeited and loſt, and ſhall and may be ſeized and proſecuted by any Officer or Officers of the Cuſtoms, in ſuch Manner and Form as herein after is expreſſed.

Proprietor to give Bond for Exportation.

Bond not to be diſcharged till a Certificate be produced of the landing.

Condition of the Bond.

Warehouſe-keeper to deliver to the Proprietor the Tea ſpecified in the Certificate;

and a Permit.

Proprietor to deliver the Permit to the Searcher.

Searcher's Duty in examining the Tea certified, &c.

II. And it is hereby further enacted, That from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and forty eight, no Tea ſhall be exported to the Kingdom of *Ireland*, or to any of his Majeſty's Plantations in *America*, in any Cheſt, Caſk, Tub, or Package whatſoever, other than that in which it was originally imported into *Great Britain*, nor in any leſs Quantities than in the entire Lot or Lots in which the

Tea to be exported in the ſame Package, &c.

the ſame was ſold at the Sale of the ſaid United Company, under the Penalty of the Forfeiture of ſuch Tea, and the Package containing the ſame.

Tea entered for Exportation to be marked on the Package;

III. And it is hereby further enacted, That from and after the ſaid firſt Day of *June* one thouſand ſeven hundred and forty-eight, when any Tea is entered for Exportation to *Ireland*, or any of his Majeſty's Plantations in *America*, the Outſide Package in which it is contained, ſhall, by the Searcher or Searchers belonging to the Cuſtoms at the Port from whence the ſame is intended to be exported, after the Entry thereof, and before the ſame is ſhipped, be marked on four different Parts, on the Outſide thereof, in ſuch Manner as the Commiſſioners of the Cuſtoms ſhall direct; and if any Cheſt, Caſk, Tub, or other Package, ſhall, after the ſame has been marked and ſhipt as aforeſaid, be landed or found again on Shore, having ſuch Marks thereon, ſuch Cheſt, Caſk, Tub, or other Package, with the Tea therein contained, ſhall be forfeited and loſt, and ſhall and may be ſeized and proſecuted by any Officer or Officers of the Cuſtoms or Inland Duties, in ſuch Manner as herein after is expreſſed.

and if found on Shore again, to be ſeized.

Book to be kept for entering all Teas delivered out for Exportation.

IV. And, for preventing the clandeſtine Delivering of Tea out of the Warehouſes herein before-mentioned, in order for the Exportation thereof to the Kingdom of *Ireland*, or to his Majeſty's Plantations in *America*; Be it enacted by the Authority aforeſaid, That the Keeper or Keepers of the ſaid Warehouſe or Warehouſes, who ſhall be appointed by the Commiſſioners of his Majeſty's Cuſtoms and Inland Duties, ſhall keep one or more Book or Books, wherein they ſhall fairly enter in Writing, an exact, particular and true Account of all ſuch Tea which ſhall, from time to time, be delivered out of the ſaid Warehouſe or Warehouſes for Exportation to *Ireland*, or the Plantations in *America*, and the Names of the reſpective Perſon or Perſons to whom, or for whoſe Uſe, the ſame was delivered out, and the particular Days and Times when the ſame was ſo delivered out; and ſhall, at the End of every three Months, or oftener if required,

A Quarterly Account on Oath, to be tranſmitted to the Commiſſioners, &c.

tranſmit in Writing an Account thereof, upon Oath, to the ſaid Commiſſioners of the Cuſtoms and Inland Duties reſpectively for the time being; and the ſaid Commiſſioners are hereby required and enjoined, within one Month after the ſame ſhall have been tranſmitted to them, as aforeſaid, to appoint one or more Perſon or Perſons to inſpect and examine the ſame Accounts; and if, upon Examination, it ſhall appear that any Tea has been delivered out for Exportation to *Ireland*, or the Plantations, otherwiſe than and under ſuch Terms, Forms and Conditions performed as herein are before directed, appointed and required for the doing thereof; then the Warehouſe-keeper and Warehouſe-keepers offending therein ſhall not only be diſabled to hold or enjoy any publick Office or Employment, but ſhall alſo forfeit and loſe for every ſuch Offence the Sum of one hundred Pounds.

Penalty on Warehouſe-keeper offending.

Diſpoſition of the Forfeitures;

V. And be it further enacted by the Authority aforeſaid, That one Moiety of the ſeveral Penalties and Forfeitures in this Act before-mentioned ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety ſhall be to the Uſe of ſuch Perſon or Perſons as ſhall inform, proſecute or ſue for the ſame (except in ſuch Caſes where any other Appropriation or Diſtribution is made by any other Act or Acts) and that all the ſame Penalties and Forfeitures ſhall and may be proſecuted and ſued for, and the Cauſes and Controverſies ariſing thereupon tried, heard and determined in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* at *Edinburgh* reſpectively (except where any Proviſion to the contrary is made by any other Law or Statute now in Force) wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed.

and Method of recovering them.

General Iſſue.

VI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any thing done in purſuance of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants ſhall have appeared, or if Judgement ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall or may recover treble Coſts, and have the like Remedy for the ſame as Defendants have in other Caſes by Law.

Treble Coſts.

21 Geo. 2. c. 2.

'VII. And whereas by an Act of this preſent Seſſion of Parliament, (intituled, *An Act for granting to his Majeſty a Subſidy of Poundage upon all Goods and Merchandizes to be imported into this Kingdom; and for raiſing a certain Sum of Money by Annuities and a Lottery, to be charged on the ſaid Subſidy; and for repealing ſo much of an Act made in the twentieth Year of his preſent Majeſty's Reign, as enacts, That the Prize Goods and Merchandize may be exported without paying any Duty of Cuſtom or Exciſe for the ſame*) it is amongſt other Things enacted, That it ſhould and might be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance and pay unto the Chief Caſhier or Caſhers of the Governor and Company of the Bank of *England*, the Sum of ſix millions three hundred thouſand Pounds, for the Purchaſe of Annuities, after the Rate of four Pounds *per Centum per Annum*, to commence from *Michaelmas* one thouſand ſeven hundred and forty-eight, and to be charged upon, and payable out of the Rates and Duties granted by the ſaid Act, at the Times, and in the Manner therein mentioned; which ſaid Sum of ſix millions three hundred thouſand Pounds, was thereby appointed to be paid on or before the reſpective Days and Times, and in the reſpective Proportions herein after mentioned; that is to ſay, ten Pounds *per Centum* by way of Depoſit, on or before the twelfth Day of *December* one thouſand ſeven hundred and forty-ſeven; ten Pounds *per Centum* on or before the twenty-eighth Day of *January*, then next enſuing; ten Pounds *per Centum* on or before the twenty-ſeventh Day of *February*, then next enſuing; ten Pounds *per Centum* on or before the twenty-fourth Day of *March* then next enſuing; ten Pounds *per Centum* on or before the twenty-ſecond Day of *April*, then next enſuing; ten Pounds *per Centum* on or before the twenty-fourth Day of *May*, then next enſuing; ten Pounds *per Centum* on or before the twenty-firſt Day of *June* then next enſuing; ten Pounds *per Centum* on or before the twenty-firſt Day of *July*, then next enſuing; ten Pounds *per Centum* on or before the twenty-third Day of *Auguſt*, then next enſuing; and ten Pounds *per Centum* on or before the twentieth Day of *September*, then next following;

'and

'and the said Contributors were to be allowed Interest, after the Rate of five Pounds *per Centum per Annum*, for all Sums by them advanced and paid to the said Cashier or Cashiers, to be computed from the respective Days of the actual Payment thereof to *Michaelmas* one thousand seven hundred and forty-eight; but in case the said Contributors should fail to make any of their respective Payments at the Times limited in the said Act for Payment thereof, all Sums by them paid in part of the Principal Sums by them subscribed should be forfeited: And whereas, since the making of the Act last recited, several Sums of ten Pounds *per Centum*, and other Sums of Money, have been deposited with and paid to the said Cashier or Cashiers, towards raising the said Sum of six millions three hundred thousand Pounds, and the Residue of their said Subscriptions ought to be paid at the respective Days before mentioned, but it being thought proper to enlarge the Time appointed for subsequent Payments on the said Subscriptions, for the better and more effectual Execution of the said Act;' Be it further enacted by the Authority aforesaid, That the ten Pounds *per Centum*, which is directed by the said Act to be paid to the said Cashier or Cashiers on or before the said twenty-second Day of *April* one thousand seven hundred and forty-eight, shall and may be paid to them on or before the twenty-second Day of *October* following; and that the ten Pounds *per Centum*, which is directed to be paid by the said Act to the said Cashier or Cashiers on or before the said twenty-fourth Day of *May* one thousand seven hundred and forty-eight, shall and may be paid to them on or before the twenty-fourth Day of *November* following, subject to the same Penalties and Forfeitures for Non-payment thereof at the Times hereby limited, as in the said former Act are contained: Nevertheless, it is the true Intent and Meaning of this Act, that the several and respective other Sums of ten Pounds *per Centum*, directed to be paid on or before the said twenty-first Day of *June* one thousand seven hundred and forty-eight, the said twenty-first Day of *July*, the said twenty-third Day of *August*, and the said twentieth Day of *September* following, shall be paid to the said Cashier or Cashiers on or before those respective Days; any thing in this Act to the contrary notwithstanding.

The Time enlarged for some of the Payments to be made on the Subscription of 6,300,000 l.

VIII. Provided always, and be it further enacted by the Authority aforesaid, That the said Contributors, or their Assigns, who were by the said former Act to have paid the respective Payments of ten Pounds *per Centum* on or before the recited Days in *April* and in *May*, and who by this present Act are allowed to make the said Payments on or before the said respective Days in *October* and *November*, shall allow an Interest after the Rate of four Pounds *per Centum per Annum*, from *Michaelmas* one thousand seven hundred and forty-eight, for all such Payments which shall be made by them in part of their said several Subscriptions, to be computed from that Day to the Time of the actual Payment thereof to the said Cashier or Cashiers; which Interest shall be by them deducted from the Interest of five Pounds *per Centum*, due to such Contributors or their Assigns on former Payments.

Contributors to allow 4 l. per Cent. per Ann. Interest.

CAP. XV.

An Act for enlarging the Term and Powers granted by an Act made in the eighth Year of the Reign of his present Majesty, for repairing the Roads from the Town of *Manchester* leading through *Newton*, *Failsworth* and *Oldham*, in the County Palatine of *Lancaster*, to *Austerlands*, in the Parish of *Saddleworth*, in the County of *York*; and for making the same more effectual. P R.

The Act 8 *Geo.* 2. *c.* 3. continued for 21 Years.

CAP. XVI.

An Act for enlarging the Term and Powers granted by an Act made in the tenth Year of the Reign of his present Majesty, *for repairing the Road from* Hertford-bridge Hill, *to the Town of* Basingstoke; *and also the Road from* Hertford-bridge Hill *aforesaid to the Town of* Odiham *in the County of* Southampton; and for making the said Act more effectual. P R.

The Act 10 *Geo.* 2. *c.* 12. continued for 21 Years.

CAP. XVII.

An Act to render more effectual an Act made in the twentieth Year of his Majesty's Reign, intituled, *An Act for Relief of such of his Majesty's loyal Subjects in that Part of* Great Britain *called* Scotland, *whose Title Deeds and Writings were destroyed or carried off by the Rebels in the late Rebellion.* P R.

'WHEREAS it has by Experience been found impracticable, or extremely difficult, for some of his Majesty's dutiful and loyal Subjects in *Scotland*, whose Dwelling-houses were invaded or rifled by the Rebels during the late Rebellion, and whose Title Deeds and Writings, or Part of them, were carried off or destroyed by the Rebels, to discover, within the Time limited by an Act made in the twentieth Year of his Majesty's Reign, intituled, *An Act for the Relief of such of his Majesty's loyal Subjects in that Part of* Great Britain *called* Scotland, *whose Title Deeds and Writings were destroyed or carried off by the Rebels in the late Rebellion*, all the Writings upon Record belonging to them which are missing, and which may concern or relate to their Rights and Interests in their Lands and Estate, so as to enable them to obtain the Benefit intended by the said Act of Parliament, by applying to the Court of Session, and obtaining an *Interloquitor* of the said Court, decerning and declaring the Extracts of such Writings upon Record to be equal to Principals: And it is therefore necessary to make further Provisions, for rendering the Relief intended by the said Act more effectual,' Be it therefore enacted, *&c.*

20 Geo. 2. c. 20.

" Extracts from the Records of any Writing produced in favour of any of the King's loyal Subjects in *Scot-*
" *land*, &c. who petitioned the Court of Session, and whose Writings were destroyed by the Rebels, to be
" deemed equal to the Principal. Oath to be made of the principal Writing being destroyed by the Rebels.
" Defendant may object to the Extract. Persons within the Description of this Act allowed Time to pe-
" tition and make Proof of their Possessions. If the Proof be satisfactory, the Court to register their De-
" termination, which shall be admitted as Evidence. Extract of the Judgment of the Court may be pro-
" duced in any subsequent Petition or Suit, as Evidence. Where the Writings have been torn or defaced
" by the Rebels, the Sufferers, upon producing the said Writings, to be relieved."

CAP. XVIII.

An Act for draining and preserving certain Fen Lands in the several Parishes of *Maney*, *Upwell*, *Welney*, *Downham*, *Witcham*, and in a certain extraparochial Place in *Byal Fen*, within the Isle of *Ely* and County of *Cambridge*. P R.

' WHEREAS certain Fen Lands and Low Grounds lying and being in the several Parishes of *Ma-*
' *ney*, *Welney*, *Upwell*, *Downham*, *Witcham*, and a certain extraparochial Place in *Byal Fen*, within
' the Isle of *Ely* and County of *Cambridge*, and within the Great Level of the Fens called *Bedford Level*,
' containing in the Whole six thousand seven hundred Acres, or thereabouts (nine hundred and thirty
' Acres whereof, or thereabouts, are commonable Lands, and the rest are Severals) the greatest Part of
' which said Lands are within the Manor of *Maney*, and the rest within the Parishes of *Welney*, *Upwell*,
' *Downham*, *Witcham*, and a certain extraparochial Place in *Byal Fen*, and are bounded as follows, *videlicet*,
' From a Bank known by the Name of *The Thirty Feet Bank*, at a Place called *Welche's Dam*, along a Drain
' known by the Name of *The Twenty Feet Drain*, to the outring Ditch of the five hundred Acres of Land
' commonly called *Carter's Farm*, next to the Land in the Possession of *Richard Holditch*, Esquire, and a-
' long the said outring Ditch, to certain Lands in the Possession of *Mary Wright* Widow, and from thence
' to a certain Drove called *Byal Fen Drove*, and from thence along the said Drove to the said Drain called
' *The Twenty Feet Drain*, and from thence to *Welney* River, and from thence by the said River, to a Place
' called *Darcy Load*, and from thence along *Darcy Load* to a Place called *Twisley Load*, and from thence
' along *Twisley Load*, to a Place called *Maney Field*, and from *Maney Field* cross the said Drove called *Byal*
' *Fen Drove*, to the outring Ditch of certain Lands now in the Possession of *Richard Read* Esquire, next to
' a Place called *Wentworth Parts*, and along the said outring Ditch, to the five hundred Acres of Land com-
' monly called *Carter's Farm*, and along the outring Ditch of the said five hundred Acres next the *Parts*,
' to the outring Ditch of the said *Carter's Farm* next *Chatteris Common*, and from thence along the said out-
' ring Ditch, to the outring Ditch of certain Lands in the Possession of *William Blunt* Esquire, and from
' thence along the outring Ditch of the said Lands and the Lands now in the Possession of *Thomas Aspland*,
' to the aforesaid Bank known by the Name of *The Thirty Feet Bank*, and from thence along the said *Thirty*
' *Feet Bank* to *Welche's Dam* aforesaid, are subject to Inundations through the Defect of their Outfalls to
' Sea, and are in Danger of being rendred useless, to the great Damage and Impoverishment of the Own-
' ers of such Grounds, and Loss to the Publick: And whereas the said Fen Lands and Low Grounds can-
' not be preserved without the Aid of Parliament, to enable the Owners thereof, and Commoners therein,
' to drain the same, and to keep the same drained for the future;' May it therefore please your most Excel-
lent Majesty that it may be enacted, *&c.*

" Commissioners impowered to make Drains, *&c.* and erect Engines, making Satisfaction to the Owner of
" the Soil. In case of Difference, the Justices to adjudge the Damage. Commissioners impowered to
" make Assessments. The *High Lands* not to be assessed. Commissioners to determine what Lands shall
" be deemed such. Commissioners may assign over the Taxes as a Security for Money borrowed. Com-
" missioners to imbank at the Proprietors Expences certain Parts of the *Twenty Feet Drain*, &c. If the
" Owners of Lands refuse to Pay their Quota, it is to be levied by Distress and Sale. Tenants to pay the
" Rates, and deduct the same out of the Rent. Penalty of 100*l.* on damaging and destroying the Works.
" For want of Distress the Person to be committed. Penalty of burning the Engines, 3 Years Imprison-
" ment. Second Offence, Felony. The Receipts and Disbursements to be inspected, and the Accounts
" settled yearly by the Commissioners. The Rights of the Conservators of *Bedford Level* reserved."

CAP. XIX.

An Act for the more effectual Trial and Punishment of High Treason and Misprision of High Treason, in the Highlands of *Scotland*; and for abrogating the Practice of taking down the Evidence in Writing in certain Criminal Prosecutions; and for making some further Regulations relating to Sheriffs Depute and Stewarts Depute, and their Substitutes; and for other Purposes therein mentioned.

20 Geo. 2. c. 43. FOR the more impartial and effectual Trial and Punishment of all Offences of High Treason and Mis-
prision of High Treason, committed in the Highlands of *Scotland*, and the Limits and Bounds herein
after-mentioned; and for taking away any Hopes of Impunity from Persons guilty of Crimes so dangerous
to his Majesty's Government and the present happy Establishment; Be it enacted by the King's most Ex-
cellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,
in this present Parliament assembled, and by the Authority of the same, That from and after the first Day
of

of *April* in the Year of our Lord one thousand seven hundred and forty-eight, all Offences of High Treason, and Misprision of High Treason, already committed, or hereafter to be committed, in the Shires of *Dunbartain*, *Sterling*, *Perth*, *Kincardine*, *Aberdeen*, *Inverness*, *Nairn*, *Cromartie*, *Argyll*, *Forfar*, *Bamff*, *Sutherland*, *Caithness*, *Elgine* and *Ross*, and the Shire or Stewartry of *Orkney*, or any of them, in that Part of *Great Britain* called *Scotland*, may be enquired of, heard, tried and determined in the Court of Justiciary there, in the County, Shire or Stewartry where the said Court shall sit, or before such Commissioners or Justices of *Oyer* and *Terminer*, and in such County, Shire or Stewartry within that Part of *Great Britain* called *Scotland*, as shall be assigned by his Majesty, his Heirs or Successors, by his or their Commission, under the Great Seal of *Great Britain*, in like Manner and Form to all Intents and Purposes, as if such Offences of High Treason, or Misprision of High Treason, had been done or committed in the same County, Shire or Stewartry where they shall be so enquired of, heard, tried and determined, as aforesaid.

Offences of High Treason, &c. in the Highlands, may be tried in any County in Scotland.

II. And to the end that there may be no Defect of Jurors to enquire of, or try the said Offences of High Treason, and Misprision of High Treason, committed in any Part of *Scotland*; Be it enacted by the Authority aforesaid, That all Enquiries and Trials for High Treason, or Misprision of High Treason, committed or to be committed in that Part of *Great Britain* called *Scotland*, may be had by good and lawful Men, not only of the Body of the County, Shire or Stewartry out of which they ought to come, by virtue of the Provision aforesaid, or of former Laws, but also of the Bodies of the Counties, Shires or Stewartries next adjoining, or any of them; and the said Court of Justiciary, and the said Commissioners or Justices of *Oyer* and *Terminer* respectively, may and shall issue Process for that Purpose, to the respective Sheriffs or Stewarts of the said County, Shire or Stewartry out of which the Jury ought to come as aforesaid, and the Counties, Shires or Stewartries next adjoining thereto, or any of them, requiring them to return such a Number of Jurors respectively, as to the said Court, or the said Commissioners or Justices shall seem meet; and that in all such Cases, no Challenge for the County, Shire or Stewartry shall be allowed; but nevertheless upon the Trial of any such High Treason or Misprision of High Treason, the Challenge to any Juror for not being possessed in his own Right, or in the Right of his Wife, of Lands or Tenements, as Proprietor or Life Renter within the County, Shire or Stewartry out of which the Jury ought to come as aforesaid, or within any of the Counties, Shires or Stewartries next adjoining thereto, and all other lawful Challenges to Jurors shall be allowed.

Jurors may be taken from the adjoining Shires.

Court of Justiciary and Justices to issue Process for the Return of Jurors.

No Challenge for the County,

but all other legal Challenges allowed.

III. And be it further enacted by the Authority aforesaid, That three of the Lords of the Justiciary shall be named and assigned in every such Commission of *Oyer* and *Terminer*, whereof one to be of the *Quorum*; and that if any Indictment of High Treason, or Misprision of High Treason, shall be found before any such Commissioners or Justices of *Oyer* and *Terminer*, and Request shall be made by the Advocate of his Majesty, his Heirs or Successors, for *Scotland*, to the Lord Chancellor or Lord Keeper, or Lords Commissioners of the Great Seal of *Great Britain* for the time being, to remove such Indictment into the Court of Justiciary in *Scotland*; then the Lord Chancellor or Lord Keeper, or Lords Commissioners of the Great Seal of *Great Britain* for the time being, shall award a Writ of *Certiorari*, under the said Great Seal, directed to such Commissioners or Justices of *Oyer* and *Terminer*, thereby commanding them, or any of them, to certify such Indictment into the said Court of Justiciary; which Court shall have Power and Authority, and is hereby required to proceed upon, hear and determine the same, as the Court of *King's Bench* in *England* may do upon Indictments of High Treason, or Misprision of High Treason, removed or certified into the said Court; and in every such Case, the Trial in the said Court of Justiciary shall be had by a Jury of the County, Shire or Stewartry wherein such Indictment shall be found, or of that, and of one or more of the Counties, Shires or Stewartries next adjoining, and the said Court is hereby impowered to issue Process for that Purpose; and the Benefit of such Challenges, to any of the Jurors as are hereby before allowed, and none other, shall be allowed upon every such Trial in the said Court of Justiciary.

Three Lords of the Justiciary to be in the Commission of Oyer and Terminer.

Indictments of High Treason, at the Request of his Majesty's Advocate, may be certified into the Court of Justiciary.

Jurors in such Cases, whence to be had.

IV. Provided always, That if any Peer of this Realm shall happen to be indicted of any High Treason, or Misprision of High Treason, by Authority of this Act, then after such Indictment found, every such Peer shall have his Trial by his Peers, in such Manner and Form as by Law a Peer of this Realm is to have his Trial.

Peers to be tried by their Peers.

V. And be it further enacted by the Authority aforesaid, That all Persons convicted or attainted of any High Treason, or Misprision of High Treason, pursuant to this Act, shall be subject and liable to the same Corruption of Blood, Pains, Penalties and Forfeitures, as Persons convicted or attainted of High Treason, or Misprision of High Treason, pursuant to an Act made in the seventh Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for improving the Union of the two Kingdoms*.

Persons convicted of High Treason subject to Corruption of Blood, &c. 7 Annæ, c. 21.

VI. Provided always, and be it further enacted by the Authority aforesaid, That the Provisions and Clauses herein before mentioned and contained, shall be and continue in Force for the Space of seven Years, and from thence to the End of the then next Session of Parliament, and no longer.

The said Clauses to be in Force for 7 Years.

'VII. And whereas the taking down, and reducing into Writing the Evidence given in Criminal Causes 'and Prosecutions (not extending to the Loss of Life, or to Demembration) before the Court of Justicia-'ry, and the Circuit Courts in that Part of *Great Britain* called *Scotland*, has by Experience been found 'very inconvenient, and to occasion great Delay as well as Expence;' Be it further enacted by the Authority aforesaid, That from and after the first Day of *July* in the Year of our Lord one thousand seven hundred and forty-eight, it shall and may be lawful for the said Court of Justiciary, and the said respective Circuit Courts, to proceed in, try, and determine all Causes and Prosecutions before them, for any Crime or Crimes, not inferring the Punishment of Death or Demembration, whereupon the Verdict of an Assize or Jury is to pass, upon examining and hearing the Evidence of the Witness or Witnesses adduced or examined in any such Cause or Prosecution *viva voce*, without reducing into Writing the Testimony of any such Witness or Witnesses; and that the Practice of taking down and reducing into Writing the Testimony of Witnesses in such Cases, be, and the same is hereby abrogated and abolished.

The taking down the Evidence in Writting, in certain criminal Prosecutions, abrogated.

Counsel and Pannel may interrogate the Witnesses.

Judge to sum up the Evidence.

VIII. Provided always, and be it enacted, That in such Cases where the Testimony of Witnesses shall not be reduced into Writing, the Counsel on both Sides, and the Pannel, may interrogate the Witnesses, to and upon pertinent and legal Questions; and that immediately before the Assize or Jury shall be inclosed, the Evidence shall be summed up by the Judges, before whom such Trial shall be had, or one of them.

His Majesty's Forts declared lawful Prisons.

IX. And it is hereby further enacted, That the several Forts erected or hereafter to be erected by his Majesty, his Heirs or Successors, within the said Shires of *Dunbartain*, *Sterling*, *Perth*, *Kincardine*, *Aberdeen*, *Inverness*, *Nairn*, *Cromartie*, *Argyll*, *Forfar*, *Bamff*, *Sutherland*, *Caithness*, *Elgine* and *Ross*, and the Shire or Stewartry of *Orkney*, or any of them, shall be, and they are hereby declared to be lawful Prisons, for the Commitment and safe Custody of Offenders; and the several and respective Officers, commanding for the time being in any such Fort or Forts, are hereby impowered and required to obey and execute all legal Orders and Warrants, that shall be to them directed for the receiving and detaining, or releasing and liberating any Person or Persons committed to their Charge or Custody by the Civil Magistrate.

The Officers to receive, &c. Prisoners committed by Warrant from the Magistrate.

Regulations relating to Sheriffs and Stewarts Depute, and their Substitutes.

X. And it is hereby further enacted, That no Sheriff Depute or Stewart Depute, or Substitute to any Sheriff Depute or Stewart Depute, of any County, Shire or Stewartry in *Scotland*, after the twenty-fifth Day of *December* in the Year of our Lord one thousand seven hundred and forty-eight, shall be Steward, Chamberlain or Commissioner to any Subject whatsoever, or Collector of the Cess, or shall exercise or act in the Employment, Service or Office of such Steward, Chamberlain, Commissioner or Collector; and if any such Sheriff Depute or Stewart Depute, or Substitute to any Sheriff Depute or Stewart Depute, shall accept or take upon him any such Employment, Service or Office, or exercise the same, or act therein, he shall from thenceforth forfeit his Office or Employment of Sheriff Depute, Stewart Depute or Substitute, and be *ipso facto* disabled to hold, enjoy or exercise the same.

Sheriffs and Stewarts Depute disqualified from being Members of Parliament.

XI. And be it further enacted by the Authority aforesaid, That no such Sheriff Depute or Stewart Depute shall be capable of being elected, or of sitting or voting as a Member of the House of Commons.

Residence of Sheriffs Depute,

'XII. And whereas his Majesty has thought fit, for the more easy Administration of Justice, to appoint 'one Sheriff Depute only for the Shires of *Fife* and *Kinross*, one only for the Shires of *Sterling* and *Clack-* 'mannan, one only for the Shires of *Argyll* and *Bute*, one only for the Shires of *Elgin* and *Nairn*, one only 'for the Shires of *Sutherland* and *Caithness*, and one only for the Shires of *Ross* and *Cromartie*;' Be it enacted by the Authority aforesaid, That the Sheriff Deputes appointed for the said Shires, shall not be obliged to reside four Months in each of the said Shires, but that their Residence within the two Shires, considered as one District in that Respect, shall be deemed sufficient to all Intents and Purposes.

till a new Division of the Circuits, according to 20 Geo. 2. c. 43.

XIII. And be it further enacted, That until a new Distribution and Division of the Circuits in *Scotland* shall be made, in pursuance of the Act of the twentieth Year of his present Majesty's Reign (intituled, *An Act for taking away and abolishing the Heretable Jurisdictions in that Part of* Great Britain *called* Scotland, *and for making Satisfaction to the Proprietors thereof, and for restoring such Jurisdictions to the Crown; and for making more effectual Provision for the Administration of Justice throughout that Part of the United Kingdom, by the King's Courts and Judges there; and for obliging all Persons acting as Procurators, Writers or Agents in the Law in* Scotland, *to take the Oaths; and for rendering the Union of the two Kingdoms more complete*) the Judges appointed to hold the Circuit Courts at *Dumfreis* and *Jedburgh*, shall likewise be apppointed to hold the Circuit Court at *Air*, which shall be, and be deemed to be within the Limits of the Circuit, commonly called *The Southern Circuit*, until such new Division and Distribution of the Circuits in *Scotland* shall be made as aforesaid.

The Judges appointed for Dumfreis and Jedburgh, shall also hold the Circuit Court at Air.

This Act, so far as it relates to the disarming the Highlands of Scotland, is revived and continued by 33 *Geo.* 2. *c.* 26. *And see* 22 *Geo.* 2. *c.* 48.

CAP. XX.

An Act for enlarging the Term and Powers granted by an Act passed in the thirteenth Year of the Reign of his late Majesty King *George* the First, for repairing the several Roads leading from *Birmingham*, through the Town of *Wednesbury*, to a Place called *High Bullen*, and to *Great Bridge*; and from thence to the End of *Gibbet Lane*, next adjoining to the Township of *Bilson*; and from *Great Bridge*, through *Dudley* to *King-Swinford*, and to the further End of *Brittel Lane*, in the Counties of *Warwick*, *Stafford* and *Worcester*. P R.

The Act 13 *Geo.* 1. *c.* 14. continued for 21 Years.

CAP. XXI.

An Act for erecting Workhouses, for the better employing and maintaining the Poor within the Burgh of *Bury Saint Edmunds*, in the County of *Suffolk*; and for the better repairing and paving the Streets and Highways there. P R.

CAP. XXII.

An Act for enlarging the Term and Powers granted by an Act passed in the thirteenth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for repairing the Roads leading from the Town of* Bromsgrove *to the Town of* Dudley, *in the County of* Worcester, *and from the said Town of* Bromsgrove *to the Town of* Birmingham, *in the County of* Warwick; so far as the said Act relates to repairing the Roads leading from the Town of *Birmingham* to the Town of *Bromsgrove*, in the County of *Worcester*; and for making the same more effectual. P R.

The Act 13 *Geo.* 1. *c.* 15. continued for 21 Years.

CAP.

CAP. XXIII.

An Act for granting to his Majesty the Sum of one million out of the Sinking Fund, for the Service of the Year one thousand seven hundred and forty-eight; and for applying a Sum of Money remaining in the Exchequer, arisen by the Rates and Duties on Houses which determined at *Lady-Day* one thousand seven hundred and forty-seven; and for the further appropriating the Supplies granted in this Session of Parliament; and for applying a certain Sum of Money for defraying the Charge of the Allowances for the Year one thousand seven hundred and forty-eight, to several Officers and private Gentlemen of the two Troops of Horse Gaurds, and three Regiments of Horse lately reduced.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies which we have cheerfully granted to your Majesty in this Session of Parliament, for the Service of the Year one thousand seven hundred and forty-eight, in the easiest Manner we are able, for the Benefit of your Majesty's Subjects, and also to use such Ways and Means therein, as that your Majesty may have the better and more speedy Effect of the said Supplies, have resoved to give and grant unto your Majesty the Sum of one million, out of the Surplusses, Excesses and Overplus Monies, commonly called *The Sinking Fund:* And to that End and Purpose do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are, or shall from time to time be and remain in the Receipt of the Exchequer, of the said Surplusses, Excesses or Overplus Monies, commonly called *The Sinking Fund* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may be issued and applied, a Sum not exceeding the said Sum of one million, for and towards the Supply granted to his Majesty for the Service of the said Year one thousand seven hundred and forty-eight; and the Commissioners of his Majesty's Treasury, or any three of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, are hereby authorized and impowered to issue and apply the same accordingly.

One million granted out of the Sinking Fund.

II. And be it further enacted by the Authority aforesaid, That all the Monies which have arisen or shall arise into the Receipt of his Majesty's Exchequer, of the several Rates and Duties on Houses, which determined at *Lady-day* one thousand seven hundred and forty-seven, shall be deemed and taken, and be applied as Part of the Fund for paying and discharging the several Annuities and other Payments charged by an Act of the last Session of Parliament, on certain Rates and Duties on Houses, Windows and Lights, granted by the said Act; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, are hereby authorized and impowered to issue and apply the same thereunto accordingly; any thing in this or any former Act to the contrary thereof in any wise notwithstanding.

Appropriation of the Monies coming in by the Duties on Houses.

III. And it is hereby enacted by the Authority aforesaid, That in case the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall think it advisable to raise the said Sum of one million, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money not exceeding the said Sum of one million upon the Credit of the said Surplusses, Excesses or Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Interest after a Rate not exceeding four Pounds *per Centum per Annum*, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, who are hereby authorized to issue their Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service; and moreover that no Money so to be lent on the Security of this Act shall be rated or assessed to any Tax or Assessment whatsoever.

Clause of Loan at 4 l. per Cent.

IV. And be it further enacted, That all and every Person and Persons who shall lend any Money upon the Credit of this Act as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tally, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, not exceeding the said Rate of four Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Monies so to be lent shall be registered in Course according to the Dates respectively; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registered in the said Register Books, so as the Person or Persons, Natives or Foreigners, his, her or their Executors, Administrators or Assigns, who shall have his, her or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surplusses, Excesses or Overplus Monies; and he, she or they who shall have his, her or their Order or Orders next entered, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in, of or for the said Surplusses, Excesses or Overplus Monies, commonly

Tallies and Orders for Repayment.

to carry 4 l. per Cent. Interest.

Orders to be registered, and paid in Course.

called *The Sinking Fund*, as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors or Assigns respectively, without any undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever (other than such Uses or Purposes as are appointed by any other Act or Acts of Parliament in that Behalf as aforesaid;) and that no Fee, Reward, or Gratuity directly or indirectly shall be demanded or taken of any of his Majesty's Subjects for providing or making of any such Books or Registers, or any Entries, Views or Searches in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with Full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made either in Point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt with Full Costs of Suit to the Party grieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Place or Office; and in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Order, according to each Person's due Place and Order as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending, to be liable to such Action, Debt, Damages and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, Wager of Law, Injunction or Order of Restraint shall be in any wise granted or allowed.

No Fee for registering, &c.

Penalty.

Penalties how to be recovered.

Proviso.

V. Provided always, and it is declared, That if it shall happen that several Tallies of Loan or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registered; then it shall be interpreted no undue Preference which of those be entered first, so as he enters them all the same Day.

Proviso.

VI. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Orders assignable.

VII. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registred by virtue of this Act, after Order entered in the Book of Registry as aforesaid, his, her or their Executors, Administrators or Assigns, by proper Words of Assignment to be indorsed and written upon his, her or their Order, may assign or transfer his, her and their Right, Title, Interest and Benefit of such Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt as aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders (which the Officers shall upon Request without Fee or Charge accordingly make) shall intitle such Assignee, his, her or their Executors, Administrators, Successors or Assigns, to the Benefit thereof, and Payment thereon, and such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release and discharge the same, or any the Monies thereby due, or any Part thereof.

No Fee for Entry.

The Assignment not to be voided.

VIII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the said Sum of one million, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills as is herein after mentioned, or by both or either of those Ways or Means for the publick Service; Be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall judge it more adviseable to raise the said Sum of one million, or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorized and impowered at any Time or Times to prepare and make, or cause to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the said Sum of one million, together with such Loans as aforesaid, in the same or like Manner, Form or Order, and according to the same or like Rules and Directions, as in and by a certain Act of Parliament (for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and forty-eight) are enacted and prescribed concerning the Exchequer Bills to be made in pursuance of the said Act.

Treasury may make new Exchequer Bills for raising the said one million, &c.

IX. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act, except such Clauses as do charge the same on the Rates or Duties granted by the same Act, shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated or re-enacted in the Body of this present Act.

The Exchequer Bills to be subject to the Regulations contained in 21 Geo. 2. c. 1.

X. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, Premium, Rate and Charges incident to, or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by or out of the growing

Exchequer Bills, &c. to be repaid out of the Sinking Fund.

ing Produce of the said Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate or Charges, until the whole of them ſhall be paid off, cancelled and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

The Surplus of the Malt Act, &c.

XI. Provided always, and be it enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament (intituled, *An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* England, *and for granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of* Great Britain *called* Scotland; *for the Service of the Year one thouſand ſeven hundred and forty-eight*;) and ſo much Money, if any ſuch be, of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and alſo all the Monies coming into the Exchequer by Sale of Annuities, after the Rate of four Pounds *per Centum per Annum*, upon one other Act of this Seſſion of Parliament (intituled, *An Act for granting to his Majeſty a Subſidy of Poundage upon Goods and Merchandizes to be imported into this Kingdom; and for raiſing a certain Sum of Money by Annuities and a Lottery, to be charged on the ſaid Subſidy; and for repealing ſo much of an Act made in the twentieth Year of his preſent Majeſty's Reign, as enacts, That Prize Goods and Merchandize may be exported without paying any Duty of Cuſtom or Exciſe for the ſame*;) and alſo all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament (intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and forty-eight*) and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to diſcharge the ſame; and the Sum of one million by this Act granted, ſhall be further appropriated and applied, and are hereby appropriated for and towards the ſeveral Uſes, Intents and Purpoſes herein after expreſſed (that is to ſay)

Annuities.

Land Tax.

applied.

Out of the Aids in general to be paid;

XII. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two millions two hundred ninety-eight thouſand eight hundred twenty-ſeven Pounds nine Shillings and eight Pence, for or towards the Naval Services herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charges of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers; and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards carrying on the Building of the intended Hoſpital for ſick and wounded Seamen at *Goſport*, for the Year one thouſand ſeven hundred and forty-eight.

2,298,827 l. 9 s. 5 d. to Naval Services.

91,495 l. 16 s. 3 d. for Freight of Tranſports.

XIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ninety-one thouſand four hundred ninety-ſix Pounds ſixteen Shillings and three Pence, for the Freight of Tranſports, in the Year one thouſand ſeven hundred and forty-ſeven; and any Sum or Sums of Money, not exceeding forty-three thouſand nine hundred thirty-ſeven Pounds eleven Shillings and three Pence, for the Expence of Victuals provided for his Majeſty's Land Forces, in the Year one thouſand ſeven hundred and forty-ſeven.

43,496 l. 16 s. 10 d. for Victualling the Land Forces.

10,000 l. to Greenwich Hoſpital.

XIV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ten thouſand Pounds, upon Account, towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country; and any Sum or Sums of Money, not exceeding one million, towards paying off and diſcharging the Debt of the Navy.

1,000,000 l. towards the Debt of the Navy.

501,629 l. 18 s. 2 d. to the Office of Ordnance.

XV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding five hundred one thouſand ſix hundred twenty-nine Pounds eighteen Shillings and two Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service, for the Year one thouſand ſeven hundred and forty-eight, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service not provided for by Parliament.

196,089 l. 19 s. 7 d. to the Marines.

XVI. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one hundred ninety-ſix thouſand eighty-nine Pounds nineteen Shillings and ſeven Pence, for defraying the Charge of eleven thouſand five hundred and fifty Marines (Commiſſion and Non-commiſſion Officers included) for the Service of the Year one thouſand ſeven hundred and forty-eight.

3,761,576 l. 9 s. 1 d. to the Land Forces.

of which 1,267,761 l. 15 s. 9 d. 3 q. for Guards and Garriſons, &c. in Great Britain, Guernſey and Jerſey.

XVII. And it is hereby likewiſe enacted, That out of all or any of the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding three millions ſeven hundred ſixty-one thouſand five hundred ſeventy-ſix Pounds nine Shillings and one Penny Farthing, for or towards maintaining his Majeſty's Land Forces and other Services herein after more particularly expreſſed; that is to ſay, any Sum or Sums of Money, not exceeding one million two hundred ſixty-ſeven thouſand three hundred ſeventy-ſix Pounds fifteen Shillings and nine Pence three-farthings, for defraying the Charge of the forty-nine thouſand nine hundred and thirty-nine effective Men, including Commiſſion and Non-commiſſion Officers, and one thouſand eight hundred and fifteen Invalids, to be employed for the Service of the Year one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money, not exceeding

350,034l. 14s. 1d. 3q. for the Forces in the Plantations, &c.

460,223l. 10s. for the Troops of Hanover.

10,000l. for a Train of Artillery.

167,881l. 18s. 10d. for Troops of Ruſſia;

150,000l. for Forage, &c. for the ſaid Troops.

161,951l. 14s. 7d. 1q. for Troops of Sweden, &c.

57,792l. 7s. 5d. 2q. for Troops of the Duke of Brunſwick Wolfenbuttle;

400,000l. to the Queen of Hungary.

300,000l. to the King of Sardinia.

8,620l. to the Elector of Mentz.

26,846l. 11s. 6d. to the Elector of Bavaria.

53,861l. 3s. for General and Staff Officers.

315,876l. 8s. 9d. 3q. for the War in Flanders, &c.

27,224l. 6s. to Officers on Half pay.

3,886l. 18s. 8d. 1q. to the Penſions of reduced Officers Widows, &c.

500,000l. to diſcharge the like Sum borrowed, &c.

20,000l. for building the Bridge at Weſtminſter.

exceeding three hundred fifty thouſand thirty-four Pounds fourteen Shillings and one Penny three Farthings, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Garriſons at *Annapolis Royal*, *Placentia*, *Gibraltar*, *Georgia*, *Rattan* and *Cape Breton*, for the Year one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money, not exceeding four hundred ſixty thouſand two hundred twenty-three Pounds ten Shillings, for defraying the Expence of the Pay and Subſiſtence of a Body of the Troops of *Hanover*, conſiſting of five thouſand Horſe, and ſeventeen thouſand and ſeventy Foot, making in the Whole twenty-two thouſand and ſeventy Men, to act in the Low Countries, with the *Auſtrian* Troops, and thoſe of the *States General* of the United Provinces, for the Year one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, for a Train of Artillery to attend the ſaid Troops; and any Sum or Sums of Money, not exceeding one hundred ſixty-ſeven thouſand eight hundred eighty-one Pounds eighteen Shillings and ten Pence, for the Proportion of the Subſidy payable by *Great Britain*, to the Empreſs of *Ruſſia*, for a Body of Troops to conſiſt of thirty thouſand Men, to be employed for the Service of *Great Britain*, the *States General* of the United Provinces and their Allies, for the Year one thouſand ſeven hundred and forty-eight, and for defraying the Charge of the March of the ſaid Troops to the Frontiers of *Upper Seleſia*; and any Sum or Sums of Money, not exceeding one hundred and fifty thouſand Pounds upon Account, for the Year one thouſand ſeven hundred and forty-eight, towards defraying the Proportion payable by *Great Britain* of the Proviſions and Forage to be furniſhed to the ſaid Troops, from the Time of their Arrival on the Frontiers of *Upper Sileſia*, until they return to the Frontiers of *Poland*; and any Sum or Sums of Money, not exceeding one hundred ſixty-one thouſand nine hundred fifty-one Pounds fourteen Shillings and ſeven Pence Farthing, for defraying the Charge of one thouſand two hundred and ſixty-four Horſe, and four thouſand nine hundred and eight Foot, with the General Officers, and Train of Artillery, the Troops of his Majeſty the King of *Sweden*, as *Landgrave* of *Heſſe Caſſel*, in the Pay of *Great Britain*, from the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-ſeven, to the twenty-fourth Day of *December* one thouſand ſeven hundred and forty-eight, both incluſive, together with the Subſidy for the ſaid Time, purſuant to Treaty; and any Sum or Sums of Money, not exceeding fifty-ſeven thouſand ſeven hundred ninety-two Pounds ſeven Shillings and five Pence Half-penny, for defraying his Majeſty's Proportion of the Charge of maintaining four thouſand eight hundred Foot, with the General Officers and Train of Artillery, the Troops of his moſt Serene Highneſs the Duke of *Brunſwick Wolfenbuttle*, from the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-eight, to the twenty-fourth Day of *December* following, both incluſive, taken into the Service of his Majeſty and the *States General*, together with his Majeſty's Proportion of the Subſidy, purſuant to Treaty; and any Sum or Sums of Money, not exceeding four hundred thouſand Pounds to enable the Queen of *Hungary* to ſupport her Allies, and maintain ſixty thouſand Men in the Low Countries, and the like Number in *Italy*, for the Year one thouſand ſeven hundred and forty-eight, purſuant to Treaty; and any Sum or Sums of Money, not exceeding three hundred thouſand Pounds, to make good his Majeſty's Engagements with the King of *Sardinia*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding eight thouſand ſix hundred and twenty Pounds, to make good his Majeſty's Engagements with the Elector of *Mentz*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding twenty-ſix thouſand eight hundred forty-ſix Pounds eleven Shillings and nine Pence, to make good his Majeſty's Engagements with the Elector of *Bavaria*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding fifty-three thouſand eight hundred ſixty-one Pounds and three Shillings, for the Pay of the General and General Staff Officers and Officers of the Hoſpitals for his Majeſty's Land Forces, for the Year one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money not exceeding three hundred fifteen thouſand eight hundred ſeventy-ſix Pounds eight Shillings and nine Pence three Farthings, for defraying the extraordinary Expences of his Majeſty's Land Forces in *Flanders*, in *North Britain*, and *America*, and of other Services, incurred in the Year one thouſand ſeven hundred and forty-ſeven, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding twenty-ſeven thouſand two hundred twenty-four Pounds ſix Shillings, upon Account of Half-pay to the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and forty-eight, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are herein after preſcribed concerning the ſame; and any Sum or Sums of Money, not exceeding three thouſand eight hundred eighty-ſix Pounds eighteen Shillings and eight Pence Farthing, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and forty-eight; which ſaid Sum of three thouſand eight hundred eighty-ſix Pounds, eighteen Shillings and eight Pence Farthing, ſhall be iſſued to ſuch Perſon or Perſons, as his Majeſty ſhall, by Warrant or Warrants under his Majeſty's Royal Sign Manual, direct or appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, and other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint.

XVIII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding five hundred thouſand Pounds, to enable his Majeſty to diſcharge the Sum of five hundred thouſand Pounds, raiſed in purſuance of an Act paſſed in the laſt Seſſion of Parliament, and charged on the firſt Aids or Supplies to be granted in Parliament, after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-ſeven.

XIX. And it is hereby alſo enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and paid to the Commiſſioners for building a Bridge croſs the River *Thames*, from the City of *Weſtminſter* to the oppoſite Shore, in the County of *Surrey*, or any ſeven or more of them, or to ſuch Perſon or Perſons as ſhall be appointed under the Hands and Seals of the ſaid Commiſſioners, or any ſeven

seven or more of them, to receive the same, the Sum of twenty thousand Pounds, without Account, other than is directed for other Monies raised by virtue of several former Acts of Parliament, passed during the Reign of his present Majesty, for Building the said Bridge, to be applied to finish the said Bridge, and to enable the said Commissioners to perform the other Trusts reposed in them.

XX. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding five hundred thousand Pounds, upon Account, to enable his Majesty to carry on the War with Vigour both by Sea and Land, and to make good such Treaties as are or shall be made with his Majesty's Allies, for the Year one thousand seven hundred and forty-eight. 500,000 l. to enable his Majesty to carry on the War.

XXI. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one hundred eighty-three thousand six hundred forty-nine Pounds, two Shillings and seven Pence Halfpenny, for reimbursing to the Province of *Massachusets Bay* the Expences they have been at in taking and securing to the Crown of *Great Britain* the Island of *Cape Breton*, and its Dependencies; and any Sum or Sums of Money, not exceeding sixteen thousand three hundred fifty-five Pounds thirteen Shillings and four Pence, for reimbursing to the Province of *New Hampshire* their Expences in the said Expedition; and any Sum or Sums of Money, not exceeding twenty-eight thousand eight hundred sixty-three Pounds nineteen Shillings and one Penny, for reimbursing to the Colony of *Connecticut* their Expences in the said Expedition; and any Sum or Sums of Money, not exceeding six thousand three hundred thirty-two Pounds twelve Shillings and ten Pence, for reimbursing to the Colony of *Rhode Island* their Expences in the said Expedition: and any Sum or Sums of Money, not exceeding five hundred forty-seven Pounds fifteen Shillings to *James Gibson*, Esquire, for his Services and Expences in the said Expedition.

183,649 l. 2 s. 7 d. 2 q. to the Province of Massachusets Bay;
16,355 l. 13 s. 4 d. to the Province of New Hampshire;
28,863 l. 19 s. 1 d. to the Colony of Connecticut.
6,332 l. 12 s. 10 d. to the Colony of Rhode Island;
547 l. 15 s. to James Gibson Esquire.

XXII. And it is hereby also enacted, That out of all or any of the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one hundred fifty-two thousand thirty-seven Pounds twelve Shillings and two Pence, to enable his Majesty to make reasonable and just Compensation and Satisfaction for the Heretable Jurisdictions and Offices in *Scotland*, as allowed by the Court of Session there, in pursuance of an Act of the last Session of Parliament.

152,037 l. 12 s. 2 d. as a Compensation for the Heretable Jurisdictions in Scotland.

XXIII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding seven thousand one hundred eighteen Pounds five Shillings and nine Pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Stamp Duties at *Christmas* one thousand seven hundred and forty-six; and any Sum or Sums of Money, not exceeding thirteen thousand six hundred sixty Pounds eighteen Shillings and six Pence, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets or Wines made from *British* or Foreign Fruit or Sugar, at *Michaelmas* one thousand seven hundred and forty-seven; and any Sum or Sums of Money, not exceeding thirty-five thousand Pounds, to replace to the said Sinking Fund the like Sum paid out of the same, to answer one Year's Interest due at *Michaelmas* one thousand seven hundred and forty-seven after the Rate of three Pounds ten Shillings *per Centum per Annum*, on the Principal Sum of one million lent on the Credit of the Salt Duties, which were continued for six Years, from *Lady Day* one thousand seven hundred and fifty-three, towards the Supply for the Year one thousand seven hundred forty-five; and any Sum or Sums of Money, not exceeding twenty-nine thousand seven hundred sixty-five Pounds nineteen Shillings and five Pence, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Duties on Wines at *Midsummer* one thousand seven hundred and forty-seven; and any Sum or Sums of Money, not exceeding sixteen thousand three hundred sixty-two Pounds eight Shillings and five Pence, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty on Licences for retailing of Spirituous Liquors, at *Lady-Day* one thousand seven hundred and forty-seven; and any Sum or Sums of Money not exceeding thirty-four thousand one hundred seventy-seven Pounds seven Shillings and three Pence Half-penny, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duties on Glass and Spirituous Liquors, at *Midsummer* one thousand seven hundred and forty-seven; and any Sum or Sums of Money, not exceeding thirty-nine thousand eight hundred and forty-six Pounds eleven Shillings and seven Pence Half-penny, for making good the Deficiency at *Christmas* one thousand seven hundred and forty-seven, of the said Duties on Glass and Spirituous Liquors; and any Sum or Sums of Money not exceeding five hundred seventy-one thousand eight hundred twenty-seven Pounds eighteen Shillings and seven Pence, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and forty-seven.

7,118 l. 5 s. 9 d. to make good the Deficency of the Stamp Duties.
13,660 l. 18 s. 6 d. to make good the Deficiency of the Duties on Sweets.
35,000 l. for Interest due on the Salt Dutes.
29,765 l. 19 s. 5 d. to make good the additional Duties on Wines.
16,362 l. 8 s. 5 d. to make good the Deficiency on Licences for Spirituous Liquors.
34,177 l. 7 s. 3 d. 2 q. to make good the Deficiency on Glass and Spirituous Liquors at Midsummer.
39,846 l. 11 s. 7 d. 2 q. at Christmas.
57,872 l. 18 s. 7 d. Deficiency of Grants for the Year 1747.

XXIV. And be it further enacted by the Authority aforesaid, That the said Aids or Supplies provided as aforesaid shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament. And as to the said Sum of twenty-seven thousand two hundred twenty-four Pounds six Shillings, by this Act appropriated on Account of Half-pay, as aforesaid; it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application thereof; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years at the Time when the Regiment, Troop or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual service in some Regiment, Troop or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive

The Supplies to be applied only as this Act directs.

Rules to be observed in the Application of the Sum of

27,224 l. 6 s. appropriated on account of Half-pay.

See 22 *Geo.* 2. c. 42. *sect.* 26.

ceive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons, who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

20 Geo. 2. c. 36.

'XXV. And whereas by an Act of Parliament made in the twentieth Year of his Majesty's Reign, (intituled, *An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thousand seven hundred and forty-seven; and also for enabling his Majesty to raise a further Sum of Money for the Uses and Purposes therein mentioned; and for the further appropriating the Supplies granted in this Session of Parliament; and for applying a certain Sum of Money for defraying the Charge of the Allowances to several Officers and private Gentlemen of the two Troops of Horse Guards, and three Regiments of Horse, lately reduced, for the Year one thousand seven hundred and forty-seven; and for continuing the Bounties on the Exportation of* British *and* Irish *coarse Linens*) several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several Uses and Purposes therein expressed, amongst which, any Sum or Sums of Money, not exceeding twenty-nine thousand nine hundred fourteen Pounds fifteen Shillings and ten Pence, was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf;' now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of twenty-nine thousand nine hundred fourteen Pounds fifteen Shillings and ten Pence, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall or may be disposed of to such Officers who are maimed or lost their Limbs in the late Wars, or such others, as by reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity; or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manuel, as shall be signed in that Behalf; any thing in this Act, or the said former Act, to the contrary notwithstanding.

The Surplus of last Year's Half-pay to be applied to such Objects as his Majesty shall direct.

XXVI. And it is hereby likewise enacted, That out of the Monies or Savings arising from the Money granted by Parliament, for the Relief and Provision of the Widows of Officers, who have been killed or died in the Service, there shall and may be issued and applied, by any Warrant or Warrants of his Majesty, under his Royal Sign Manual, any Sum or Sums of Money, not exceeding eight thousand eight hundred fifty-one Pounds five Shillings, for defraying the Charge of Allowances to several Officers and private Gentlemen of two Troops of Horse Gaurds, and three Regiments of Horse, lately reduced, together with the incident Charges arising therefrom, for the Service of the Year one thousand seven hundred and forty-eight.

8,851 l. 5 s. to the 2 Troops of Horse Guards, &c. lately reduced.

CAP. XXIV.

An Act for building a Church in the Town of *Liverpool*, in the County Palatine of *Lancaster*, and for enlighening and cleansing the Streets of the said Town, and for keeping and maintaining a Nightly Watch there. P R.

CAP. XXV.

An Act for repairing the Roads leading from *Sutton Colefield* Common to the Town of *Walsal*, and from *Sneals Green* to *Walsal*, and from *Walsal* to *Park Brook*, which divides the Parishes of *Wolverhampton* and *Walsal*, and from *Gibbet Lane* to *Wolverhampton*, and from *Compton* to the End of the County of *Stafford*, and from *Wolverhampton* to the *Wergs*, and from thence to *Shifnal*, and from the *Wergs* to *Hales Heath*, and from *Wolverhampton* to *Cannock Wood* in the Road to *Litchfield*. P R.

Certain Tolls granted for 21 Years.

CAP. XXVI.

An Act for explaining, amending and enforcing an Act made in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act for prohibiting the Wearing and Importation of Cambricks and* French *Lawns*.

18 Geo. 2. c. 36.

'WHEREAS by an Act made in the eighteenth Year of the Reign of his present Majesty (intituled, *An Act for prohibiting the Wearing and Importation of Cambricks and* French *Lawns*) it is (amongst other Things) enacted, That from and after the twenty-fourth Day of *June* which shall be in the Year of our Lord one thousand seven hundred and forty-eight, it shall not be lawful for any Person or Persons whatsoever to wear in *Great Britain*, in any Garment or Apparel whatsoever, any Cambrick or *French* Lawn, under Penalty to the Informer of five Pounds of lawful Money of *Great Britain*, for every such Offence, being thereof lawfully convicted by the Oath or Oaths of one or more Witness or Witnesses, before any one or more Justice or Justices of the Peace, to be levied and recovered as is therein directed: And whereas it is further enacted by the aforesaid Act, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-eight, if any Person shall vend, utter, sell or expose to Sale, any Cambricks or *French* Lawns, made or not made up, such Person or Persons so vending, uttering, selling or exposing the same to Sale (except for Exportation only) who shall be thereof convicted, shall forfeit and pay the like Sum of five Pounds, to be recovered and levied as aforesaid: And whereas it is further provided and declared by the said Act, That if any Person shall, after the said

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'twenty-fourth Day of *June* one thousand seven hundred and forty-eight, be prosecuted for wearing such Cambrick or *French* Lawn, and such Person shall discover upon Oath, before any one or more Justice or Justices of the Peace, the Person or Persons who sold such Cambricks or *French* Lawns to such Person wearing the same, such Person so discovering as aforesaid, shall be, and is thereby discharged from all Penalties and Forfeitures inflicted by the said Act; and that the Person or Persons so selling such Cambrick or *French* Lawns, shall be liable to the Penalties and Forfeitures laid and inflicted by the said Act: And whereas some Doubts have arisen, or may arise, whether by the Words of the said recited Act any Penalty can be inflicted, either upon the Wearer of any such Cambrick or *French* Lawn, who shall discover the Vender or Seller thereof, or upon the Vender or Seller so discovered by the Wearer thereof, in case it shall appear that the said Cambrick or *French* Lawn was sold to such Wearer, previous to the aforesaid twenty-fourth Day of *June* one thousand seven hundred and forty-eight; by which Means such Cambricks and *French* Lawns may happen to be worn for a great Number of Years, without any Penalty whatsoever laid or inflicted, either on the Wearer or Seller thereof, contrary to the true Intent and Meaning of the said Act, so evidently advantageous to this Kingdom: And whereas it may be difficult for many Persons to ascertain upon Oath, where or from whom such Cambricks or *French* Lawns were bought, which have been for any considerable Time in their Possession:' For the avoiding therefore of all such Doubts and Difficulties as aforesaid, be it enacted and declared; and it is hereby enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, who after the twenty-fourth Day of *June* one thousand seven hundred and forty-eight, and before the twenty-fifth Day of *March* one thousand seven hundred and forty-nine, shall be prosecuted for Wearing in or on any Garment or Apparel, any Cambricks or *French* Lawns, shall make an Affidavit, or bring sufficient Proof, or by the Oath or Affidavit of the Husband or Wife of the Party accused, or by the Oath or Affidavit of any other credible Person, before one or more Justice or Justices of the Peace, that the same was bought on or before the twenty-fourth Day of *June* one thousand seven hundred and forty-eight, such Wearer shall be, and is hereby discharged from any Penalty or Forfeiture inflicted by the said Act.

Persons prosecuted for Wearing Cambrick, producing Proof that the same was bought before 24 June 1748, discharged.

II. And be it further enacted by the Authority aforesaid, That at any Time from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-eight, if any Wearer of Cambrick or *French* Lawn, who shall be prosecuted by virtue of the said in Part recited Act for wearing the same, and who shall have purchased the same after the twenty-fourth Day of *June* one thousand seven hundred and forty-eight, shall discover, to the Satisfaction of the Justice or Justices, the Vender or Seller of such Cambrick or *French* Lawn, and likewise that the same was sold by such Vender or Seller after the said twenty-fourth Day of *June* one thousand seven hundred and forty-eight, so as such Vender or Seller be convicted, and become liable to the Penalties and Forfeitures laid and inflicted by the said Act, then, and not otherwise, such Wearer so prosecuted shall be and is hereby discharged from any Penalty or Forfeiture laid or inflicted by the said Act; any thing in this or in the said Act to the contrary notwithstanding.

The Vender convicted of selling Cambrick after 24 June 1748, to be liable.

III. And it is hereby further enacted by the Authority aforesaid, That whenever any Person informed against for wearing such Cambrick or *French* Lawn shall be excused from the Penalty by discovering the Vender or Seller thereof, the Penalty to be levied and inflicted on such Vender or Seller in every such Case, shall go and belong to the Person who informed against the Wearer thereof.

Penalties to go to the Informer.

'IV. And whereas the Penalties to which Wearers of Cambricks or *French* Lawns are made subject; either by the said former Law, or this present Act, cannot, in case the Person convicted be a Feme Covert, be levied by Law on the Goods and Chattles of her Husband, by Means of which the Intent of the said former and of this present Act may happen to be evaded:' For remedy thereof, be it further enacted by the Authority aforesaid, That in all Cases were the Offender shall, at the Time of the Offence committed, or at the Time of the Conviction, happen to be a Feme Covert, living with her Husband, the Penalties which should be levied on the Goods and Chattles of such Offender, in case she had been then unmarried, shall and may be levied on the Goods and Chattles of her Husband; any Law to the contrary notwithstanding.

Penalties incurred by a Feme Covert, to be levied on the Goods of the Husband.

V. And be it further enacted by the Authority aforesaid, That if any Milliner, Sempstress, or other Person whatsoever, shall for Hire, from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-eight, make up any Cambrick or *French* Lawn for, in or upon any Garment or wearing Apparel, such Milliner, Sempstress, or other Person, shall be liable to the like Penalties and Forfeitures, as the Sellers of Cambrick or *French* Lawn are liable to, by virtue of the said Act of the eighteenth Year of his Majesty's Reign, to be prosecuted and levied, and the said Penalties and Forfeitures to be applied in the like Manner, as the several Penalties and Forfeitures are directed to be prosecuted, levied and applied, by this or the said in Part recited Act.

Milliners making up Cambricks, liable to the Penalties.

VI. And be it further enacted by the Authority aforesaid, That in all Cases wherein by this Act an Oath is required to be made and taken, the solemn Affirmation of any Person, being a *Quaker*, shall and may be accepted and taken in lieu thereof; and that every Instance of wilful and corrupt false Affirming, shall subject such Person to the same Penalties and Forfeitures, as he would by Law have been liable to, if the same Matter had been declared upon Oath or Affidavit directed by this Act.

Quakers Affirmation to be taken.

Penalty of false affirming.

See farther
24 *Geo.* 2. *c.* 46.
29 *Geo.* 2. *c.* 15.
32 *Geo.* 2. *c.* 32.

CAP. XXVII.

An Act for repairing the High Road from *Peirsbridge* to *Kirkmerrington* in the County of *Durham*, and from thence to the Turnpike Road at *Tudhoe* Lane End in the said County. P R.

Certain Tolls granted for 21 Years.

CAP. XXVIII.

An Act to explain and amend an Act passed in the fourteenth Year of his Majesty's Reign, intituled, *An Act for the Preservation of the Publick Roads in that Part of* Great Britain *called* England; and so much of an Act passed in the third Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the better repairing and amending the Highways; and for settling the Rates of the Carriage of Goods*, as relates to the settling the Rates of the Carriage of Goods.

14 Geo. 2. c. 42. For preceding Laws see 13 Ed. 1. stat. 2. c. 5. 2 & 3 P. & M. c. 8. 5 El. c. 13. 18 El. c. 10. 29 El. c. 5. 13 & 14 Car. 2. c. 6. 22 Car. 2. c. 12. 7 W. 3. c. 29. 8 & 9 W. 3. c. 16. 6 Ann. c. 20. 9 Ann. 2. 18. 1 Geo 1. c. 11 & 52. 5 Geo. 1. c. 12. 6 Geo. 1. c. 6. 5 Geo. 2. c. 33. 7 Geo. 2. c. 9. 8 Geo. 2. c. 20. 9 Geo. 2. c. 18.

WHEREAS by an Act passed in the fourteenth Year of his present Majesty's Reign, intituled, *An Act for the Preservation of the Publick Roads in that Part of* Great Britain *called* England, it was enacted, That it should and might be lawful to and for all Trustees appointed or thereafter to be appointed by any Act or Acts of Parliament, for the Repair of any Highway in that Part of *Great Britain* called *England*, or any five of them, at any or as many Gate or Gates, Bar or Bars, as they had erected, or should erect, for the receiving of any Toll or Tolls, to order, or cause to be built or erected, any Crane, Machine or Engine for Weighing of Carts, Waggons, or other Carriages, for the conveying of any Goods and Merchandize, except as is therein excepted, and to order all such Carriages which should pass any such Gate or Bar, to be weighed, together with the Loading thereof, and to take, over and above any Toll granted, the Sum of twenty Shillings a hundred Weight, for every hundred Weight which every such Carriage, together with the Loading thereof, should weigh over and above the Weight of sixty Hundred: And whereas divers Toll-gates and Turnpikes, erected and set up pursuant to several Acts of Parliament made for repairing and amending Highways and Publick Roads, do stand and are situate at such Places upon the said Highways and Roads respectively, as are not suitable or convenient for the erecting of proper Engines and Machines for the Weighing of Carriages as aforesaid; and it would tend to the Preservation of the said Roads and Highways, and the Benefit of the Publick, if such Engines were erected at some other Part of the said Roads: And whereas several Persons driving Carts, Waggons and other Carriages, do frequently (in order to avoid paying the said Duty or Penalty of twenty Shillings) take out Part of the Loading from the said Carriages before they come to the said Weighing Engines, and reload them again after they have passed the said Engines, to the great Damage and Hurt of the said Roads, and contrary to the Intention of the said Act:' Wherefore for remedying and preventing the said Inconveniencies and Mischiefs, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for all Commissioners or Trustees, appointed or hereafter to be appointed for the Repair of any Highway in that Part of *Great Britain* called *England*, or any five of them respectively, to order or cause to be built or erected any Crane, Machine or Engine, for the Weighing of Carts, Waggons or other Carriages, upon any Part of the Road within their respective Jurisdictions, and at such Distance from any Turnpike, Bar or Toll-gate, erected and set up in and upon the same Road, as they respectively shall think requisite and expedient; and to cause all Carriages travelling the said Road (except such as are by the said Act excepted) with their Loading, to be weighed and to take twenty Shillings a Hundred Weight, for every Hundred Weight, which any such Carriage with the Loading thereof shall weigh, over and above sixty Hundred Weight; and which Duty or Payment of twenty Shillings *per* Hundred as aforesaid, shall be taken, levied and applied in the same Manner as by the said Act is directed; and all Persons opposing the Weighing the said Carriages, or levying the said Duty, shall be liable to the Penalties by the said Act inflicted on such Offenders in the like Case, to be levied and applied as is therein mentioned.

Trustees of the Highways impowered to erect Engines for the Weighing of Carriages,

and to take 20 s. for every Hundred Weight exceeding sixty:

Recovery, and Application of the Fines.

Penalty of opposing.

II. And be it further enacted, That if any Person shall, after the tenth Day of *June* one thousand seven hundred and forty-eight, unload or cause to be unladen any Goods or Merchandize, out of any Waggon, Cart or other Carriage (except such as in the said Act is excepted) before such Waggon, Cart or Carriage shall come to any Weighing Engine, erected or to be erected by virtue or in pursuance of this present Act, or any other Act, made or to be made for the Repair or Preservation of any publick Highway or Road within this Kingdom, in order to avoid the Payment of the said Duty of twenty Shillings *per* Hundred, or shall load or lay upon any such Carriage, after the same shall have passed any such Weighing Engine, any Goods Wares or Merchandize, taken or unladen from any Horse, Cart, or other Carriage, belonging to, or hired, or borrowed by the same Waggoner or Carrier; every Person so offending shall for every such Offence, forfeit and pay to the Commissioners or Trustees for repairing the Road where any such Offence shall be committed, the Sum of twenty Pounds, to be paid by, and recovered and levied upon the Goods and Effects of the Owner of every such Waggon or Carriage, in such Manner, as other Forfeitures are by the said Act directed to be recovered and levied; and the same Forfeitures shall be applied to the Repair of the said Roads.

Penalty of unloading, in order to evade the 20 s. Fine.

3 W. & M. c. 12.

'III. And whereas by an Act made and passed in the third Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the better repairing and amending the Highways, and for settling the Rates of Carriage of Goods*, it is enacted, That the Justices of the Peace of every County, and other Place within the Realm of *England*, or Dominion of *Wales*, should have Power and Authority, and they were thereby enjoined and required, at their next respective Quarter-Session after *Easter*, yearly, to assess and rate the Prices of all Land Carriage of Goods whatsoever, to be brought into any Place within their respective Limits and Jurisdictions, by any common Waggoner or Carrier, to be certified and published in such Manner as is therein mentioned; and that no such common Waggoner or Carrier should take for the

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'Carriage of such Goods or Merchandize, above the Rates and Prices so set, upon Pain to forfeit for every 'such Offence the Sum of five Pounds, to be levied and recovered as is by the said Act directed: And 'whereas no Rates for the Carriage of Goods, from distant Parts of the Kigdom to the City of *London*, 'and Places adjacent, have been yet settled, and several common Waggoners and Carriers have from thence 'taken Occasion to enhance the Price of Carriage of Goods to the Prejudice and Obstruction of Trade;' Be it therefore further enacted by the Authority aforesaid, That if any common Waggoner or Carrier shall, after the tenth Day of *June* one thousand seven hundred and forty-eight, demand and take any greater Price for the bringing of Goods to the City of *London*, or to any Place within the Bills of Mortality, than is allowed and settled by the Justices of the Peace for the County or Place from whence such Goods are brought, for the carrying of Goods from *London* to the said County or Place, every such Carrier or Waggoner shall for every such Offence forfeit and pay the Sum of five Pounds, to the Use of the Party grieved, to be recovered and levied in the Manner by the last-mentioned Act directed, or by Distress and Sale of his Goods, by Warrant under the Hands and Seals of any two Justices of the Peace for the Counties of *Middlesex* or *Surry*, or City of *London*, or City and Liberty of *Westminster*; and the Clerk of the Peace for every County and Place shall, immediately after *Easter* Session yearly, certify to the Lord Mayor of the City of *London*, and also to the respective Clerks of the Peace for the Counties of *Middlesex* and *Surry*, and City and Liberty of *Westminster*, the Rates and Assessments made for the Carriage of Goods in pursuance of the said Act, in their respective Counties and Places, which Certificate, or an attested Copy thereof, signed by the Officer to whom the same shall be so transmitted, shall be taken and deemed sufficient Evidence of the Rates and Prices set for the carrying of Goods to any County or Place.

Penalty of Waggoners demanding a greater Price for Carriage than allowed.

Clerks of the Peace to certify yearly the Rates for Carriage.

IV. And for the better Discovery of Offenders against this present Act, be it enacted, That every common Waggoner or Carrier shall, after the first Day of *July* one thousand seven hundred and forty-eight, place, write or paint, or cause to be placed, written or painted, upon some conspicuous Part of his Waggon or Cart, before he shall use or drive the same, his Christian and Surname, and the Place of his Abode, in large or Capital Letters, upon Pain to forfeit for every such Offence the Sum of twenty Shillings, to be levied and recovered as aforesaid.

Waggoner's Name and Abode to be written on the Carriage.

V. And be it further enacted, That if any Action or Actions shall at any Time or Times hereafter be brought against any Person or Persons whatsoever, for any Matter or Thing, which he, she or they shall do or cause to be done by virtue or in Execution of this Act; that in such Case the Defendant or Defendants, in every such Action or Actions, shall and may plead the General Issue, and give this Act, and the special Matter in Evidence, on any Trial or Trials to be hereafter had in such Action or Actions; and that if the Plaintiff or Plaintiffs, in any such Action or Actions shall discontinue such Action or Actions, or become nonsuit, or if Judgment shall be given against such Plaintiff or Plaintiffs in such Action or Actions, that then the Defendant or Defendants, in every such Action or Actions, shall recover his or their Treble Costs of Suit; any Law, Custom or Usage whatsoever to the contrary in any wise notwithstanding.

Limitation of Actions.

General Issue.

Treble Costs.

Concerning High ways see farther 31 *Geo.* 2. *c.* 34.

24 *Geo.* 2. *c.* 43. 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* *c.* 17. 30 *Geo.* 2. *c.* 28.

CAP. XXIX.

An Act for the further Relief of the Orphans and other Creditors of the City of *London*; and for other Purposes therein mentioned.

'WHEREAS by an Act passed in the fifth and sixth Years of the Reign of King WILLIAM and 'Qeen MARY, (intituled, *An Act for the Relief of the Orphans and other Creditors of the City of* 'London) it is amongst other Things enacted, That for and towards raising a perpetual Fund to pay the 'yearly Interest of four Pounds on every hundred Pounds due to the Orphans and other Creditors of the 'City of *London*, there should be paid on all Sorts of Coal or Culm which should be imported into the Port 'of the City of *London*, or the River of *Thames* within the Liberty of the said City, upon the said River, 'from and after the nine and twentieth Day of *September*, which should be in the Year of our Lord one 'thousand seven hundred (over and above all other Impositions and Duties) the Sum of six Pence for every 'Chaldron thereof, and for such sort of Coals as are sold by the Ton, for every Ton thereof, containing 'two thousand Weight, the like Sum of six Pence; which Imposition of six Pence was, by the said Act, 'to continue from the said nine and twentieth Day of *September*, for and during the Term of fifty Years, 'and no longer: And whereas it was further enacted by the said Act, That from and after such Time, as 'the aforesaid Imposition of six Pence thereby laid should cease and determine, all and every the Manors, 'Messuages, Lands, Tenements, Markets, Fairs, and the Duties thereof, and all other the Revenues of 'and belonging to the said City of *London*, in Possession or Reversion, should stand and be charged with the 'full yearly Sum of six thousand Pounds (over and above the yearly Sum of eight thousand Pounds, where-'with they were charged by the said Act) towards the aforesaid perpetual Fund; and whereas, by means 'of the great Fall of Rents in the City of *London*, the Estate of the said City is not sufficient to pay the 'said yearly Sum of six thousand Pounds, over and above the said yearly Sum of eight thousand Pounds, 'which the said City now pays, and have a sufficient Residue to answer and defray the Expences necessary 'for supporting the Government and publick Charges of the said City: And whereas in case the said Im-'position of six Pence *per* Chaldron or Ton of Coals, should cease and determine on the nine and twentieth 'Day of *September*, in the Year of our Lord one thousand seven hundred and fifty, according to the said 'Act, the Residue of the Funds appropriated by that Act for the yearly Payment of four Pounds for Interest 'on every hundred Pounds Principal Money, due to the Orphans and other Creditors of the said City, to-'gether with the said additional yearly Sum of six thousand Pounds, would not be sufficient for that Purpose:' Therefore to enable the said City of *London* to defray the necessary Expences of supporting the Government

5 & 6 W. & M. c. 10.

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and publick Charges of the ſaid City, and for the further Relief of the Orphans and other Creditors of the ſaid City, by ſecuring to them the yearly Intereſt of four Pounds on every hundred Pounds of their Principal Debt, until the ſaid Principal Debt ſhall be paid off and diſcharged; May it pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Impoſition of ſix Pence for every Chaldron or Ton of Coals ſo imported, granted by the ſaid Act to the Mayor, Commonalty and Citizens of the ſaid City of *London*, during the Term of fifty Years, for the Purpoſes therein mentioned, ſhall be and is hereby continued for the further Term of thirty-five Years, from the Expiration of the ſaid Term of fifty Years; and that all and every the Powers, Authorities, Directions and Proviſions, contained in the ſaid Act, for the collecting, levying and recovering the ſaid Impoſition, and all the Penalties thereby impoſed, and Regulations therein made, for preventing of Fraud and Covin, ſhall remain and be in Force, and by virtue of this Act ſhall and may be exerciſed and put in Ure, for the collecting, levying and recovering the ſaid Impoſition, for and during all the Time by this Act limited and appointed for the Payment thereof, as if the ſame were expreſly mentioned in this preſent Act; all which Monies ſo to be received upon account of the ſaid Impoſition hereby continued for the further Term of thirty-five Years, ſhall, from time to time, be paid into the Receipt of the Chamber of the City of *London*, and ſhall be appropriated to the Purpoſes herein after declared; that is to ſay, the yearly Sum of three thouſand Pounds, for and during the ſaid Term of thirty-five Years, ſhall be paid by the Chamberlain of the ſaid City for the Time being, out of the Produce of the ſaid Impoſition, to the Wardens and Commonalty of the Myſtery of *Mercers* of the City of *London*, by half-yearly Payments; that is to ſay, on the twenty-fifth Day of *March*, and the twenty-ninth Day of *September*, or within fourteen Days after the ſame reſpectively ſhall become due; to be applied by the ſaid Wardens and Commonalty of the Myſtery of *Mercers* of the City of *London*, towards the Payment of Annuities, and other Debts, in ſuch Manner as by any Act of Parliament is or ſhall be directed; and the Reſidue of the Produce of the ſaid Impoſition, during the ſaid Term of thirty-five Years, ſhall be, and is hereby appropriated to make Part of the aforeſaid Fund, for paying the Intereſt on the Principal Debt owing to the Orphans and other Creditors of the ſaid City of *London*, in the ſame Manner as the preſent Impoſition of ſix Pence on every Chaldron or Ton of Coals, ſo imported as aforeſaid, is by the ſaid Act appropriated.

The Duty of 6 d. per Chaldron on Coals continued for 35 Years.

to be paid into the Chamber of London.

3,000 l. to be paid annually to the Mercers Company.

Application of the Reſidue.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid nine and twentieth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty, all and every the Manors, Meſſuages, Lands, Tenements, Markets, Fairs, and the Duties thereof, and all other the Revenues of and belonging to the ſaid City of *London*, in Poſſeſſion or Reverſion, ſhall ſtand and be charged with the full yearly Sum of two thouſand Pounds, and no more (over and above the ſaid yearly Sum of eight thouſand Pounds) which yearly Sum of two thouſand Pounds is hereby appropriated and enacted to be applied to the ſame Uſes to which the ſaid yearly Sum of eight thouſand Pounds is by the ſaid Act made liable.

After 29 Sept. 1750, the Revenues of the City to be charged with 2,000 l. annually.

'III. And whereas the Fund appropriated by the ſaid Act, for Payment of the Yearly Intereſt of four 'Pounds for every hundred Pounds of the Principal Debt due to the Orphans and other Creditors of the 'City of *London*, has produced a very large Surplus (over and above ſufficient to pay the ſaid Intereſt) in-'cluding the Sum of twenty-one thouſand ſeven hundred thirty-five Pounds ſeventeen Shillings and nine 'Pence, due from the Mayor, Commonalty and Citizens of the ſaid City of *London*, to the ſaid Fund on 'the twenty-fourth Day of *June* now laſt paſt, to make good the yearly Sum of two thouſand Pounds, 'which by virtue of the ſaid Act, ought to have been raiſed on the Perſonal Eſtates of the ſeveral Inhabi-'tants within the ſaid City: And whereas it is fit and reaſonable, that the ſaid Surplus, as alſo all other Sur-'pluſſes which ſhall ariſe from the ſaid Fund, as ſettled by the ſaid Act, to the nine and twentieth Day of '*September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty, and from the 'Fund as ſettled by this Act from the laſt-mentioned Day, ſhould be applied, from time to time, to pay off 'and diſcharge ſuch Part of the Principal Debt owing by the ſaid Mayor, Commonalty, and Citizens, un-'der the ſaid Act, as the ſame will amount unto:' Be it therefore further enacted by the Authority aforeſaid, That the Court of Mayor and Aldermen of the ſaid City of *London* ſhall be, and is hereby impowered and directed to order the Chamberlain of the ſaid City, out of any Monies in his Hands, ariſing from the Impoſitions and Duties appropriated to pay the ſaid Intereſt on the Principal Debt due to the Orphans, and other Creditors of the ſaid City, after reſerving ſufficient Monies to pay and diſcharge all Intereſt which at that Time may be due on the ſaid Principal Debt, or ſuch Part thereof as ſhall then be unpaid, to pay to any Perſon or Perſons, as the ſaid Court ſhall think fit, ſuch Sum or Sums of Money as ſhall be due to him, her or them, for Principal and Intereſt, by virtue of the ſaid Act, giving three Months Notice to or for the Perſon or Perſons ſo to be paid off and diſcharged; at the End of which three Months, upon Payment or Tendering of the ſaid Monies due for Principal and Intereſt, to or for the Perſon or Perſons to whom ſuch Notice ſhall be given, according to the Proviſion hereby made, at the Office of the ſaid Chamberlain, in *Guildhall*, *London*, then and from thenceforth the Intereſt payable to ſuch Perſon or Perſons, to whom ſuch Notice, Payment or Tender ſhall be given or made, ſhall ceaſe and determine; nevertheleſs the Monies ſo tendered ſhall be paid to ſuch Perſon or Perſons, upon their Demand, and giving a Diſcharge for the ſame; and the Principal Debt ſo paid off ſhall be annihilated.

Lord Mayor and Aldermen impowered to pay off the Principal and Intereſt due upon the recited Act.

3 Months Notice of Payment to be given.

Orphans to be paid laſt.

IV. Provided, That no Perſon, being an Orphan of the ſaid City of *London*, under the Age of twenty-one Years, ſhall have the Principal Debt due to ſuch Orphan paid off and diſcharged, ſo long as there ſhall be any Perſon not an Orphan under the Age of twenty-one Years, Proprietor of any Part of the ſaid Principal Debt due to the Orphans and other Creditors of the ſaid City.

Chamberlain to lay before the Parliament an Account of the

V. And be it further enacted by the Authority aforeſaid, That after the ſaid twenty-ninth Day of *September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty, the Chamberlain of the City of *London* for the time being ſhall, as ſoon as may be, lay before each Houſe of Parliament an Account

count of the Surplus arisen from the said Fund to the twenty-fourth Day of *June* preceding, with an Account how much thereof shall have been then applied to the Payment of the Principal Debt, and also how much of the said Principal Debt shall be then owing; and shall afterwards, every Year, lay before each House of Parliament an Account of the Surplus which shall have arisen in that Year, to the twenty-fourth Day of *June* preceding, how much thereof shall have been applied to the Payment of the said Principal Debt, and how much of the said Debt shall then remain unpaid. Surplus of the Fund, and the Debt undischarged.

VI. And be it further enacted, That if any Action, Plaint, Suit or Information, shall be commenced or prosecuted against any Person or Persons, for what he or they shall do in pursuance or in the Execution of this Act, such Person or Persons shall or may plead the General Issue thereunto; and upon Trial of any Issue joined, may give this Act and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear further Prosecution, or suffer Discontinuance, or if a Verdict pass against him, the Defendant or Defendants shall recover their Costs; for which he or they shall have the like Remedy, as in any Case where Costs by Law are given to Defendants. Limitation of Actions. General Issue.

VII. And be it enacted by the Authority aforesaid, That this present Act shall be accepted, taken and be reputed to be a General Act of Parliament; of which all and every the Judge and Judges of this Kingdom, in all Courts, shall take Notice on all Occasions whatsoever, as if it were a Publick Act of Parliament relating to the whole Kingdom. Publick Act.

CAP. XXX.

An Act for encouraging the making of Indico in the *British* Plantations in *America*.

For former Laws concerning Plantations refer to 12 *Car.* 2. *c.* 18. 15. 8 *Ann. c.* 13. 15. 5 *Geo.* 2. *c.* 7 & 9.

Car. 2. *c.* 7. 22 & 23 *Car.* 2. *c.* 6. 25 *Car.* 2. *c.* 7. 7 & 8 *W.* 3. *c.* 22. 11 *W.* 3. *c.* 12. 3 & 4 *Ann. c.* 5 & 10. 6 *Ann. c.* 30 & 37. 9 *Ann. c.* 17 & 27. 10 *Ann. c.* 22 & 26. 4 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 12 & 15. 13 *Geo.* 1. *c.* 5. 3 *Geo.* 2. *c.* 12 & 28. 4 *Geo.* 2. *c.*

'WHEREAS the making of Indico in the *British* Plantations in *America* would be advantageous to 'the Trade of this Nation, as great Quantities are used in dying the Manufactures of this King-'dom; which at present being furnished from Foreign Parts, the Supply of that necessary Commodity is 'become at all Times uncertain, and the Price frequently exorbitant: And whereas the Culture thereof 'has been found to succeed so well in the Provinces of *South* and *North Carolina*, that there is Reason to 'hope, by a proper Encouragement, the same may be encreased and improved to such a Degree, as not only 'to answer all the Demands of his Majesty's *British* Subjects, but furnish considerable Quantities to Foreign 'Markets;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-nine, all and every Person or Persons who shall import or cause to be imported into this Kingdom, directly from any of the *British* Colonies or Plantations in *America*, in any Ship or Vessel, Ships or Vessels, that may lawfully trade to his Majesty's Plantations, manned as by Law is required, any good and merchantable Indico, free from any false Mixtures, and fit for Dyers Use, being the Growth or Product of the Colony or Plantation from whence the same is imported, shall have, and be intitled to, a Reward or *Præmium* for such Importation, after the Rate of six Pence for every Pound Weight of such Indico so imported as aforesaid, under such Regulations as are herein after mentioned, to be paid upon Demand to the Importer of such Indico, by the Collector of the Port where the same shall be imported, out of the Customs; and in case the Collector of the Port where the same shall be imported shall not have Money sufficient in his Hands, he is hereby required to certify the same to the Commissioners of the Customs, who shall cause the same to be paid by the Receiver General of his Majesty's Customs (the Bounty of the Indico imported into *England* to be paid by the Receiver General of the Customs in *England*, and of that imported into *Scotland* to be paid by the Receiver General there.) 6 *d.* per Pound Præmium allowed on the Importation of Indico, of the Growth of the British Plantations.

II. And, in order to intitle the Importer of the aforesaid Indico to such *Præmium*, as well as to prevent Frauds by importing Foreign Plantation-made Indico, or any false Mixtures in what is made in the *British* Plantations, with a View of recovering the *Premium*; Be it further enacted by the Authority aforesaid, That all and every Person or Persons, Merchant, Trader or Factor, loading any Indico on board any Ship or Vessel in any of the *British* Colonies or Plantations in *America*, shall, before the clearing out of the said Ship for any Port of *Great Britain*, produce to the Governor, Lieutenant Governor, Collector and Comptroller of the Customs, and Naval Officer, or any two of them, a Certificate or Certificates, signed and sworn to before any Justice of the Peace in the said *British* Colonies or Plantations, by the Planter or Planters of the said Indico, or his or their known Agent or Factor, that a Quantity of Indico, expressing the Weight thereof, had been sent from the said Planter's Indico Work or Plantation, where the same was made, in order to be shipped off, or sold by him to the Person or Persons therein named, and was of the Growth and Produce of the said Planter's Plantation, situate in the District, Division or Parish of within the Island or Colony of which said Certificate or Certificates shall be attested by the said Justice of the Peace to have been signed and sworn to in his Presence, who is hereby required to do the same without any Fee or Reward. Persons loading Indico, to produce a Certificate from the Planter, of the Growth and Quantity;

III. And be it further enacted, That the Person or Persons, Merchant, Trader or Factor shall, at the Time of his producing such Certificate, sign also a Certificate before the said Governor, Lieutenant Governor, Collector and Comptroller of the Customs, and Naval Officer, or any two of them, that the Indico which he or they have shipped on Board the said Ship or Vessel, is the same mentioned in the said Certificate or Certificates; and thereupon the said Governor, Lieutenant Governor, Collector and Comptroller of the Customs, and Naval Officer, or any two of them, are hereby authorized and required to deliver to such Person or Persons a Certificate, under their Hands and Seal of Office, of his or their having received such Certificate or Certificates; and that at the same Time one or more Certificate or Certificates of the several and also to sign a Certificate that the Indico shipt is the same mentioned in the said Certificate.

Officer to certify ſuch Certificates.

Planter or Planters, their known Agent or Factor, had been produced to, and left with them, purſuant to the Directions of this Act; and no Perſon or Perſons whatſoever importing Indico into *Great Britain*, ſhall be intitled to the *Præmium* or Reward by this Act granted, unleſs ſuch Perſon or Perſons ſhall produce ſuch Certificate to the Chief Officer of the Cuſtoms at the Port in *Great Britain*, where the ſame ſhall be imported.

Certificates to be given by the Maſter of the Veſſel and by the Officers of the Cuſtoms.

IV. And be it further enacted by the Authority aforeſaid, That on the Importation of any Indico into *Great Britain*, a Certificate ſhall be given by the Maſter or Commanding Officer of ſuch Ship or Veſſel importing ſuch Indico, that the ſame was ſhipped on Board ſuch Ship or Veſſel, within ſuch *Britiſh* Colony or Plantation in *America*, as is mentioned in the ſaid Certificate; and alſo a Certificate ſigned by the Surveyors, Land Waiters or Searchers, or any two of them, Officers of the Cuſtoms of the Port where the ſame is entered and landed in *Great Britain*, ſpecifying the Weight thereof, and that the ſaid Indico is good and merchantable, free from falſe Mixtures, and of ſuch Quality as to be intitled to the ſaid *Præmium* or Reward; which Certificate the ſaid Officers are hereby required to grant within ten Days next after the Landing thereof, unleſs they can aſſign ſufficient Cauſe for their Refuſal; upon producing which ſeveral Certificates to the proper Officer as aforeſaid, ſuch Officer ſhall be, and is hereby required to pay the *Præmium* to the Importer of the ſaid Indico.

Penalty of making Entry of Foreign made Indico, or any falſe Mixture.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall make or cauſe to be made, an Entry or Entries of Foreign-made Indico, under the Name of *Britiſh* Plantation-made Indico, or ſhall mix, or cauſe to be mixed, any Foreign Indico, or other falſe Mixture or Matter, with that made in the *Britiſh* Plantations, in order to claim or recover the *Præmium*, as before-mentioned, every Perſon or Perſons ſo making, or cauſing to be made, ſuch Entry or Entries, or mixing, or cauſing ſuch Mixtures to be made, ſhall forfeit all ſuch Indico ſo entered; and in caſe of ſuch Mixture, the Quantity ſo mixed, both Foreign and *Britiſh* Plantation-made, and likewiſe double the Value thereof, ſhall be forfeited by the Perſon or Perſons who ſhall make or cauſe ſuch Mixture or Mixtures to be made.

VI. And be it further enacted by the Authority aforeſaid, That no Certificate ſhall be made out to allow the *Præmium* for ſuch Indico to be made in, and imported from the *Britiſh* Plantations, that is not good and merchantable, and free from any falſe Mixture.

Officers of the Cuſtoms to examine the Indico.

VII. And that the Officers of the Cuſtoms may be the better able to diſcover any Frauds intended for the receiving the aforeſaid *Præmium*, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Officers, and they are hereby required, before they make out any ſuch Certificate, to examine the ſaid Indico, by opening each Package, and ſhifting the ſame, in ſuch Manner as to ſee the whole Contents, or by ſuch other Means as they ſhall think proper, to find out and diſcover whether the Indico is good and merchantable, and free from any falſe Mixture.

Standard of Indico intitled to the Præmium.

VIII. And in order to fix the Standard of ſuch Indico as ſhall be intitled to the *Præmium* aforeſaid, be it further enacted by the Authority aforeſaid, That no Certificate ſhall be granted by any Surveyor, or other Officer of his Majeſty's Cuſtoms, for any Indico, which is not worth three Shillings the Pound Weight, when the beſt *French*, or other Indico, of equal Goodneſs with the beſt *French*, is worth four Shillings the Pound Weight; and ſo in the ſame Proportion, in caſe the Price of the beſt *French*, or other Indico of equal Goodneſs, ſhall be at a higher or lower Price.

Method of ſettling Diſputes about the Quality.

IX. Provided always, That in caſe any Doubt or Diſpute ſhall ariſe between the Surveyors, or Officers of the Cuſtoms, and the Owners or Importers of ſuch Indico as is imported into the Port of *London*, as to the Quality of the ſame, it ſhall and may be lawful for the Commiſſioners of his Majeſty's Cuſtoms, to call two or more Dyers, Dry Salters, Brokers, or others, well ſkilled in that Commodity, who ſhall declare upon Oath, if required, their Opinion, as to the Quality of the ſame, and according to the beſt of their Judgment determine whether the ſaid Indico is intitled to the *Præmium* hereby granted or not; and if any Doubt or Diſpute ſhall ariſe, as to the Quality of the Indico imported as aforeſaid, into the Out-ports in *England*, Samples thereof ſhall be taken and ſent up to the Commiſſioners of the Cuſtoms at *London*, and into the Out-ports in *Scotland*, to the Commiſſioners of the Cuſtoms at *Edinburgh*, in ſuch Manner, as the reſpective Commiſſioners ſhall direct, in order to be inſpected and adjudged there as before mentioned.

No Fee to be paid to the Officers.

X. And be it further enacted by the Authority aforeſaid, That no Fee, Gratuity or Reward ſhall be demanded, taken or received by any Officer of his Majeſty's Cuſtoms, for the examining, viewing or delivering ſuch Indico, with reſpect to the *Præmium* or Reward allowed by this Act, or for the ſigning any of the Certificates, in order to the receiving ſuch *Præmium* or Reward, or for paying the ſame; and any ſuch Officer demanding or taking ſuch Fee or Reward, ſhall, for ſuch Offence, forfeit his Office, and ſuch Officer ſhall alſo be incapable of ſerving his Majeſty, his Heirs and Succeſſors, and ſhall forfeit the Sum of one hundred Pounds.

Certificates not chargeable with Stamp Duties.

XI. And be it further enacted by the Authority aforeſaid, That all Certificates made, or Debentures made out purſuant to this Act, ſhall not be chargeable with any of the Stamp Duties; any Law or Statute to the contrary notwithſtanding.

Exporters to repay the Præmium.

XII. And be it further enacted by the Authority aforeſaid, That if any Indico, made in the *Britiſh* Colonies or Plantations in *America*, ſhall, after the twenty-fifth Day of *March*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-nine, be exported from *Great Britain*, that then, and in every ſuch Caſe the Perſon or Perſons ſo exporting the ſame, ſhall, before the Entry thereof, pay unto the Collector of the Cuſtoms, at the Port where the ſame ſhall be exported, or to the Chief Officer of the Cuſtoms there, the full Sum of ſix Pence for every Pound Weight, which is allowed as a *Præmium* by this Act on all ſuch Indico as he intends to export, over and above any Duty the ſame is now by Law ſubject to pay at Exportation by any former Act.

Penalty of exporting Indico without paying the Præmium.

XIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, his or their Agent or Agents, Aſſignee or Aſſigns, ſhall be found fraudulently to export ſuch Indico, without paying

ſuch

such *Præmium* to the Collector or Chief Officer of the Customs as aforesaid, such Person or Persons shall forfeit and lose all such Indico, and double the Value thereof.

Owner to prove the Growth.

XIV. Provided always, That if any Doubt or Dispute shall arise, whether any of the said Indico, or any Part thereof so to be exported, is of the Growth, Product or Manufacture of the *British* Plantations in *America*, or of Foreign Growth, Product or Manufacture, the *Onus Probandi* shall lie on the Owner or Claimer thereof, and not on the Informer or Prosecutor; any Law, Custom or Usage to the contrary notwithstanding.

Penalty of granting false Certificates.

XV. And be it enacted by the Authority aforesaid, That if any Governor, Lieutenant Governor, Collector or Comptroller of the Customs, Naval Officer, Merchant, Trader or Factor, or Master or Commander of any Ship or Vessel, or any other Person or Persons, shall during the Continuance of this Act, falsly make a Certificate of the Produce and Manufacture of any Indico, not being the Produce and Manufacture of the *British* Plantations in *America*, or shall counterfeit any such Certificate as herein before is directed to be made, in order to obtain the *Præmium* hereby granted for Indico made in the *British* Plantations in *America*, all and every such Person and Persons shall forfeit the Sum of two hundred Pounds; and if such Person or Persons so offending, shall be a Collector, Comptroller or Naval Officer, or any other Officer of the Customs, he shall also forfeit and lose his Office, and be incapable of serving his Majesty, his Heirs and Successors.

Penalties how to be recovered.

XVI. And be it further enacted by the Authority aforesaid, That the several Penalties and Forfeitures by this Act inflicted, shall and may be prosecuted, determined and recovered by Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, or in any of the Courts of Admiralty in his Majesty's Plantations in *America* respectively, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed.

Application of the Forfeitures.

XVII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed shall, if in *Great Britain*, be applied, one Moiety to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as shall sue for the same; and all such Penalties and Forfeitures as shall be incurred in his Majesty's Plantations in *America*, shall be applied, one third Part thereof to the Use of his Majesty, his Heirs and Successors, one other third Part to the Use of the Governor of the Plantation where the Forfeiture shall be incurred, and the remaining third Part to such Person or Persons who shall sue for the same.

Limitation of Actions.

XVIII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, every such Action or Suit, if in *Great Britain*, shall be commenced within six Months next after the Fact committed; and if in the British Colonies or Plantations in *America*, within eighteen Months next after the Fact committed, and not afterwards; and the Defendant or Defendants, in any such Action or Suit, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants have in other Cases by Law.

Treble Costs.

Act to be in Force for 7 Years.

Farther continued by 28 *Geo.* 2. *c.* 30 *Geo.* 2. *c.* 9.

XIX. And be it further enacted by the Authority aforesaid, That this Act, and all the Powers and Authorities therein contained, shall continue and be in Force for and during the Term of seven Years, to commence from the twenty-fifth Day of *March* one thousand seven hundred and forty-nine, and from thence to the End of the then next Session of Parliament, and no longer.

25. *Concerning Plantations see farther* 24 *Geo.* 2. *c.* 51 & 53. 29 *Geo.* 2. *c.* 5 & 35.

CAP. XXXI.

An Act for the Relief of Insolvent Debtors. EXP.

'WHEREAS many Persons, by Losses and other Misfortunes, are rendered incapable of paying 'their whole Debts; and though they are willing to make the utmost Satisfaction they can, are nevertheless detained in Prison by their Creditors: And whereas such unhappy Debtors have always been 'deemed the proper Objects of publick Compassion, and by several Acts of Parliament have been discharged: For the Relief therefore of Insolvent Prisoners, who shall faithfully discover, upon Oath, and deliver up and assign, all their Effects and Estates whatsoever for the Benefit of their Creditors; and to prevent, as far as possible, the many Frauds and Abuses, which in a great Measure have obstructed the good Ends of such Acts, Be it enacted, *&c.*

" Sheriffs and Goalers to deliver a List of their Prisoners, *&c.* to the Justices, *&c.* Oath to be entered at " the End of every List. To be kept by the Clerk of the Peace. Sheriffs and Goalers to set up three or " more Lists at the Entrance into the Prisons. Persons inserted in the Lists, and Prisoners, on 1 *Jan.* 1747, " shall be discharged. They are to deliver in a Schedule of their Estates, *&c.* and make Oath. Schedule to " remain with the Clerk of the Peace, who is to assign the Effects to the Assignees, to be divided among " the Creditors. Assignees of Copyhold Estates to agree with the Lord of the Manor. On such Agree- " ment, Lord to grant to the Assignees the Copyhold. Not to affect any Estate in Expectancy. Rent due " from a Prisoner, the Goods to be transferred to the Landlord. This Act not to extend to Mortgages, " nor to prevent any Statute-Staple, *&c.* Power of leasing Lands, *&c.* claimed by any Prisoner, vested " in the Assignees. Justices who grant Warrants for bringing Prisoners to the Quarter-Sessions, shall give

" Notice to be ſerved on the Creditors. Priſoners to give like Notice to the Creditors, and publick Notice " in the *London Gazette* 30 Days before the Seſſions. The Priſoner's Oath not being diſproved, *&c.* the " Juſtices are to diſcharge him. Court, if required by the Creditor, to adminiſter an Oath to the Goaler. " Debtors beyond Sea on 1 *Jan.* 1747, may ſurrender themſelves, and be intitled to the Benefit of this Act, " but ſubject to the ſame Reſtrictions as the other Priſoners. 100*l.* Penalty on Goalers not complying with " the Act, and Printer of the *London Gazette*. Goalers forſwearing themſelves, to forfeit 500*l.* Goalers " inſerting wrong Names in their Liſts, to forfeit 200*l.* Clerk of the Peace, not giving a Duplicate to the " Priſoner of his Diſcharge, to forfeit 20*l.* Priſoner forſwearing himſelf, guilty of Felony. Priſoner diſ- " charged for Debts before 1 *Jan.* 1747, ſhall not be impriſoned for the ſame again. Diſcharge of Priſoners " not to acquit any other. Judgments to ſtand good againſt his Lands, *&c.* Perſons diſcharged may plead " generally in Diſcharge of their Perſons from Execution. Bankrupts not obtaining a Certificate, *&c.* not " benefited hereby. Attornies not to be diſcharged from Debts received, and due by them to their Clients. " Not to extend to *Scotland*. Goaler to permit Perſons to ſee thoſe whoſe Names are in the Liſts, *&c.* un- " der Penalty of 40*l.* Priſoner not declaring the Perſon at whoſe Suit he is detained, or not coming, to " receive no Benefit. Goaler making falſe Entries, forfeits 1000*l.* Petitioner to leave with the Juſtices a " Copy of his intended Diſcovery. Juſtices of *York* and *Lincoln* to meet at the Common Goals of the " Counties. Debtors in Goals only for Fees, diſcharged. Not to diſcharge Debtors to the Crown, or " owing above 500*l.* to one Perſon. Creditors to allow not exceeding 3 *s.* 6 *d. per* Week for his Mainte- " nance. Diſcharges to be obtained before 25 *Dec.* 1750, or excluded. Priſoners removed from one Priſon " to another, both Goalers to make Affidavit. Priſoners in the *Fleet* or *King's Bench* by *Habeas Corpus*, " &c. to have the Benefit of this Act. Perſons ſeized of an Eſtate Tail claming the Benefit of this Act, " to deliver the ſame to their Creditors. Aſſignees to apply to two Juſtices to examine Perſons who ſhall " obtain their Diſcharge, for Diſcovery of Eſtates, *&c.* Refuſing to appear, or to be ſworn, Juſtices " may commit them. Diſcoverers of the Debtors Eſtates in 12 Months after Diſcharge, to have 20*l.* " *per Cent.* Diſcharge obtained fraudulently, void. Creditors may compel Debtors who chooſe to con- " tinue in Priſon, to give an Account upon Oath of their Effects, *&c.* on 30 Days Notice in the *London* " *Gazette*. Such Priſoners to be examined as the reſt. Aſſignees impowered to make Compoſition with " Debtors to the Priſoner. Diſputes to be ſettled by Arbitrators. Courts at *Weſtminſter*, on Complaint, " may remove Aſſignees. On mutual Credit, Aſſignees to allow the Balance. Priſoners upon Proceſſes " out of Courts of Conſcience to have the Benefit of this Act. *Quakers* Affirmation to be taken, *&c.* " Perſons who had the Benefit of the Act of 16 Geo. 2. 17. excluded."

CAP. XXXII.

An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Myſtery of *Mercers* of the City of *London*.

' WHEREAS by Indentures of Leaſe and Releaſe, bearing Date reſpectively the third and fourth ' Days of *October* one thouſand ſix hundred and ninety-nine, and inrolled in the High Court of ' *Chancery*, the Wardens and Commonalty of the Myſtery of *Mercers* of the City of *London*, for the Con- ' ſideration therein mentioned, did grant and releaſe unto Sir *William Hedges*, and ſeveral other Perſons ' therein named as Truſtees, their Heirs and Aſſigns, divers Meſſuages or Tenements, Tofts, Gardens, ' Grounds and Hereditaments, of and belonging to the ſaid Wardens and Commonalty, ſituate and being ' in the City of *London* and in the County of *Middleſex*, therein more particularly mentioned and deſcribed, ' with their and every of their Appurtenances, together with one full Moiety of all that great Fabrick and ' Place called the *Royal Exchange*, *London*, and other Tenements and Hereditaments in, under, upon or ' near unto the ſame, therein more particularly mentioned and deſcribed; and alſo all that the Manor of ' *Mercers*, with the Rights, Members and Appurtenances thereof, lying and being in the County of *Lon-* ' *donderry* in *Ireland*, and divers other Lands, Tenements and Hereditaments in *Ireland*, in the ſame Inden- ' tures more particularly mentioned and deſcribed, upon Truſt, in the firſt Place, to ſatisfy and pay, out of ' the Rents and Profits thereof, all ſuch charitable Gifts and Payments wherewith the ſaid Premiſſes were ' charged, mentioned in the Schedule to the ſaid Indenture of Releaſe annexed; and in the next Place to ' pay, free and clear of all Taxes and Charges, all and every the Annuity or Annuities to be granted by the ' ſaid Wardens and Commonalty, at the Rate of thirty Pounds *per Centum per Annum*, during the reſpec- ' tive Lives of the Wives of Clergymen, or of other Perſons, that ſhould ſurvive their Huſbands, to com- ' mence from ſuch of the Feaſts of the Annunciation of the Bleſſed Virgin, or Saint *Michael* the Archan- ' gel, as ſhould happen within ſix Months after the Death of their reſpective Huſbands, and after Payment ' of ſuch Annuities, in Truſt for the ſaid Wardens and Commonalty, and their Succeſſors for ever: And ' whereas by Indentures of Leaſe and Releaſe, bearing Date reſpectively the fifteenth and ſixteenth Days of ' *May* one thouſand ſeven hundred and ſeventeen, inrolled in the High Court of *Chancery*, the ſame Pre- ' miſſes were charged with the Payment of ſuch future Annuities as ſhould be granted by the ſaid Company ' at the Rate of twenty-five Pounds *per Centum per Annum:* And whereas by Indenture inrolled in the ſaid ' Court of *Chancery*, bearing Date the twenty-fourth Day of *May* one thouſand ſeven hundred and twenty- ' three, and made between the ſaid Wardens and Commonalty of the one Part, and the ſurviving Truſtees ' named in the ſaid Indenture of Releaſe of the ſixteenth Day of *May* one thouſand ſeven hundred and ' ſeventeen, of the other Part; it is declared and agreed, That all ſuch Annuities to be granted by the ſaid ' Wardens and Commonalty, after the twenty-fourth Day of *June* then next enſuing, ſhould be only after ' the Rate of twenty Pounds *per Centum*, and no more: And whereas by Indentures of Leaſe and Releaſe, ' bearing Date the firſt and ſecond Days of *June* one thouſand ſeven hundred and forty-one, *Richard Chiſ-* ' *well* the Elder, Sir *Thomas Webſter*, *David Papillon* and *Clement Tookie*, therein named, being then the

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'only surviving Trustees in the said Indentures of Lease and Release of the fifteenth and sixteenth of *May* 'one thousand seven hundred and seventeen, did by the Direction and Appointment of the said Wardens 'and Commonalty, grant and convey the said several Trust Estates to the Use of themselves, and other 'Trustees therein named, their Heirs and Assigns, upon such Trusts, and to and for such Intents and Pur- 'poses, and under and subject to such Provisoes and Agreements as are mentioned, expressed and declared 'of and concerning the same Premisses, in and by the said two Indentures of Release, and the said Inden- 'ture of the twenty-fourth Day of *May* one thousand seven hundred and twenty-three, herein before men- 'tioned or recited, save and except as to future Annuities, to be granted by the said Wardens and Commo- 'nalty, which were only to be at the Rate of fifteen Pounds *per Centum per Annum:* And whereas by In- 'denture inrolled in the said Court of *Chancery*, bearing Date the twenty-third Day of *July* one thousand 'seven hundred and forty-two, and made between the said Wardens and Commonalty of the one Part, and 'the Trustees named and appointed in and by the said Indenture of the second of *June* one thousand 'seven hundred and forty-one, of the other Part; Liberty was given to the said Wardens and Commonalty 'for the future, to grant such Annuities at the Rate of twenty Pounds *per Centum per Annum:* And whereas 'the present clear Income of the said Estates does not exceed four thousand one hundred and fifty Pounds a 'Year, and the Annuities now due and payable by the said Wardens and Commonalty to the several and 'respective Annuitants amount unto seven thousand five hundred Pounds a Year, and upwards; and the 'Arrears of such Annuities, due and owing to the said Annuitants at *Michaelmas* one thousand seven hun- 'dred and forty-seven, amounted to the Sum of nine thousand six hundred twenty-eight Pounds two Shil- 'lings and six Pence; so that the Estates settled for the Payment of such Annuities are not sufficient for that 'Purpose, and many of the said Annuitants now are in a very distressed Condition: And whereas several 'Persons have heretofore given or left unto the said Wardens and Commonalty several Estates and Sums of 'Money for certain charitable Uses: And whereas the *Royal Exchange* of the City of *London* was, by the 'dreadful Fire in the Year one thousand six hundred and sixty-six, consumed; and the said Wardens and 'Commonalty, together with the City of *London*, were at a very great Expence in rebuilding the same; 'by which Means, and by other publick Losses and Misfortunes, the said Wardens and Commonalty have 'long laboured under great Difficulties, and have taken up and borrowed great Sums of Money upon 'Bonds, and are otherwise become indebted in a much greater Sum than they are able to pay and satisfy: 'And whereas by an Act of this Session of Parliament, intituled, *An Act for the further Relief of the Or- 'phans and other Creditors of the City of* London, *and for other Purposes therein mentioned*; it is enacted, 'That the Imposition of six Pence *per* Chaldron on every Chaldron of Coals or Culm, and of six Pence *per* 'Ton on every Ton of Coals usually sold by the Ton, which was by an Act of the fifth and sixth Years 'of the Reign of the late King WILLIAM and Queen MARY, intituled, *An Act for the Relief of the Or- 'phans and other Creditors of the City of* London, granted to the Mayor and Commonalty, and Citizens of 'the City of *London*, on all Sorts of Coals or Culm, which should be imported into the Port of the City 'of *London*, from and after the twenty-ninth Day of *September* in the Year of our Lord one thousand seven 'hundred, for and during the Term of fifty Years, shall be continued and paid for and during the Term of 'thirty-five Years, from the Expiration of the said Term of fifty Years, and no longer; and that the Mo- 'nies arising thereby shall be paid into the Receipt of the Chamber of the City of *London*, and appropriated 'to the Purposes therein after declared; that is to say, the yearly Sum of three thousand Pounds for and 'during the said Term of thirty-five Years, shall be paid by the Chamberlain of the said City for the time 'being, out of the Produce of the said Imposition, to the Wardens and Commonalty of the Mystery of '*Mercers* of the City of *London*, by half-yearly Payments; that is to say, on the twenty-fifth Day of '*March* and the twenty-ninth Day of *September*, or within fourteen Days after the same shall respectively 'become due, to be applied by the said Company of *Mercers* towards the Payment of Annuities and other 'Debts, in such Manner as by an Act of Parliament is or shall be directed;' May it therefore please your most excellent Majesty that it may be enacted, *&c.*

" A general Account to be made out of the Sums that shall be due to the Annuitants on 29 *Sep.* 1750. to " be entered in a Book, and signed by the Wardens. Clerk to deliver to Annuitants requesting it a Note " of the Sum due. The Debt deemed to be a Principal Sum, and to carry 3 *l. per Cent.* Interest. The " yearly Sum of 3000 *l.* payable by the Chamber of *London*, shall be applied towards Payment of the An- " nuities, and the Surplus to the Interest of the Arrears, *&c.* And afterwards to the other Creditors. " Annual Meeting of the Annuitants, shall chuse nine Auditors of the Accounts. Court of Assistants to " examine the Accounts, if no Auditors are chosen, or refuse to attend. An Account of the Receipts and " Application of the Monies to be laid before Parliament. Money due may be transferred. Assignment of " Annuities made since 29 *September* 1745, declared redeemable. Wardens restrained from taking in fur- " ther Subscriptions for Annuities. Differences between Wardens and Annuitants to be determined by the " Court of *Exchequer*. Wardens, *&c.* impowered to grant building Leases, and to lease their Estates in " *Ireland*, and *Long Acre* in *Middlesex*. Deeds of Annuitants not affected by this Act." [Amended 24 Geo. 2. c. 14.] *And farther by* 25 *Geo.* 2. *c.* 7.

CAP. XXXIII.

An Act to continue and amend ſeveral Laws for the Relief of Debtors with reſpect to the Impriſonment of their Perſons; and to rectify a Miſtake in an Act paſſed in the laſt Seſſion of Parliament for continuing ſeveral Laws therein mentioned; and to continue two Acts, the one paſſed in the nineteenth Year, the other in the twentieth Year of his preſent Majeſty's Reign, to prevent the ſpreading of the Diſtemper amongſt the Horned Cattle.

'WHEREAS the Laws herein after mentioned (which have by Experience been found uſeful and beneficial) are near expiring;' May it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons*; which was to continue in Force for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament; and was explained and amended by an Act made in the third Year of the Reign of his preſent Majeſty; and which by another Act made in the eighth Year of the Reign of his preſent Majeſty, was further explained and amended, and continued, until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the fourteenth Year of the Reign of his preſent Majeſty, with the ſeveral Clauſes and Articles therein contained, (except the Clauſe in the ſaid laſt-mentioned Act, for ſetting mutual Debts oneagainſt the other, which by the ſaid Act is made perpetual) was further continued, from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament; and the ſeveral Articles and Clauſes therein contained, not hereby altered, except the Clauſe for ſetting mutual Debts one againſt the other, which is already made perpetual, ſhall, together with the Alterations and Amendments herein after made, be and remain in full Force and Virtue, until the firſt Day of *June* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament.

2 Geo. 2. c. 22. for Relief of Debtors, continued to 1 June 1754, &c.
3 Geo. 2. c. 27.
8 Geo. 2. c. 24.
14 Geo. 2. c. 34.
See farther, 32 *Geo.* 2. *c.* 28.

Perſons claiming Benefit of the recited Act, to ſet forth an Account of their Real and Perſonal Eſtate,

II. And for the better preventing Perſons who take the Benefit of the ſaid recited Act, made in the ſecond Year of his preſent Majeſty's Reign, from concealing or fradulently diſpoſing of their Effects, Be it enacted by the Authority aforeſaid, That from and immediately after the Expiration of this preſent Seſſion of Parliament, every Perſon who ſhall exhibit a Petition in purſuance of the ſaid recited Act, ſhall, in ſuch Petition, not only ſet ſet forth an Account of all the Real and Perſonal Eſtate, which ſuch Perſon ſo petitioning was intitled to at the Time of his or her Petition, but alſo of all the Real and Perſonal Eſtate which he or ſhe was intitled to at the Time of his or her firſt Impriſonment, in the Action in which ſuch Perſon is charged in Execution; and every Perſon ſo petitioning ſhall, inſtead of the Oath required by the ſaid recited Act, take, and the Court ſhall adminiſter an Oath to the Effect following, *videlicit*,

and take the following Oath.

'I *A. B.* do ſwear, in the Preſence of Almighty God, That the Account by me delivered in to this Honourable Court, in my Petition to this Court, doth contain a true and full Account of all the Real and Perſonal Eſtate, Debts, Credits and Effects whatſoever, which I or any in Truſt for me, at the Time of my firſt Impriſonment in this Action, or at any Time ſince, had or was in any Reſpect intitled to in Poſſeſſion, Reverſion or Remainder (except the Wearing Apparel and Bedding for me and my Family, and the Tools or Inſtruments of my Trade or Calling, not exceeding ten Pounds in Value in the Whole) and alſo an Account how much of ſuch Real and Perſonal Eſtate, Debts, Credits or Effects, hath been ſince diſpoſed of, releaſed or diſcharged, and how, to whom and on what Conſideration, and for what Purpoſe, and how much thereof, I or any in Truſt for me have, or at the Time of my ſaid Petition had, or am or was in any Reſpect intitled to in Poſſeſſion, Remainder or Reverſion: and that I have not, at any Time before or ſince my Impriſonment, directly or indirectly ſold, leaſed, aſſigned, mortgaged, pawned or otherwiſe diſpoſed of, or made over in Truſt for myſelf, or otherwiſe than is mentioned in ſuch Account, any Part of my Lands, Eſtates, Goods, Stock, Money, Debts or other Real or Perſonal Eſtate, whereby to have or expect any Benefit or Profit to myſelf, or to defraud any of my Creditors to whom I am indebted.'

8 Geo. 1. c. 18. continued to 1 June 1754, &c.

'III. And whereas an Act made in the eighth Year of the Reign of his late Majeſty, intituled, *An Act to prevent the clandeſtine Running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarentine; and to ſubject Copper Ore of the Production of the* Britiſh *Plantations, to ſuch Regulations as other enumerated Commodities of the like Production are ſubject*; which was to be in Force for two Years, from the twenty-fifth Day of *March* one thouſand ſeven hundred and twenty-two, and from thence to the End of the then next Seſſion of Parliament; and by ſeveral ſubſequent Acts (except the Clauſe obliging all Ships and Veſſels to perform Quarentine) was to have further Continuance, to the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the next Seſſion of Parliament: And whereas by an Act made in the twentieth Year of the Reign of his preſent Majeſty, the ſaid Act was intended to be further continued to the firſt Day of *June* one thouſand ſeven hundred and fifty-four, but by Miſtake, the Year one thouſand ſeven hundred and forty-ſeven was inſerted therein, inſtead of the ſaid Year one thouſand ſeven hundred and fifty four;' Therefore for rectifying the ſaid Miſtake, Be it further enacted by the Authority aforeſaid, That the ſaid Act ſhall be, and is hereby fur-

20 Geo. 2. c. 47. *Farther continued by* 27 *Geo.* 2. *c.* 18. *and* 33 *Geo.* 2. *c.* 16.

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ther continued, from the Expiration thereof, until the first Day of *June* one thousand seven hundred and fifty-four, and from thence to the End of the then next Session of Parliament.

'IV. And whereas an Act made in the nineteenth Year of the Reign of his present Majesty, (intituled, '*An Act to enable his Majesty to make Rules, Orders and Regulations more effectually to prevent the spreading* '*of the Distemper which now rages amongst the Horned Cattle in this Kingdom*) which was to continue and be 'in Force for the Space of eight Months, and to the End of the then next Session of Parliament; and by 'an Act made in the twentieth Year of the Reign of his present Majesty, was explained, amended and 'continued, and to be in Force with the last-mentioned Act, for the Space of eight Months, from the 'tenth Day of *January* one thousand seven hundred and forty-six, and from thence to the End of the then 'next Session of Parliament: And whereas the contagious Distemper still continues to rage amongst the 'Oxen, Bulls, Cows, Calves, Steers and Heifers, in several Parts of this Kingdom; Be it therefore fur-ther enacted by the Authority aforesaid, That the said Acts of the nineteenth and twentieth Years of the Reign of his present Majesty, shall be, and the same are hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *September* one thousand seven hundred and forty-eight, and from thence to the End of the then next Session of Parliament.

19 Geo. 2. c. 5. & 20 Geo. 2. c. 4. continued to 24 Sept. 1748. *And farther continued and amended by* 22 *Geo.* 2. *c.* 46. 23 *Geo.* 2. *c.* 23. 24 *Geo* 2. c. 54. 25 *Geo.* 2. *c.* 31. 26 *Geo.* 2. *c.* 34. 27 *Geo.* 2. *c.* 14. 30 *Geo.* 2. *c.* 20.

CAP. XXXIV.

An Act to amend and enforce so much of an Act made in the nineteenth Year of his Majesty's Reign, as relates to the more effectual disarming the Highlands in *Scotland*, and restraining the Use of the Highland Dress, and to Masters and Teachers of private Schools and Chaplains; and to explain a Clause in another Act made in the same Year, relating to Letters of Orders of Episcopal Ministers in *Scotland*; and to oblige Persons allowed to carry Arms, and the Directors of the Banks there, and certain Persons belonging to, or practising in the Courts of Session and Justiciary, to take the Oaths; and to repeal some Clauses in an Act made in the first Year the Reign of his late Majesty King GEORGE the First, whereby certain Encouragements are given to Landlords and Tenants in *Scotland*, who should continue in their Duty and Loyalty to his said late Majesty; and for other Purposes therein mentioned.

'WHEREAS by an Act made in the nineteenth Year of the Reign of his present Majesty, intituled, *An Act for the more effectual disarming the Highlands in* Scotland; *and for more effectually securing the Power of the said Highlands; and for restraining the Use of the Highland Dress; and for further indemnifying such Persons as have acted in Defence of his Majesty's Person and Government, during the unnatural Rebellion; and for indemnifying the Judges and other Officers of the Court of Justiciary in* Scotland, *for not performing the Northern Circuit in* May *one thousand seven hundred and forty-six; and for obliging the Masters and Teachers of private Schools in* Scotland, *and Chaplains, Tutors, and Governors of Children or Youth, to take the Oaths to his Majesty, his Heirs or Successors, and to register the same*; it was amongst other Things enacted, That from and after the first Day of *August* one thousand seven hundred and forty-six, it should be lawful for the respective Lords Leutenants of the several Shires of *Dumbartain, Sterling, Perth, Kincardin, Aberdeen, Inverness, Nairn, Cromarty, Argyle, Forfar, Bamff, Sutherland, Caithness, Elgin* and *Ross*; and for such other Person or Persons as his Majesty, his Heirs or Successors, should by his or their Sign Manual, from time to time, think fit to authorize and appoint in that Behalf, to issue or cause to be issued out Letters of Summons in his Majesty's Name, and under his or their respective Hands and Seals, directed to such Persons within the said several Shires and Bounds, as he or they from time to time shall think fit; thereby commanding and requiring all and every Person and Persons therein named, or inhabiting within the particular Limits therein described, to bring in and deliver up, at a certain Time and Place, in such Summons to be mentioned, all and singular his and their Arms and Warlike Weapons, unto such Lord Lieutenant, or other Person or Persons so to be authorized or appointed in that Behalf as aforesaid, for the Use of his Majesty, his Heirs or Successors, and to be disposed of in such Manner as his Majesty, his Heirs or Successors should appoint; and that if any Person or Persons in such Summons mentioned by Name, or inhabiting within the Limits therein described, should be convicted in Manner therein mentioned, of having or bearing any Arms or Warlike Weapons, after the Day prefixed in such Summons, every such Person or Persons should forfeit the Sum of fifteen Pounds Sterling, and should be committed to Prison, until Payment of the said Sum; and if any Person or Persons convicted as aforesaid, should refuse or neglect to make Payment of the aforesaid Sum of fifteen Pounds Sterling, within the Space of one Calendar Month from the Date of such Conviction, then any one or more of his Majesty's Justices of the Peace, or the Judge Ordinary of the Place, where such Offender or Offenders was or were imprisoned (in case he or they shall judge such Offender or Offenders fit to serve his Majesty as a Soldier or Soldiers) were thereby respectively authorized and required to cause him or them to be delivered over to such Officer or Officers as is therein mentioned, to serve as Soldiers in any of his Majesty's Forces in *America*: And that after reading the Articles of War against Mutiny and Desertion, and making such Entry and Certificate thereof as is thereby directed, every Person so delivered over should be deemed a listed Soldier to all Intents and Purposes, and should be subject to the Discipline of War, and in case of Desertion, should be punished as a Deserter; and that in case such Offender or Offenders should not be judged fit to serve his Majesty as aforesaid, then he or they should be imprisoned for the Space of six Calendar Months, and also until he or they should give sufficient Security for his or their good Behaviour

19 Geo. 2. c. 39. 'See 26 Geo. 2. c. 29.'

'viour for the Space of two Years from the giving thereof: In which ſaid in Part recited Act is contained 'a Proviſo, That no Peers of this Realm, nor their Sons, nor any Members of Parliament, nor any Per- 'ſon or Perſons, who, by virtue of an Act of Parliament made in the firſt Year of the Reign of his late
1 Geo. 1. c. 54. 'Majeſty King GEORGE the Firſt, therein recited or referred to, were allowed to have or carry Arms, 'notwithſtanding the Prohibition in the ſaid Act contained, of having, wearing or bearing Arms, ſhould 'be liable to be ſummoned to deliver up their Arms or Warlike Weapons; and that neither the ſaid recited 'Act of the nineteenth of his preſent Majeſty, nor the ſaid Act of the firſt Year of his ſaid late Majeſty 'therein referred to, ſhould be conſtrued to extend to exclude or hinder any Perſon, whom his Majeſty, 'his Heirs and Succeſſors, by Licence under his or their Sign Manual, ſhould permit to have or wear Arms, 'or who ſhould be licenſed to wear Arms by any Writing or Writings under the Hand and Seal or Hands 'and Seals of any Perſon or Perſons authorized by his Majeſty, his Heirs or Succeſſors, to give ſuch Li- 'cence, from keeping, or bearing or wearing ſuch Arms and Warlike Weapons, as in ſuch Licence or Li- 'cences ſhould for that Purpoſe be particularly ſpecified: And it was thereby further enacted, That from 'and after the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-ſeven, no Man or Boy within that 'Part of *Great Britain* called *Scotland*, other than ſuch as ſhould be employed as Officers and Soldiers in 'his Majeſty's Forces, ſhould, on any Pretence whatſoever, wear or put on the Clothes commonly called 'Highland Clothes; that is to ſay, the Plaid, Philibeg or Little Kilt, Trowſe, Shoulder Belts, or any Part 'whatſoever of what peculiarly belongs to the Highland Garb; and that no *Tartan* or parti-couloured Plaid 'or Stuff ſhould be uſed for Great Coats, or for upper Coats, under the Penalties therein mentioned: 'And it was thereby further enacted, That from and after the firſt Day of *November* one thouſand ſeven 'hundred and forty-ſix, no Perſon ſhould exerciſe the Employment, Function or Service of a Chaplain in 'any Family in that Part of *Great Britain* called *Scotland*, or of a Governor, Tutor or Teacher of any 'Child, Children or Youth reſiding in *Scotland*, or in Parts beyond the Seas, without firſt qualifying him- 'ſelf by taking the Oaths thereby directed and appointed, and cauſing a Certificate of his having ſo done 'to be entered or regiſtered as is therein directed, under the Pains and Penalties therein mentioned: And 'that it ſhould not be lawful for any Perſon in *Scotland* to keep a private School for teaching *Engliſh*, *Latin*, '*Greek* or any Part of Literature, or to officiate as a Maſter or Teacher in ſuch School for Literature, other 'than as therein mentioned, until the Situation and Deſcription of ſuch private School be firſt entered and 'regiſtered, with a Certificate of his having qualified himſelf by taking the Oaths appointed by Law as 'therein mentioned; and ſuch Maſter or Teacher is thereby required, as often as Prayers ſhall be ſaid in 'ſuch School, to pray or cauſe to be prayed for, in expreſs Words, his Majeſty, his Heirs and Succeſſors, 'by Name: And whereas it hath been found by Experience, that ſo much of the ſaid Act as is herein be- 'fore recited is not ſufficient or effectual to anſwer the Purpoſes thereby intended, and that it is neceſſary 'to enforce the ſame by ſome new Proviſions and Regulations;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the reſpective Lieutenants of any of the fifteen Shires in the ſaid recited Act for that Purpoſe named, and for ſuch other Perſon or Perſons as in purſuance of the ſame Act hath or have been authorized by his Majeſty, or ſhall hereafter be authorized by his Majeſty, his Heirs or Succeſſors, to iſſue out Letters of Summons for the delivering of Arms and Warlike Weapons as is therein mentioned, to nominate and appoint by Writing under their reſpective Hands and Seals, ſuch Perſon or Perſons as they reſpectively ſhall think fit, to receive the Arms or Warlike Weapons ſo to be delivered up in Obedience to any ſuch Summons from any Perſon or Perſons ſo delivering up the ſame at the Days and Places to be for that Purpoſe mentioned in any ſuch Summons, and the Perſon or Perſons ſo nominated or appointed to receive any ſuch Arms or Warlike Weapons, ſhall tranſmit, or cauſe the ſame to be tranſmitted to ſuch Place or Places as ſuch Lieutenant or other Perſon authorized as aforeſaid ſhall direct and appoint; and all and every Perſon and Perſons, obliged by the ſaid recited Act to deliver up his, her or their Arms or Warlike Weapons, ſhall incur the like Penalties and Forfeitures, and be ſubject to the ſame Puniſhments reſpectively, for having or bearing Arms or Warlike Weapons after the Day prefixed in any ſuch Summons, iſſued in purſuance of the ſaid recited Act, and this preſent Act, as he, ſhe or they are by the ſaid recited Act made ſubject or liable to for having or bearing Arms or Warlike Weapons, contrary to the true Intent and Meaning of the ſaid recited Act.

The Lieutenants appointed to iſſue Summons for the delivering up of Arms, &c. to nominate Perſons to receive the ſame.

Penalty of not delivering up Arms.

II. And it is hereby further enacted by the Authority aforeſaid, That ſo much of the ſaid recited Act, whereby it is enacted, That no Peers of this Realm, nor their Sons, nor any Members of Parliament, nor any Perſon or Perſons, who by the ſaid Act of the firſt Year of his late Majeſty were allowed to have or carry Arms, ſhould by virtue of the ſaid recited Act be liable to be ſummoned to deliver up their Arms or Warlike Weapons, be, and the ſame is hereby repealed.

Part of the recited Act relating to the not Summoning of Peers, &c. to deliver up their Arms, repealed.

III And be it further enacted, That the Prohibition contained in the ſaid Act of the firſt Year of his ſaid late Majeſty's Reign, or in the ſaid Act of the nineteenth Year of his preſent Majeſty's Reign, or in this Act, of having, keeping, bearing or wearing any Arms or Warlike Weapons, and the Pains and Penalties aforeſaid, ſhall not extend or be conſtrued to extend to any Officers or their Aſſiſtants, employed in the Execution of Juſtice, nor to prohibit or hinder any Perſon who is qualified to vote at Elections of Parliament Men, to ſerve for any of the above-named Counties; nor any Heretor or Life-renter, poſſeſſed of an Eſtate of four hundred, and leſs than one thouſand Pounds *Scots* valued Rent, to have in his Cuſtody, to be uſed by himſelf, Family or Servants, in the Manner allowed by the Laws now in Force, any Number of Arms, not exceeding three Firelocks, three Pair of Piſtols and three Swords or Cutlaſſes; nor to prohibit or hinder any Heretor or Life-renter, poſſeſſed of an Eſtate of one thouſand or more, and leſs than three thouſand Pounds *Scots* valued Rent, to have in his Cuſtody, to be uſed by himſelf, Family or Servants, in the Manner allowed by the Laws now in Force, any Number of Arms, not exceeding ſeven Firelocks, ſeven Pair of Piſtols and ſeven Swords or Cutlaſſes; nor to prohibit or hinder any Heretor or Life-renter, poſſeſſed

The Prohibition in 1 Geo. 1. and 19 Geo. 2. &c. of having Arms, not to extend to Perſons qualified as herein deſcribed.

Number of Arms limited.

' Amended by 26 Geo. 2. c. 29.

poſſeſſed of an Eſtate of three thouſand or more, and leſs than ſix thouſand Pounds *Scots* valued Rent, to have in his Cuſtody, to be uſed by himſelf, Family or Servants, in the Manner allowed by the Laws now in Force, any Number of Arms, not exceeding twelve Firelocks, twelve Pair of Piſtols and twelve Swords or Cutlaſſes; nor to prohibit or hinder any Heretor or Life-renter, poſſeſſed of an Eſtate of ſix thouſand or more, and leſs than nine thouſand Pounds *Scots* valued Rent, to have in his Cuſtody, to be uſed by himſelf, Family or Servants, in the Manner allowed by the Laws now in Force, any Number of Arms, not exceeding twenty Firelocks, twenty Pair of Piſtols and twenty Swords or Cutlaſſes; nor to prohibit or hinder any Heretor or Life-renter, poſſeſſed of an Eſtate of nine thouſand Pounds *Scots* valued Rent, or more, to have in his Cuſtody, to be uſed by himſelf, Family or Servants, in the Manner allowed by the Laws now in Force, any Number of Arms, not exceeding thirty Firelocks, thirty Pair of Piſtols, and thirty Swords or Cutlaſſes; nor to prohibit or hinder the Magiſtrates of any Burgh Royal, to have in their Cuſtody a ſufficient Number of Arms for keeping Guard within their Borough, according to the Directions of their reſpective Magiſtrates; nor to prohibit or hinder any Perſon who ſhall be licenſed to keep, bear or wear Arms, purſuant to the Directions of the ſaid recited Act, from keeping, bearing or wearing ſuch and ſo many Arms or Warlike Weapons, as in ſuch Licence or Licences ſhall be for that Purpoſe particularly ſpecified; nor to prohibit or hinder the Officers of the Army, having his Majeſty's Commiſſions, and the Soldiers under their Command, to keep, uſe or bear Arms as formerly; nor the Lieutenants of Counties or their Deputies, or the ſenſible Men under their Command, to keep and receive Arms out of his Majeſty's Magazines, and to uſe the ſame during the Time that their Militia or ſenſible Men ſhall be called out by lawful Authority.

Arms above the Number limited, to be delivered upon Summons.

IV. Provided nevertheleſs, That the ſeveral Perſons before-mentioned, to whom a limited Number of Arms is hereby allowed, ſhall be obliged upon Summons, aceording to the ſaid recited Act of the nineteenth Year of his preſent Majeſty, to deliver up in the Manner directed by this and the ſaid Act, all ſuch Arms as they ſhall have in their Cuſtody or Uſe, over and above the Number ſo limited.

Place and Number of Arms to be kept in Royal Burghs.

V. Provided alſo, That the Arms in Burghs Royal be kept in the Magazines, under the Care of the Magiſtrates, and not left in Private houſes, unleſs by ſpecial Order or Warrant in Writing from the Magiſtrates; and that the whole Number of Arms ſo kept in any Royal Burgh, ſhall not exceed the Number of two hundred Stand of Arms; and that the ſaid Lieutenants of Counties, their Deputies, Militia and ſenſible Men under their Command, do return the Arms received out of the King's Magazine, within twenty Days after the Expiration of the Time for which they ſhall be called out.

Perſons having Arms to qualify themſelves,

VI. And be it further enacted, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-eight, no Perſon whatſoever, by reaſon of having an Income of four hundred Pounds *Scots* valued Rent, or any greater Rent, or being qualified to vote at Elections of Parliament Men, or by Licence, ſhall be intitled to keep, bear or wear any Arms, by himſelf, Family or Servants, unleſs he ſhall firſt have qualified himſelf by taking and ſubſcribing the Oaths of Allegiance and Abjuration, and ſubſcribing the Aſſurance appointed by Law to be taken by Perſons in Offices of publick Truſt in *Scotland*, either in the Court of Seſſion, Court of Juſticiary, or in the Sheriff or Stewart's Court of the County, Shire or Stewartry, where ſuch Perſon ſhall reſide, or in one of his Majeſty's Courts at *Weſtminſter*, and cauſed a Certificate of his having ſo done to be entered or regiſtered in a Book to be kept for that Purpoſe in one of the ſaid Courts in *Scotland*; and in caſe any ſuch Perſon as aforeſaid ſhall preſume to keep or carry any Arms, without having firſt qualified himſelf as aforeſaid, every ſuch Perſon ſhall forfeit the ſaid Arms to his Majeſty, his Heirs and Succeſſors, and alſo one hundred Pounds Sterling, to be recovered in any of the ſaid Courts in *Scotland*; one Moiety to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Perſon who ſhall ſue for the ſame.

and regiſter the ſame.

Penalty.

'VII. And whereas the Time for the Commencement of ſuch Part of the ſaid recited Act, as relates to 'the reſtraining the Uſe of the Highland Dreſs, was, by an Act made in the twentieth Year of his preſent 'Majeſty's Reign, enlarged, as to all Perſons not being Landed Men, until the firſt Day of *Auguſt* one 'thouſand ſeven hundred and forty-eight: And whereas the Proviſion made by the ſaid recited Act is neceſ-'ſary to be carried into Execution; but it is reaſonable to give ſome further Time and Opportunity for per-'forming ſome Parts thereof:' It is hereby enacted by the Authority aforeſaid, That the Time given and appointed by the ſaid laſt-mentioned Act for the Purpoſes therein mentioned, ſhall be, and the ſame is by this preſent Act enlarged (as to all thoſe who are not Landed Men or the Sons of Landed Men) from the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-eight, till the firſt Day of *Auguſt* one thouſand ſeven hundred and forty-nine.

20 Geo. 2. c. 51.

The Time limited for the Uſe of the Highland Dreſs enlarged.

Parts of the Highland Clothes prohibited to be worn after 25 Dec. 1748.

VIII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to give Liberty to any Perſon whatſoever to wear or put on thoſe Parts of the Highland Clothes, Garb or Habiliments, which are called the Plaid, Philibeg or Little Kilt, or any of them; but the ſaid recited Act ſhall, as to the Plaid, Philibeg or Little Kilt, take Place, from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-eight.

Perſons wearing the ſaid Clothes to be apprehended;

IX. And be it further enacted, That from and after the ſaid twenty-fifth Day of *December*, it ſhall and may be lawful to and for any of his Majeſty's Subjects whatſoever, to take up and apprehend all and every ſuch Perſon or Perſons as they ſhall find wearing, contrary to Law, the ſaid Highland Clothes or Garb, or any Part thereof, and forthwith to carry ſuch Perſon or Perſons before any of his Majeſty's Juſtices of the Peace for the Shire or Stewartry, or Judge Ordinary of the Place where ſuch Perſon or Perſons ſhall be found or apprehended, who are hereby impowered to try and convict every ſuch Offender in a ſummary Way.

X. And it is hereby enacted, That inſtead of the Penalties inflicted by the ſaid recited Act of the nineteenth of his preſent Majeſty, it ſhall and may be lawful to and for any ſuch Juſtice or Judge Ordinary, to cauſe ſuch Offender, not being a Landed Man or the Son of a Landed Man, lawfully convicted of wearing or putting on the ſaid Highland Clothes or Garb, or any Part thereof, contrary to the ſaid recited or this Act,

and to be delivered over to serve as Soldiers; and the Articles of War to be read to them, &c.

Act, whom he or they shall judge fit to serve his Majesty as a Soldier, to be delivered, as he and they are hereby required and impowered to do, to any Officer belonging to his Majesty's Forces to serve therein; for which Purpose the Officer who shall receive such Person, shall then cause such or so much of the Articles of War made or to be made, as are or shall be directed to be read to Persons inlisted as Soldiers, to be read to him in the Presence of such Justice of the Peace, or Judge Ordinary so delivering over such Man, who shall cause an Entry or Memorial thereof to be made, together with the Names of the Persons so delivered over, with a Certificate thereof in Writing, under his or their Hands, to be delivered to the said Officer or Officers; and from and after reading such Part of the said Articles of War as aforesaid, every Person so delivered over to such Officer or Officers to serve as a Soldier, shall be deemed a listed Soldier to all Intents and Purposes, and shall be subject to the Discipline of War, and in case of Desertion shall be punished as a Deserter.

The Description of a Chaplain within the Meaning of the recited Act.

XI. And for the better ascertaining what shall be deemed exercising the Employment, Function or Service of a Chaplain within the true Intent and Meaning of the said recited Act, Be it enacted and declared, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-eight, any Person being, or pretending to be in Holy Orders, of any Denomination whatsoever, other than the Ministers, Elders or Preachers of the established Church of *Scotland*, who shall preach or perform any Divine Service in any House or Family of which he is not the Master, in the Presence or Hearing of any other Person or Persons, whether such Person or Persons be of the Family or not, shall be deemed to be one who exercises the Employment, Function and Service of a Chaplain within the Provision and true Intent and Meaning of the same Act.

'XII. And whereas, to evade the Execution of the said Act, relating to Persons keeping or being Master or Teacher in such private Schools, divers Person have kept such Schools in the Names of others, and had or enjoyed the Profits thereof to themselves, and have thereby avoided complying with the Qualifications required by the said Act:' For Remedy thereof, Be it enacted by the Authority aforesaid, That

Schoolmaster to take the Oaths, &c.

from and after the said twenty-ninth Day of *September* one thousand seven hundred and forty-eight, every Person who shall keep in his own Name, or in the Name or Names of any other Person, any private School for teaching *English*, *Latin*, *Greek*, or any Part of Literature, or any School for Literature, other than as in the said Act is excepted, or who shall have, receive or be interested in the Profits, or any Share of the Profits of such School, shall be obliged to take the Oaths appointed by Law to be taken by Persons in Offices of publick Trust in *Scotland*; and to pray, or cause to be prayed for, in express Words, his Majesty, his Heirs and Successors by Name, and for all the Royal Family, as often as there shall be Prayers in such School, or before or in the Hearing of any of the Scholars belonging to such School; and if any Person shall, from and after the said twenty-ninth Day of *September*, keep any such School in his own Name, or in the Names of any other Person or Persons, or have, receive or be interested in the Profits, or any Share of the Profits of such private School, as shall not have been registered in Manner directed by the said Act, or without having qualified himself, and caused the Certificate thereof to be registered in Manner directed by the said Act; or in case he shall neglect to pray for his Majesty, his Heirs and Successors, by Name, and all the Royal Family, or cause them to be prayed for as aforesaid; or in case he shall resort to, or attend Divine Worship in any Episcopal Meeting-house not allowed by Law; every Person so offending, being thereof lawfully convicted before two or more Justices of the Peace, or before any other Judge competent summarily, shall, for the first Offence, suffer Imprisonment for the Space of six Months; and for the second or any subsequent Offence, being thereof lawfully convicted before the Court of Justiciary, or in any of the Circuit Courts, shall be adjudged to be transported, and shall be accordingly transported to some of his Majesty's Plantations in *America* for Life; and in case any Person so adjudged to be transported shall return into, or be found in *Great Britain*, he shall suffer Imprisonment for Life.

Penalty of not complying with the recited Act.

19 Geo. 2. c. 38.

'XIII. And whereas by a Clause in another Act made in the nineteenth Year of his Majesty's Reign, intituled, *An Act more effectually to prohibit and prevent Pastors or Ministers from officiating in Episcopal Meeting-houses in* Scotland, *without duly qualifying themselves according to Law; and to punish Persons for resorting to any Meeting-houses where such unqualified Pastors or Ministers shall officiate*; It is enacted, That from and after the first Day of *September* in the Year of our Lord one thousand seven hundred and forty-six, no Letters of Orders of any Pastor or Minister of any Episcopal Meeting or Congregation in *Scotland*, should be deemed sufficient, or be admitted to be registerred, but such as had been given by some Bishop of the Church of *England*, or of *Ireland*; and in case any Letters of Orders, other than such as are before described, should be registered, such Registration should be deemed null and void to all Intents and Purposes: And whereas a Doubt has been raised upon the said recited Clause, whether the same doth extend to any Letters of Orders which have been registered before the said first Day of *September*:' Now for clearing and taking away any such Doubt, it is hereby enacted and declared by the Authority aforesaid,

Letters of Orders not granted by some Bishop of the Church of England or Ireland, insufficient to qualify.

That no Letters of Orders not granted by some Bishop of the Church of *England*, or of *Ireland*, shall, from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-eight, be sufficient, or be taken or adjudged to be sufficient, to qualify any such Pastor or Minister as above-mentioned, whether the same were registered before or after the said first Day of *September*; and that every such Registration, either made before or after the said first Day of *September*, shall, from and after the said twenty-ninth Day of *September*, be deemed null and void to all Intents and Purposes.

Persons belonging to either of the Banks to qualify themselves.

XIV. And be it further enacted by the Authority aforesaid, That every Person who on the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and forty-eight, shall be a Governor, Deputy Governor, Director, Secretary, Cashier, Treasurer, Accountant or Teller of, or use or exercise any such Employment in either of the Banks in that Part of *Great Britain* called *Scotland* (that is to say) The Bank called or known by the Name of *The Bank of* Scotland, or the Bank called or known by the Name of *The Royal Bank*, shall, within the Space of three Months after the said twenty-fourth Day of *June*, take and subscribe the Oaths of Allegiance and Abjuration, and subscribe the Affirmance appointed by

Law to be taken and subscribed by Persons in Offices of publick Trust in *Scotland*, either in the Court of Session, Court of Justiciary, or in the Sheriff or Stewart's Court of the County, Shire or Stewartry where such Person shall reside, or in one of his Majesty's Courts at *Westminster*: And every Person who, after the said twenty-fourth Day of *June*, shall be elected or appointed to be, or accept or take upon him the Employment of a Governor, Deputy Governor, Director, Secretary, Cashier, Treasurer, Accountant or Teller of either of the said Banks, shall, within three Months after he shall accept or take upon him such Employment, take and subscribe the said Oaths, and subscribe the said Assurance, either in the said Court of Session, Court of Justiciary, or in the Sheriff's or Stewart's Court of the County, Shire or Stewartry where such Person shall reside, or in one of his Majesty's Courts at *Westminster*; the taking and subscribing of which said Oaths and Assurance by all such Persons respectively, shall be entered on a Roll or in a Book for that Purpose, and be kept amongst the Records of the said several Courts.

Qualifications to be entered.

XV. And be it further enacted by the Authority aforesaid, That every such Person who shall refuse or neglect to take and subscribe the said Oaths, or to subscribe the said Assurance, in some of the said Courts within the respective Times aforesaid, shall be *ipso facto* adjudged and deemed incapable and disabled in Law to enjoy, use or exercise such Employment of a Governor, Deputy Governor, Director, Secretary Cashier, Treasurer, Accountant or Teller: And if any such Person so refusing or neglecting to take and subscribe the said Oaths, or subscribe the said Assurance as aforesaid, shall, after such Refusal or Neglect, exercise such Employment, every such Person shall be liable to incur the same Forfeitures, Penalties and Disabilities, as Persons executing Offices of publick Trust in *Scotland*, who have neglected within the Time required by Law to take and subscribe the said Oaths, or subscribe the said Assurance, may by the Laws now in Force be liable to and incur.

Penalty on such Persons not qualifying.

Recital of a Clause in 20 Geo. 2. c. 43. §. 44. relating to Agents and Solicitors.

'XVI. And whereas by one other Act of the twentieth Year of his present Majesty's Reign, it is enacted, 'That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-seven, it 'shall not be lawful for any Person whatsoever in *Scotland* to act as a Writer, Agent or Sollicitor, or to ma- 'nage, agent or sollicit any Cause or Business in the Court of Session, Court of Justiciary (whether at 'Edinburgh or in the Circuit Courts) or in the Court of *Exchequer*, until such Person shall have first taken 'and subscribed the Oaths in the Court of Session or Justiciary, or in one of the Sheriff's or Stewart's 'Courts appointed by Law to be taken by Persons in Offices Civil or Military in *Scotland*, and caused 'a Certificate of his having so done to be entered or registered in a Book to be kept for that Purpose in 'the respective Courts where any such Person shall so officiate: And whereas a Doubt hath been entertained, 'whether the Persons acting as Extractors in and about the Court of Session, as Clerks to any of the 'Lords of Session, or to any Advocate, as Clerks or first Servants to the Principal and Under Clerks of 'Session, or as Keepers of the Registers of Bonds, or other Registers, as Collectors or Sub-Collectors of 'the Fees of the Lord Register and Clerks of Session, are comprehended within the Intent and Meaning 'of the said Act;' Be it therefore enacted by the Authority aforesaid, That no Person shall, after the said twenty-ninth Day of *September* in the Year one thousand seven hundred and forty-eight, be or act as Extractor to the Court of Session, or as Clerk to, or Keeper of the Hand Rolls of any of the Lords of Session or Justiciary, or as Clerk to any Advocate, or as Clerk or first Servant to any of the Principal or Under Clerks of Session or Justiciary, or as Keeper or Under Keeper of the Register of Bonds in any of the said Clerks Offices, or other Offices of Registers, or as Collectors or Sub-Collectors of the Fees of the Lord Register, or Clerks of the Session, unless he first take the Oaths, and subscribe the Assurance, appointed to be taken and subscribed by Persons in Offices of publick Trust in *Scotland*, and cause a Certificate thereof to be entered and registered in a Book to be kept for that Purpose; and the Lords of the Session are hereby required to cause such Book to be kept by one of the Principal Clerks of the Session, who is to enter the Names of the Persons taking the said Oaths, and subscribing such Assurance, in such Books, upon the said Persons taking such Oaths, and subscribing such Assurance, before the Lords of the Session, upon Certificate from the proper Officer of such other Courts, where the same shall be taken and subscibed respectively; and the Lords of the Session shall cause true and exact Lists of the said Persons so taking the said Oaths, and subscribing the said Declaration, to be affixed every first and last Day of every Session, in the Outer and Inner House of the said Court, and to be kept up there constantly, till new Lists are fixed up according to this Act; and in case any Person shall, after the said twenty-ninth Day of *September* be or act as aforesaid, before he shall have so taken the said Oaths, and subscribed the said Assurance, he shall be subject to the same Disabilities, Forfeiture, Penalties and Punishments, as if he was Writer, Agent or Solicitor, within the Intent of the said Act; and the Lords of Session are hereby impowered to give such Orders from time to time, to the Clerks, Macers or Keepers of the Minute Book, or other inferior Officers or Members of their Court, as they shall judge necessary, for the more effectual discovering and punishing such of the said Persons, and such Writers, Agents or Solicitors, who shall not qualify themselves according to this and the said recited Act, and to censure and punish such Officers of their Court, as they shall find guilty of neglecting to give Obedience to such Orders, or wilfully concealing any such Offenders in not so qualifying themselves.

Extractors and Clerks, &c. to the Court to qualify themselves.

Certificates thereof to be registered.

Lists of the Persons who have qualified to be affixed in the Outer and Inner House of the Court.

Orders to be given by the Lords of Session for discovering Agents not qualifying.

'XVII. And whereas by an Act of Parliament passed in the first Year of the Reign of his late Majesty, 'intituled, *An Act for encouraging of Superiors, Vassals, Landlords and Tenants in* Scotland, *who do or shall 'continue in their Duty and Loyalty to his Majesty King* GEORGE; *and for discouraging all Superiors, Vassals, 'Landlords and Tenants there, who have been, or shall be guilty of Rebellious Practices against his said Majesty; 'and for making void all fraudulent Entails, Tailzies and Conveyances made there, for barring or excluding the 'Effect of Forfeitures that may have been, or shall be incurred there on any such Account; and also for calling 'any suspected Person or Persons, whose Estates or Principal Residence are in* Scotland, *to appear at* Edinburgh 'or where it shall be judged expedient, *to find Bail for their good Behaviour; and for the better disarming disaf- 'fected Persons in* Scotland; It is, amongst other Things, enacted, That all and every Tenant and Te- 'nants

1 Geo. 1. c. 20.

'nants in *Scotland*, who ſhould continue peaceable, and in dutiful Allegiance to his Majeſty, his Heirs and 'Succeſſors, bruicking and occupying any Lands, Milns, Mines, Woods, Fiſhings or Tenements, as Te- 'nant or Tenants, Taxman or Taxmen, from and under any Perſon guilty of any of the High Treaſons 'in the ſaid Act mentioned, ſhould, and they were thereby ordained to bruick and occupy all and every 'ſuch Lands, Mines, Milns, Woods, Fiſhings and Tenements, for the Space of two Years, or Crops to 'be accounted from and after the Attainder of ſuch Perſon, freely, without Payment of any Rent, Duty 'or Service, for the ſaid two Years or Crops; and that if any Subject of *Great Britain*, holding Lands or 'Tenements of a Subject ſuperior in *Scotland*, had been, or ſhould be guilty of the High Treaſon or Trea- 'ſons in the ſaid Act mentioned, the Lands or Tenements of every ſuch Offender, held of any Subject ſu- 'perior in *Scotland*, ſhould recognoſce and return into the Hands of the Superior, and the Property ſhould 'be, and was thereby conſolidated with the Superiority, in the ſame Manner as if the ſame Lands or Te- 'nements had been by the Vaſſal reſigned into the Hands of his Superior, *ad perpetuam Remanentiam*; and 'in caſe any Tenant or Tenants, Taxman or Taxmen, bruicking and occupying any Lands, Mines, 'Milns, Woods, Fiſhings or Tenements, being guilty of ſuch High Treaſon or Treaſons as aforeſaid, and 'ſhould be thereof duly convicted and attainted, the Title by which all and every ſuch Tenant or Tenants, 'Taxman or Taxmen, did bruick or occupy as aforeſaid, ſhould ceaſe and become void, and the Lands, 'Mines, Milns, Woods, Fiſhings and Tenements ſo bruicked or occupied, together with the ſingle and 'Life-Rent Eſcheat of ſuch Tenant or Tenants, Taxman or Taxmen, ſhould return to and be enjoyed and 'poſſeſſed by the Perſon or Perſons from or under whom ſuch Title was derived reſpectively, who ſhould 'continue peaceable and dutiful to his Majeſty, his Heirs and Succeſſors: And it is by the ſaid laſt recited 'Act further enacted, That no Perſon or Perſons who might reap or have any Profit or Advantage by 'the Attainder, Conviction or Forfeitures of any Perſon or Perſons by virtue of the ſame Act, ſhould be 'capable of being a Witneſs or Witneſſes againſt any Perſon or Perſons by whoſe Attainder, Conviction or 'Forfeitures any Benefit ſhould or might accrue to ſuch Witneſs or Witneſſes: And whereas the ſaid Act 'was made on the Occaſion of the unnatural Rebellion which broke out in this Kingdom in the Year 'of our Lord one thouſand ſeven hundred and fifteen, but a Doubt had been conceived whether the Clauſes 'herein before recited, or ſome Part thereof, do ſtill continue in Force, or not; and in caſe the ſame 'ſhould be adjudged ſo to be, great Inconveniencies might inſue therefrom for the future;' Be it there-

The recited Clauſes repealed.

fore enacted by the Authority aforeſaid, That ſo much of the ſaid Act as is before recited, be, and the ſame is hereby, from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-eight, repealed, and declared to be no longer in Force.

The King's Right, &c. not affected by the ſaid Clauſe.

XVIII. Provided always, That nothing in this Clauſe contained ſhall extend, or be conſtrued to extend, to prejudice or affect the Right, Title or Intereſt of the King's moſt Excellent Majeſty, or of any other Perſon or Perſons, veſted or accrued by virtue or means of any Matter or Thing whatſoever, happened or done at any Time before the ſaid twenty-ninth Day of *September*.

Conſtruction of the ſaid Clauſes.

XIX. Provided alſo, That nothing herein contained ſhall be conſtrued to extend or enure, to declare or determine the ſaid Clauſes herein before recited, or any Part thereof, to be or continue in Force till the ſaid twenty-ninth Day of *September*; but ſuch Expoſition and Conſtruction of the ſaid recited Clauſes, and every Part thereof, ſhall be made, as to any Matter or Thing happening before the ſaid twenty-ninth Day of *September*, as would and ought to have been made in caſe this Act had never been paſſed.

'XX. And whereas it is neceſſary to make ſome farther Proviſion for the more effectual ſuppreſſing the 'Crimes of Theft of Cattle in the Highlands of *Scotland*, or the Depredations committed by the unlawful 'taking on maintaining the Poſſeſſion of Cattle by Force and Violence;' Be it further enacted by the Au-

The Evidence of the Party concerned admitted in Trials for Theft of Cattle.

thority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-eight, in all Trials or Proſecutions within that Part of *Great Britain* called *Scotland*, for the Crimes of Theft of Cattle, or the maſterful taking away or detaining the ſame, it ſhall not be allowed to be a good Objection to any Witneſs produced for proving ſuch Libel or Indictment that he was himſelf *Particeps* or *Socius Criminis*, nor ſhall the Evidence given by ſuch Witneſs be made uſe of againſt himſelf, nor ſhall he be liable to be proſecuted for his Acceſſion to the Offence which he ſhall as a Witneſs give Evidence, that the ſame was committed by the Priſoner or Pannel, in whoſe Trial he ſhall be ſo adduced, or that ſuch Priſoner or Pannel was Art and Part thereof; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

'XXI. And whereas by another Clauſe of the ſaid Act of the nineteenth Year of his preſent Majeſty's 'Reign, there are Penalties impoſed on Perſons who ſhall reſort to, or frequent any Epiſcopal Meeting- 'houſe or Congregation in *Scotland*, not allowed by Law, who ſhall not, within the Space of five Days, 'give Information of ſuch illegal Meeting, to ſome proper Magiſtrate: And whereas a Doubt has been 'raiſed, whether Perſons preſent at ſuch illegal Meeting, who did not, within the Space of five Days, give 'Information thereof as aforeſaid, could be compelled to appear and give Evidence againſt the Miniſter, or 'other Perſon offending againſt the ſaid Act;' Be it therefore enacted and declared by the Authority afore-

The Evidence of the Party reſorting to unliſenſed Epiſcopal Meeting-houſes admitted on Trials for the ſaid Offence.

Continued by 31 *Geo.* 2. *c.* 26.

ſaid, That in all Proſecutions for Offences againſt the ſaid Act, it ſhall and may be lawful and competent to produce as Witneſſes, whether againſt the Miniſter or Hearers, other Perſons preſent who may alſo have been guilty of offending againſt the ſaid Act; but the Evidence given by ſuch Witneſſes ſhall not be made uſe of, or given in Evidence againſt themſelves, upon any Proſecution for any Penalty inflicted by the ſaid Act.

Anno viceſimo ſecundo GEORGII II. Regis.

'AT the Parliament begun and holden at *Weſtminſter*, the tenth Day of *November*, *Anno Dom.* 1747, in the twenty-firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* And from thence continued by ſeveral Prorogations to the twenty-ninth Day of *November*, being the ſecond Seſſion of this preſent Parliament.

CAP. I.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and forty-nine. EXP.

CAP. II.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and forty-nine. EXP. At 4s. in the Pound.

CAP. III.

An Act declaring the Authority of the Commiſſioners appointed by his Majeſty under the Great Seal of *Great Britain*, for receiving, hearing and determining Appeals in Cauſes of Prizes.

'WHEREAS his Majeſty, in order to bring the many Appeals that were or ſhould be depending from Sentences in Cauſes of Prizes, pronounced in the Courts of Admiralty in this Kingdom, and in any of the Courts of Admiralty in his Majeſty's Plantations in *America*, and alſo in the Courts of Admiralty in *Ireland*, and all other his Majeſty's Dominions abroad, to a ſpeedy Determination, did by his Commiſſion under the Great Seal, bearing Date at *Weſtminſter* the eleventh Day of *July* in the twenty-ſecond Year of his Reign, revoke a former Commiſſion for receiving, hearing and determining ſuch Appeals granted to all his Majeſty's then Privy Counſellors, and all others his Majeſty's Privy Counſellors then and for the time being, during his Pleaſure; and did alſo, by the ſame Commiſſion of the eleventh Day of *July* laſt, conſtitute and appoint all his Majeſty's Privy Counſellors then and for the time being, as alſo Sir *Thomas Parker*, Knight, Lord Chief Baron of his Majeſty's Court of *Exchequer*; Sir *Martin Wright*, Sir *Thomas Deniſon* and Sir *Michael Foſter*, Knights, Juſtices of his Majeſty's Court of *King's Bench*; Sir *Thomas Abney*, Sir *Thomas Burnett* and Sir *Thomas Birch*, Knights, Juſtices of his Majeſty's Court of *Common Pleas*; *Charles Clarke*, *Edward Clive* and *Heneage Legge*, Eſquire, Barons of his Majeſty's Court of *Exchequer*; and the Chief Baron of his Majeſty's Court of *Exchequer*, Juſtices of his Majeſty's Courts of *King's Bench* and *Common Pleas*, and the Barons of his Majeſty's Court of *Exchequer* for the Time being, to be his Majeſty's Commiſſioners for receiving, hearing and determining ſuch Appeals during his Majeſty's Pleaſure, with ſuch Powers and Authorities as are therein contained: And whereas ſome Objections have been raiſed againſt the laſt mentioned Commiſſion, on account of the Lord Chief Baron of his Majeſty's Court of *Exchequer*, the Juſtices of his Majeſty's Courts of *King's Bench* and *Common Pleas*, and the Barons of his Majeſty's Court of *Exchequer*, who were not of his Majeſty's moſt Honourable Privy Council, being joined therein:' Now, for removing and avoiding the ſaid Objections, and all other Objections and Doubts whatſoever relating to the ſaid Commiſſion; Be it enacted and declared by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Commiſſion, and all the Powers, Juriſdictions and Authorities therein contained, are and ſhall be deemed, conſtrued and adjudged to be good and valid in Law, to all Intents and Purpoſes, according to the true Intent and Meaning thereof; and that the ſaid Commiſſioners, as well the ſaid Lord Chief Baron, and the ſaid Juſtices and Barons therein named, and the Lord Chief Baron of the ſaid Court of *Exchequer*, and the Juſtices of the ſaid Courts of *King's Banch* and *Common Pleas*, and the Barons of the ſaid Court of *Exchequer* for the time being, although they, or any of them, ſhould not be of his Majeſty's moſt Honourable Privy Council, as other his Majeſty's ſaid Commiſſioners, ſhall and may, during his Majeſty's Pleaſure, have, uſe and exerciſe full Power, Juriſdiction and Authority to receive, hear and determine all ſuch Appeals, and have, uſe and exerciſe all other Powers, Juriſdictions and Authorities, according to the true Intent and Meaning of his Majeſty's ſaid Commiſſion.

The Commiſſion granted by his Majeſty declared valid; and the Commiſſioners, though not of the Privy Council inpowered to act.

II. Provided always nevertheleſs, That no Judgment or Sentence, to be given upon the Hearing of any ſuch Appeal, ſhall be valid, unleſs the major Part of the Commiſioners, who ſhall be preſent at ſuch Judgment or Sentence, ſhall be of his Majeſty's moſt honourable Privy Council.

No Sentence to be valid, unleſs a Majority of the Commiſſioners preſent be of the Privy Council.

CAP. IV.

An Act for repairing and widening the Road leading from the Well at the North-weſt End of the Town or Village of *Farmborough* in the County of *Kent*, to a Place called *Riverhill*, in the Pariſh of *Sevenoaks*, in the ſaid County. PR.

Certain Tolls granted for 21 Years.

CAP. V.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. VI.

An Act for repairing, enlarging and preſerving the Harbour of *Ellenfoot*, in the County of *Cumberland*. PR.

'WHEREAS the Harbour of *Ellenfoot*, in the County of *Cumberland*, although ſituated very conveniently for the Coal Trade carried on in that County, is not, in its preſent State and Coudition, capable of receiving and harbouring Ships and Veſſels ſufficient for that Purpoſe; but, in caſe a new Pier, and other Works, were erected and made in and about the ſame, it might be made a proper and ſufficient Harbour for the Reception and Safeguard of Ships and Veſſels navigating in thoſe Seas; which would not only be a Means of extending the Coal Trade, but would contribute alſo to the Increaſe of his Majeſty's Cuſtoms, and the Improvement of Trade and Navigation in general: but as a ſufficient Sum of Money cannot be raiſed to defray the Expence of amending and enlarging the ſaid Harbour, and rendering the ſame fit and proper for the Purpoſes aforeſaid, without the Aid and Authority of Parliament,' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted, *&c.*

"From 25 *March* 1749, during 21 Years, there ſhall be paid unto the Commiſſioners herein after named, "*viz.* by the Coal Owner, two Pence for every 192 Gallons of Coals, ſhipped in the Harbour; and by "the Maſter of the Ship, two Pence for every 192 Gallons; and after the End of 21 Years, one Penny. "Every Maſter of a Ship not loading Coals, ſhall pay upon Arrival from any Place in *Great Britain* or "*Ireland*, or the Iſle of *Man*, ſix Pence *per* Ton. For every Ship which ſhall be driven, or come in for "Security, four Pence *per* Ton. Truſtees to appoint Collectors. The Money received to be applied to- "wards maintaining the Harbour. Collectors to give Security. Diſtreſs for Non-payment of Duties. "Power to meaſure Ships to aſcertain the Tonnage. No Ship to be diſcharged by the Officers of the Cu- "ſtoms till Duties paid. Truſtees to appoint the Place for building the Pier, *&c.* may borrow Money. "New Truſtees to be elected. No Rubbiſh, *&c.* to be thrown into the Harbour, on Pain of ten Shil- "lings."

CAP. VII.

An Act for repairing the Road from the *Weſt Cowgate* near the Town of *Newcaſtle* upon *Tyne*, through the Weſt End of *Kenton*, *Pont Eland*, *Higham Dykes*, *Newham Edge*, *Belſay Mill* and *South Middleton*, to the North Side of the River *Wanſpeck*, in the County of *Northumberland*. PR.

Certain Tolls granted for 21 Years.

CAP. VIII.

An Act to continue two Acts of Parliament, one of the firſt and the other of the ninth Year of the Reign of his preſent Majeſty, for repairing and enlarging the Road leading from the Houſe called *The Sign of the Bells*, in the Pariſh of Saint *Margaret* in *Rocheſter*, to *Maidſtone*, and other Roads therein mentioned, in the County of *Kent*; and for rendering the ſame more effectual. PR.

The two former Acts 1 Geo. 2. *c.* 12. and 9 Geo. 2. c. 7. continued for 21 Years.

CAP. IX.

An Act for repairing the Road from *North Shields* in the County of *Northumberland*, to the Town of *Newcaſtle* upon *Tyne*. PR.

Certain Tolls granted for 21 Years.

CAP. X.

An Act for laying a Duty of two Pennies *Scots*, upon every *Scots* Pint of Beer and Ale, which ſhall be ſold or vended, brewed, brought in, or tapped for Sale, within the Town of *Anſtruther Eaſter*, and Liberties thereof. PR.

A Duty of Exciſe granted to the Town for 25 Years.

CAP. XI.

An Act for Draining and Preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of *Sutton*, *Mepal*, *Witcham*, *Chatteris*, *Doddington*, and a Place called *Byal Fen* in the Iſle of *Ely*, and County of *Cambridge*; and alſo in the Pariſhes of *Somerſham* and *Pidley* with *Fenton* in the County of *Huntingdon*. PR.

'WHEREAS certain Fen Lands and Low Grounds (Part of the great Level of the Fens called *Bedford Level*) lying and being in the ſeveral Pariſhes of *Sutton*, *Mepal*, *Witcham*, *Chatteris*, *Doddington*, and a Place called *Byal Fen* in the Iſle of *Ely* and County of *Cambridge*, and alſo in the Pariſhes of

'of *Somerſham* and *Pidley* with *Fenton* in the County of *Huntingdon*, containing in the Whole, nine thou-
'ſand Acres, or thereabouts, the Boundaries whereof are as followeth; that is to ſay, beginning at a Bank
'called the *Twenty Feet Bank* or *Black Bank*, next adjoining to a Houſe now in Poſſeſſion of *Thomas Rogers*;
'and from thence along by the Side of the Outring Ditch, next the Lands called *North Mead Lands*, to a
'Place called the *Weſt Water*; and from thence along by the ſaid Water to a Place called *Copens Corner*;
'and from thence to *Somerſham* Turnpike Bridge, on the Eaſt Side of the Land formerly called the *Old Weſt*
'*Water*; and from thence back again by a Common called the *Miles*, along by the Eaſt Side of a Piece of
'Land called the *Parſonage Lot*, to a Gate which Leads to a Piece of Land now in Poſſeſſion of *Thomas*
'*Want*; and from thence along by the Bank Side of the ſaid Land to the End of a Ditch, lying between
'a Lot of Land now or late in Poſſeſſion of *William Thompſon*, Eſquire, and certain other Lots of Land,
'now in Poſſeſſion of *John Goodfellow* and *William Archdeacon*, to a Place called *Long Drove*; and from
'thence acroſs the ſaid *Drove*, at the Lot of Land in Poſſeſſion of the ſaid *William Archdeacon*, and along
'by a Ditch leading between two Lots of Land, now in Poſſeſſion of *Iſaac Stephens*, to certain Low Lands,
'now in Poſſeſſion of *Iſaac Wollaſton*, Eſquire; and from thence round by the Side of certain High Lands
'now in Poſſeſſion of the ſaid *Iſaac Wollaſton*, to a Place called *Croſs Drove*, at the upper End of a Place
'called *Croſs Lakes*; and from thence back again by the ſaid *Croſs Drove* Side next the ſaid *Croſs Lakes*,
'to a Place called *Long Drove*; and from thence along by the Ends of ſeveral Lots of Land, now in Poſ-
'ſeſſion of *Jane Leads*, Widow, *William Thompſon*, Eſquire, and *Thomas Want*, next the ſaid *Long Drove*, to
'a Place oppoſite to the End of a Ditch between certain Lots of Land, lying on the Weſt Side of *Long*
'*Drove*, now in Poſſeſſion of *James Hubbard* and *John Leeds*, to a Place called *Parkel Lot Side*; and from
'thence to a Place called *Slyer Ditch*, and along by the ſaid Ditch to a Place oppoſite to certain Low Lands
'belonging to *Iſaac Woollaſton*, before named; and from thence croſs a Drove called *Rumbalds Drove*,
'along by the Side of the adjacent High Lands, to a Place called *Somerſham Meadow Dike*, and along by
'the Side of the ſaid Meadow to the oppoſite End of a Place called *Little Land Flood*, belonging to certain
'Cloſes called *College Cloſes*; and from thence along by certain High Lands, to a Place known by the
'Name of *Somerſham Low Wood Corner*; and from thence along *Somerſham Low Wood*, and a Place known
'by the Name of *Fernhill Bottom*, to a Dole next adjoining to a Place called *Pidley Drove*, now or late in
'Poſſeſſion of *Agnes Cope*, Widow, and from thence croſs a Place called the *Drove*, and round by the Side
'of *Pidley Meadow*, to a Dike between a Place called *Upper Lunch Ground*, and certain Lands now or late
'in Poſſeſſion of *Agnes Cope*, Widow, along to certain Lands next adjoining to a Place called *Fenton Drove*,
'now in Poſſeſſion of *William Thompſon*, Eſquire, before-named; and from thence along Lands next ad-
'joining to a Drove called *Fenton Drove*, in Poſſeſſion of the ſaid *William Thompſon*, and along by the ſaid
'Drove to the further End thereof; and from thence to the Side of the High Lands, and round by a Farm
'called *Rowey Farm*, and from thence to the middle Hedge of certain Land now in Poſſeſſion of *William*
'*Pagget*, Eſquire, called *Paggets Great Ground*; and from thence along by *Fenton Load* to a Dike between a
'Farm belonging to *Mary Underwood*, called *Hither High Fen Farm*; and a Farm belonging to *Charles Leeds*;
'and from thence along by the ſaid Dike to a Drain, called the *Twelve Foot Drain*; and along by a Bank
'on the Weſt Side of the ſaid Drain to a Place called *Hammonds Eau*; and from thence along by the North
'Side of Fen Ground, belonging to *Iſaac Wollaſton*, Eſquire, before-named, to *Somerſham* Turnpike bridge;
'and from thence along the Eaſt Side of *Somerſham* Turnpike Road to a Place called the *Ferry Chelm*,
'otherwiſe *Chatteris Ferry*; and from thence along the Outring Ditch next adjoining to a Common
'known by the Name of *Ferry Burroughs*, to another Common called *Horſeload Fen*; and from thence a-
'long by the Outring Ditch, next adjoining to the ſaid Fen, formerly known by the Name of *Snares Load*
'to a Tunnel lying under and through a Bank called *Iretons Way* or *Bank*, and from thene along by the
'Outring Ditch, which parts certain Grounds called *Mepall Severals*, from a Common called *Block Fen*,
'and the Outring Ditch, which parts *Chatteris Severals*, and the ſaid *Bloek Fen*, to the ſaid Bank called
'*Iretons Way*, otherwiſe *Mepall Bank*; and from thence along by the ſaid Way or Bank to *Chatteris Com-*
'*mon*, near to a Place there called *Wenny*; and from thence along by the Outring Ditch, which divides cer-
'tain Land, now in Poſſeſſion of *John Marriott*, from the laſt-mentioned Common, and along the Outring
'Ditch of certain Land now in Poſſeſſion of *Francis Pemberton*, Clerk, to certain Land called *Biſhops Land*,
'now in Poſſeſſion of *Mark Gretton*, Clerk; and from thence along by the ſaid Ditch, next adjoining to a
'Common called *Chatteris Common*, to a Bank called the *Forty Foot Bank*, and ſo along by the ſaid Bank to
'a Place called *Welches Dam*; and from thence along by the Bank called the *Twenty Foot Bank*, or *Black*
'*Bank*, to the Diviſion Dike between the Houſe of *Thomas Rogers* before-named, and the ſaid North Mead
'Lands; and all that Tract of Land called *Weſtmoor Beezlings* and *Reſtidge*, beginning from and at a
'Drain called the *Forty Foot Drain*; and from thence along by a Part of *Chatteris Common* called *Curfe*; and
'from thence abutting upon and againſt Land called *Willey*; and upon a Common called *Under Willey*, to
'the End of certain Land next adjoining to a Place called *Hive End Burrows*, now in Poſſeſſion of *Edward*
'*Doyly*; and from thence along by the Outring Ditch of certain other Lands, now in Poſſeſſion of the ſaid
'*Edward Doyley*, *Gotobed Eaſt*, *Thomas Smith*, *John Marriott*, and others, to Part of a Common called *Chat-*
'*teris Mow*, otherwiſe *Acre Fen*; and from thence along by the Outring Ditch next the ſaid *Mow*, otherwiſe
'*Acre Fen*, to a Piece of Land formerly called the *Weſt Water*, otherwiſe *Old Weſt Water*; and from thence
'along by the ſaid Land, to certain Land now in Poſſeſſion of Sir *Thomas Peyton*, Baronet; and from
'thence along by the Outring Ditch between the Land of the ſaid Sir *Thomas Peyton*, and Land now or late
'in Poſſeſſion of *Rebecca Clark*, *Benjamin Skeles*, and the Heirs of *Robert Skeeles*, to a Drove called *Beezlings*
'*Drove*; and from thence along by the Eaſt Side of the ſaid Drove, to the aforeſaid Drain called the *Forty*
'*Foot Drain*; and from thence along by the ſaid Drain, to the aforeſaid Piece of *Chatteris* Common called
'*Curfe*; and from thence along by the ſaid Common, to a Place called *Carters Bridge*; are (except certain
'Parts and Parcels thereof, which are herein after deſcribed and excepted) ſubject to Inundations through
'the Defect of their Outfalls to Sea, and are in danger of being rendered uſeleſs, to the great Damage and

'Impoverishment of the Owners and Proprietors of such Grounds, and to the Loss of the Publick: And 'whereas the said Fen Lands and Low Grounds cannot be preserved without the Aid of Parliament, to 'enable the Owners thereof to drain the same and to keep the same drained for the future;' May it therefore please your most Excellent Majesty that it may be enacted, &c.

"Commissioners impowered to make Works for draining the Lands. Justices at the Quarter Sessions to "settle Differences. Commissioners to meet twice a Year, to make Orders for draining the Lands, and to "appoint Officers. Commissioners impowered to raise a Tax of 1 s. 6 d. *per* Acre for the first Year; and "for every Year after 1 s. *per* Acre. Certain Lands exempted from being taxed. Commissioners impow-"ered to borrow Money on the yearly Rates, at 5 l. *per Cent*. Commissioners impowered to award Satis-"faction to the Proprietors of *Westmore Beeglings*, and *Restidge*, for Cuts made by them. The Tax to be "levied by Distress and Sale. Tenants required to pay the Tax, which is to be allowed them by the Land-"lords. Tunnels to be laid under all the Dikes, &c. 100 l. Penalty on wilful damaging, &c. the Works. "For want of Distress the Person to be committed. Persons convicted of setting Fire to any of the Works, "to be transported as Felons. Commissioners to inspect and adjust the Accounts yearly. Upon Death, &c. "of Commissioners, others to be chosen in their Room. Number not to exceed 45. No Works to be "made to hinder the Waters drained from certain Lands, from issuing to their Outfall. The Rights of the "Governor, &c. of *Bedford Level*, reserved."

CAP. XII.

An Act for continuing and making more effectual two Acts of Parliament, the one passed in the eleventh Year of the Reign of his late Majesty King *George* the First, and the other in the third Year of the Reign of his present Majesty, for repairing the Road leading from *Sherbrooke Hill* near *Buxton* and *Chapel in the Frith* in the County of *Derby*, through the Town of *Stockport* in the County of *Chester*, to *Manchester* in the County of *Lancaster*; and for amending other Roads adjoining to the Road directed to be repaired by the first-mentioned Act. P R.

The former Acts 11 Geo. 1. c. 13. and 3 Geo. 2. c. 4. continued for 21 Years.

CAP. XIII.

An Act for laying a Duty of two Pennies *Scots*, or one sixth Part of a Penny *Sterling*, upon every *Scots* Pint of Ale and Beer, which shall be brewed for Sale, brought into, tapped or sold, within the Town of *Kinghorn*, and Liberties thereof. P R.

A Duty of Excise granted to the Town for 31 Years, &c.

CAP. XIV.

An Act for continuing and making more effectual two Acts of Parliament, for repairing the Highway between a certain Place called *Kilburn Bridge* in the County of *Middlesex*, and *Sparrows Herne* in the County of *Hertford*. P R.

The former Acts 10 Ann. and 8 Geo. 1. c. 9. continued for 21 Years.

CAP. XV.

An Act for enlarging the Term and Powers granted by an Act passed in the second Year of the Reign of his present Majesty, for repairing the several Roads therein mentioned, leading into the Town of *Leominster* in the County of *Hereford*; and for making the said Act more effectual. P R.

The Act 2 Geo. 2. c. 13. continued for 21 Years.

CAP XVI.

An Act for draining and improving certain Fen Lands within the Manors and Parishes of *Upwell* and *Outwell*, and the Parishes of *Denver* and *Welney*, in the Isle of *Ely*, and Counties of *Cambridge* and *Norfolk*. P R.

'WHEREAS certain Fen Lands lying and being in the Parish of *Denver*, the Manors and Parishes 'of *Upwell* and *Outwell*, and the Parish of *Welney*, within the Isle of *Ely*, County of *Cambridge*, 'and County of *Norfolk*, containing in the Whole near eleven thousand Acres, and bounded as followeth; 'that is to say, from the Outring Ditch of the Land of *Joseph Gordon* Gentleman, next to the Bank of 'the Land of *Edmund Saffery* Gentleman, and along *Well Creek*, by *North Delph Corner*, to *Churchfield Bank* 'in *Outwell* aforesaid; and along *Churchfield Bank* to a Place called *Small Load*, where it joins a Bank called '*Plowfield Bank*; and along *Plowfield Bank* to a Place called *Upwell Sluice* standing upon *Popham's Eau*; 'and from thence along by *Popham's Eau*, to a Place called *The Sixteen Foot Bank*; and from thence, 'along by the said Bank, to a Place called *The Old Chair Drain*; and from thence to a Place called *Darcy* '*Load*; and from thence along the said Load, to *Welney Old River*; and from thence along by the said 'River, to a Place called *The Twenty Foot Drain*, at *Welney*; and from thence along by the said Drain, to 'the Outring Ditch of the Land of the said *Joseph Gordon*, next to the said *Twenty Foot Drain*; and along 'the said Outring Ditch to *Well Creek*; have of late Years been frequently overflowed, and annoyed with

'Water, by reason of the Decay of the Outfall which discharges the Land Waters to the Sea, and are 'thereby greatly diminished in their Value, to the great Loss of the several Owners and Proprietors thereof, 'and of the Publick in general: And whereas the said Fen Lands cannot be drained and preserved, so as 'to restore them to their real Value, without the Aid of Parliament to enable the said several Owners and 'Proprietors to undertake the same;' May it please your most Excellent Majesty, that it may be enacted, *&c.*

"Commissioners impowered to make Works for draining the Lands. Justices at the Quarter-Sessions to "settle Differences. Commissioners to meet twice a Year, impowered to make Orders, and appoint Of- "ficers. Commissioners impowered to raise a Tax of 1*s.* 6*d. per* Acre for the first Year; and for every "Year after, 1*s. per* Acre. Commissioners impowered to borrow Money on the yearly Rates; at 5*l. per* "*Cent.* Commissioners impowered to remove the Mills erected for draining the Lands; and to erect "them where they shall think proper, and to examine the Accounts of the Monies expended, *&c.* The "Commissioners to reimburse the Monies expended in banking certain Parts of the 20 Feet Drain. The "Tax to be levied by Distress and Sale. Tenants required to pay the Tax, which is to be allowed them "by the Landlords. Horse-mills may be erected on the Arable Lands. Tunnels to be laid under all the "Dikes, *&c.* Officers impowered to lay them if the Owners refuse, *&c.* 100*l.* Penalty on wilfully da- "maging, *&c.* the Works. For want of Distress the Person to be committed. Persons convicted of "setting Fire to any of the Works, to be transported as Felons. Commissioners to inspect and adjust the "Accounts yearly. Upon Death, *&c.* of Commissioners, others to be chosen in their Room. Number "not to exceed forty. The Rights of the Governor, *&c.* of *Bedford Level* reserved."

CAP. XVII.

An Act for effectually amending and repairing the Road leading from *Wansford Bridge* in the County of *Northampton*, to the Town of *Stamford* in the County of *Lincoln*. PR.

Certain Tolls granted for 21 Years.

CAP. XVIII.

An Act for enlarging the Term and Powers granted by an Act passed in the third Year of the Reign of his present Majesty, for repairing the several Roads leading into the City of *Hereford*. PR.

The Act 3 Geo. 2. c. 18. continued for 21 Years.

CAP. XIX.

An Act for the more effectual Draining and Preserving of several Fen Lands and Field Lands, in the Bounds and Precincts of *Whittlesey* in the *Isle of Ely*, in the County of *Cambridge*. PR.

'WHEREAS there are certain Fens and Low Grounds lying in the Township of *Whittlesey*, within 'the *Isle of Ely*, and County of *Cambridge*, containing in the whole about nine thousand seven hun- 'dred and fifty Acres; and which are divided into five several Districts or Tracts, containing the several 'Parcels and Quantities of Land herein after particularly mentioned and described; that is to say, all those 'Fen Lands and Low Grounds lying in *Whittlesey* aforesaid, in a Place there called *King's Delph*, contain- 'ing by Estimation three hundred and fifty Acres, be the same more or less, and bounded as follows; to 'wit, From *King's Delph Gravel* by *Canters Doles Dyke*, to the Droveway dividing *Blackbush* from *King's* 'Delph (excluding the said Droveway) from the said Droveway by the Lands of Mistress *Frankland*, *Tho-* 'mas Randall, *William Drake*, *William Angell*, *George Mayles*, *George Randall*, and *Thomas Randall*, to 'the first Cross-drove; along the said first Cross-drove by the Lands of the said *Thomas Randall* and *Thomas* 'Kelsull to *Suet-hill Drove*; along *Suet-hill Drove* South, by the Lands of *John Loomes* senior, to the second 'Cross-drove; by the said Lands of *John Loomes* and *William Searle* to the third Cross-drove; and along 'the said third Cross-drove by the Lands of *George Watson* to the fourth Cross-drove; along the said fourth 'Cross-drove by the Lands of *William Fletcher*, to the Drove dividing the *Setts* and *Running-Commons*; 'along the said Drove to the West End of the *Freeman's Acres*; from the West End of the said *Freeman's* 'Acres, to the Half Dole on the East Side of the *Brigwood*; and along the said Half Dole to *Whittlesey* 'Dyke, at *Fields-end Bridge*; and from the *Fields-end Bridge* along *Whittlesey Dyke* to *King's Delph Gravel* 'aforesaid; do constitute the first District or Division; and all those Fen Lands and Low Grounds called 'Reach, otherwise *Blackbush*, containing by Estimation fourteen hundred Acres, be the same more or less, 'and bounded as follows; to wit, From the Town of *Whittlesey*, to a Place called *Pond's Bridge*, by a 'Drain called *The Sixteen Feet Drain*; and from thence by the said Drain called *Oakley Dyke*, to the *Run-* 'ning Commons in *King's Delph* at the South End thereof; and from thence by a Droveway which divides the 'said Lands called *Blackbush*, from the said Lands called *King's Delph*, to the North Corner of the said 'Mistress *Frankland's* Lands called *Running Common* (including the said Droveway) and from thence by the 'North End of *Thomas Moore's* Lands to *Canters Doles Dyke*; and from thence by *Canters Doles Dyke* to 'Whittlesey Dyke, near *King's Delph Gravel*, being the West Boundary thereof; and from the said *Whittlesey* 'Dyke, near *King's Delph Gravel*, by the same Dyke to a Place called the *Long Gravel*; and from the *Long* 'Gravel by a Dyke which divides the North End of the Land called Master *Bird's Hundred Acres*, from the 'Lands of *Rebecca Serjeant*, Widow, *John Hoby* and *John Garner*, to the said *Sixteen Feet Drain* (excluding 'such last mentioned Lands, and the said Master *Bird's One Hundred Acres)* do constitute and make the se-

'cond

'cond Diviſion; and all thoſe Fen Lands and Low Grounds called *The Setts*, *Great Oldeameere*, and *Near* 'Wype, containing by Eſtimation one thouſand Acres, be the ſame more or leſs, and bounded as follows; 'to wit, From *Whittleſey Dyke*, over-againſt *Eaſtrey Lake*, by the Half Severals and Fields belonging to 'the Town of *Whittleſey*, to a Droveway leading from *Whittleſey* to *Eaſtrey* called the *Common Half-acre* '(excluding the ſaid Half Severals and Fields) and from the *Common Half-acre*, by a Droveway leading 'to the Half Severals called the *Fen Lots* (excluding the ſaid Half Severals called the *Fen Lots*, and includ- 'ing the Whole Severals called the *Fen Lots*) and from the ſaid *Fen Lots* by *Eaſtrey-field* to *Coates*; and 'from *Coates* by *Kelfull's* Lands and the ſaid *Thomas Moore's* thirteen Acres at *Lipnea*; and from the ſaid 'Thomas Moore's Lands at *Lipnea*, by a Droveway leading to *Beggars Bridge*; and from *Beggars Bridge*, by 'Bevill's River to *Whittleſey Dyke* near *Angle Bridge*; and from *Angle Bridge* by the ſaid *Whittleſey Dyke* to 'Eaſtrey Lake aforeſaid, do conſtitute the third Diviſion; and all thoſe Fen Lands and Low Grounds, called 'by the Names of the *Far Doles in Far Wype*, *Little Oldeameere*, *The Turves*, and *Eaſtrey Fen*, containing by 'Eſtimation two thouſand Acres, be the ſame more or leſs, and bounded as follows; to wit, By *Bevil's Ri-* 'ver from *Angle Corner* (excluding the River Bank from *Angle Corner* to *Angle Bridge*) to *Shaw's Dyke*, and 'by *Shaw's Dyke* to *Whittleſey Dyke*, and by *Whittleſey Dyke* to *Angle Bridge* (excluding the ſaid Bridge) do 'conſtitute the fourth Diviſion; and all thoſe Fen Lands and Low Grounds called *Glaſſmoore*, containing 'by Eſtimation five thouſand Acres, be the ſame more or leſs, and bounded as follows; to wit, From *Angle* 'Bridge by *Whittleſey Dyke* to a Dyke dividing the Lands in the Occupation of *Peter Huffield* and Lands of 'George Watſon from the Lands of *John Stona* the Elder; from the Lands of the ſaid *John Stona* the Elder 'along the ſaid Lands by the ſaid Dyke to the South Side of a Droveway called *Forth's Drove*; and along 'the ſaid Drove Weſt, to the Weſt Side of a Dyke dividing the Lands of *Henry Coventry* Eſquire, and 'David Searle (and excluding the ſaid *Henry Coventry's* Lands) and along the ſaid Lands of the ſaid *David* 'Searle by the ſaid Dyke to the South End of a Drove called *Roger's Drove*; and along the ſaid Drove Weſt 'to the Weſt Side of a Dyke dividing other Lands of the ſaid *Henry Coventry* from Lands belonging to 'the ſaid Town of *Whittleſey* (but excluding the ſaid *Henry Coventry's* Lands) and along the ſaid Lands 'belonging to the ſaid Town of *Whittleſey* by the ſaid Dyke to Lands of *Thomas Ground*; and along the 'ſaid Lands by the ſaid Dyke to the South Side of *Benwick Drove*; and along the ſaid Drove Weſt to the 'Eaſt End of fourteen Acres of *John Dawkings*; and from the ſaid fourteen Acres to the Land of *John* 'Laxon Eſquire, *Francis Ibbertſon*, and *James Whittome* (including the ſame Lands) to a Droveway called 'Angle Bridge Drove; and along the ſaid Drove a Dyke dividing the Lands of *Samuel Hawkins* from *Ram-* 'ſey Lot Drove; along the ſaid Lands of *Samuel Hawkins* by the ſame Dyke to Lands of *Richard Speechly*; 'along the ſaid Lands by the ſame Dyke to the Lands of *Thomas Beaver*; and along the ſaid Lands of *Tho-* 'mas Beaver by the ſame Dyke to Eight Acres of the Earl *Waldgrave*; and along the ſaid Eight Acres to a 'Dyke dividing the ſame from the Lands of *Coulſon Fellowes* Eſquire, (excluding the ſaid Lands of the ſaid 'Coulſon Fellowes) and from the ſaid Eight Acres by the ſame Dyke to a Stow or Gapſtead of the ſaid Earl 'Waldgrave; and from the ſaid Stow or Gapſtead along other Lands of the ſaid Earl by the ſaid Dyke to 'the Lands of *William Plummer*; and along the ſaid Lands of the ſaid *William Plummer* by the ſame 'Dyke to Lands of the Earl of *Lincoln*; and by the ſame Dyke to *Delph Dyke* otherwiſe *Sword Dyke*; and 'by *Sword Dyke* to *Bevill's River* at *Pond's Bridge*, and by *Bevill's River* to *Whittleſey Dyke* at *Angle Cor-* 'ner; and from *Angle Corner* by *Whittleſey Dyke* to *Angle Bridge* aforeſaid; do conſtitute the fifth Diviſion: 'And whereas the ſaid Fen Lands and Low Grounds do naturally produce great Quantities of Corn and 'Grain, and alſo Forage for Cattle, to the great Benefit of the Owners thereof, and the Advantage of the 'Publick; but by reaſon of their flat Situation, and the Defect of their Outfalls to the Sea, the ſame are 'liable to be overthrown, and covered with Water, and cannot be drained, and kept dry, unleſs ſome 'Powers and Proviſions be made and given for that Purpoſe, by Authority of Parliament:' Wherefore to the End and Intent that the ſaid Lands and Grounds may be more effectually drained, and preſerved for the future, for the Benefit of the Proprietors thereof, and of the Publick; May it pleaſe your moſt Excellent Majeſty, that it may be enacted, *&c.*

"Commiſſioners for the ſeveral Diviſions impowered to make Works for draining the Lands. Juſtices to "determine Differences. Commiſſioners to meet twice a Year, to make Orders for draining the Grounds. "No new Cut to be made in any whole Lands for conveying the Water from any Mill. Commiſſioners "impowered to appoint Officers. Commiſſioners impowered to make a yearly Acre-rate, *viz.* For *King's* "*Delph*, being the firſt Diviſion, not exceeding 5*s.* *per* Acre, in the firſt Year, and 2*s.* an Acre in any "other Year; for the other Diviſions, 2*s.* 6*d.* an Acre in the firſt Year, and 1*s.* 6*d.* in any other Year. "On Default of Payment, the Rates to be levied by Diſtreſs and Sale. Tenants to pay the Rates, and "deduct the ſame out of the Rents. Power of diſtraining on Lands unoccupied. Upon Death, *&c.* of "Commiſſioners, others to be choſen. 100*l.* Penalty on wilful damaging, *&c.* the Works. To be levied "by Diſtreſs and Sale. For want of Diſtreſs, the Perſon to be committed. Perſons convicted of ſetting "Fire to, or deſtroying any of the Works, to be tranſported as Felons. Commiſſioners and Land Own- "ers to adjuſt the Accounts yearly. In caſe of Diſagreement two Juſtices to determine the Difference. "10*s.* Penalty on making Watering Places for Cattle in the Mill-drains. The Droveway and Outring "Dykes to be kept of a ſufficient Depth, and 9 Feet broad, and well roaded, *&c.* The Homage Jury to "be Commiſſioners for draining the Common-field Lands; and for making an annual Rate, and appoint- "ing Officers. The Rights of the Governor, *&c.* of *Bedford Level*, reſerved. Powers of the Commiſ- "ſioners not to extend to certain Lands. Five Commiſſioners to determine Diſputes about what Lands are "liable to be charged."

CAP.

CAP. XX.

An Act for making more effectual an Act passed in the eleventh and twelfth Years of the Reign of King WILLIAM the Third, for the better preserving the Navigation of the Rivers *Avon* and *Froom*; and for cleansing, paving and enlightening the Streets of the City of *Bristol*, so far as the same Act relates to the paving and enlightening the said Streets; and for the regulating Hackney Coachmen, Halliers, Draymen and Carters, and the Markets, and Sellers of Hay and Straw, within the said City and Liberties thereof. P R.

'WHEREAS by an Act made in the eleventh and twelfth Years of the Reign of his late Majesty King WILLIAM the Third, (intituled, *An Act for the better preserving the Navigation of the Rivers* Avon *and* Froom; *and for cleansing, paving, and enlightening the Streets of the City of* Bristol) Provision was made for the enlightening the Streets of the City of *Bristol* in Manner therein mentioned; but which hath, in many Instances, been found insufficient to answer the good Purposes intended by the said Act; and more particularly for want of a sufficient Power being vested in the Justices of the Peace in their General Quarter-Sessions to order and oblige the Inhabitants of the several Parishes and Precincts within the said City, to make use of publick Lamps within their respective Parishes and Precincts, and to order the Number of such Lamps: And also for want of ascertaining a due Length of Time, during which such Lamps shall be kept burning; and for want of erecting and maintaining a competent Number of such publick Lamps, the Citizens and Inhabitants of the said City are exposed to the Danger of Fires, Murders, Burglaries, Robberies, and many other Outrages and Inconveniencies; and the enlightening of the said Streets is greatly hindred and obstructed by Signs, which are hung out before the Houses of several Persons, and which obscure the same:' For Remedy whereof, may it please your Majesty that it may be enacted, *&c.* 11 & 12 W. 3. c. 23.

" The Mayor and Justices to order the Number and Fashion of the Lamps. Power given for contracting " for the erecting of the Lamps; and for lighting and trimming them. Contract to be made but for 1 Year, " and not to exceed the Sum rated. Parish Officers excluded from being interested in any Contract. Parish " Officers to meet yearly. Rates to be made, and Collectors to be appointed. Justices to confirm the Rates. " Collectors to make Payment to the Surveyors. Persons aggrieved may appeal. Collectors becoming in- " solvent, the Rates to be reassessed. Collectors and Surveyors to account yearly, *&c.* on pain of Com- " mitment. Alderman of the Castle Precincts to give Notice to the Guardians, *&c.* of the Poor, to meet " in *February* yearly. 40 *s.* Penalty on Persons breaking or extinguishing the Lamps. Mayor and Justices " to hear Offences. For want of Distress, the Party to be committed. Persons aggrieved may appeal to " the Quarter-Sessions, Clauses in 11 & 12 W. III. relating to the enlightening the Streets repealed. The " Mayor and Justices to make Orders concerning the Pavement. Surveyors of the Highways to have the " Charge of paving. Rates to be made for paving. Water falling from the Tops of Houses to be conveyed " by Pipes on the Sides or Fronts. Carriages used within the City to be drawn by 3 Horses only; the " Wheels not to be bound with Iron Streaks of less Breadth than six Inches. The Mayor and Aldermen, " *&c.* to make Rules for regulating Hackney Coachmen, *&c.* The Mayor and Common Council to make " Orders for regulating the new Market. Hay and Straw brought for Sale into *Bristol* to be made up into " Trusses. Trusses of Hay to weigh 56 *lb.* and of Straw 7 *lb.* None to gain a Settlement by paying of " these Rates."

CAP. XXI.

An Act for explaining and amending an Act passed in the seventeenth Year of his present Majesty's Reign, intituled, *An Act for raising and establishing a Fund for a Provision for the Widows and Children of the Ministers of the Church of* Scotland, *and of the Heads, Principals, and Masters of the Universities of* Saint Andrews, Glasgow, *and* Edinburgh.

'WHEREAS by an Act made in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act for raising and establishing a Fund for a Provision for the Widows and Children of the Ministers of the Church of* Scotland, *and of the Heads, Principals, and Masters of the Universities of* Saint Andrews, Glasgow, *and* Edinburgh; it was, among other Things, enacted, That every Minister who should be ordained and admitted to a Benefice in a Church of *Scotland*, and every Person who should be admitted as Head, Principal, or Master, in any of the three Universities of *Saint Andrews*, *Glasgow*, and *Edinburgh*, after the twenty-fifth Day of *March* one thousand seven hundred and forty-four, should be subject to the annual Rate of two Pounds twelve Shillings and six Pence, or of three Pounds eighteen Shillings and nine Pence, or of five Pounds five Shillings, or of six Pounds eleven Shillings and three Pence, of lawful Money of *Great Britain*, at his Option: and should, at the Term of *Candlemas* next after Admission to, or Enjoyment of his Benefice or Salary for one whole Year, make Payment of one Year's Rate; and in case he, at such Term of *Candlemas* had been admitted to, or enjoyed his said Benefice or Salary only for one Half Year, he should only be liable to the Payment of half of the said yearly Rate, and to the full Year's Rate at each Term of *Candlemas* next thereafter, during his Life; and every Minister, Head, Principal or Master as aforesaid, was required to make his Election of one of the said four yearly Rates, on or before the first Term of *Candlemas* after he should have a Right to one Half Year's Benefice or Salary, or before the Term of *Candlemas* next after having had Right for one Year and Half to any Benefice situate in 17 Geo. 2. c. 15.

‘ the Weſtern or Northern Iſles of *Scotland*; and in Default thereof he was to be ſubject to the annual Rate
‘ of three Pounds eighteen Shillings and nine Pence, during Life; and every Miniſter, Head, Principal or
‘ Maſter intitled to a Benefice or Office as aforeſaid, and every Miniſter in the Weſtern and Northern Iſles of
‘ *Scotland*, before the twenty-fifth of *March* one thouſand ſeven hundred and forty-four, was to give Notice
‘ within ſix Months, or eighteen Months reſpectively, that he would not be ſubject to any of the yearly
‘ Rates before mentioned, or would ſubject himſelf to one or other of them, declaring which of them he
‘ choſe to be ſubject to, and in Default of giving ſuch Notice reſpectively, was to be liable to the annual
‘ Rate of three Pounds eighteen Shillings and nine Pence: And the ſaid Act likewiſe aſcertained what Pro-
‘ portion of the ſaid Rates ſhould be paid reſpectively by Miniſters, Heads, Principals or Maſters, who at
‘ their Deaths, had only Right to one Half of the Benefice or Salary of that Year, and by their Heirs and
‘ Executors, and by thoſe who had a Right to the Ann; and what other Rates and Sums ſhould be paid by
‘ every Miniſter, Head, Principal or Maſter, for the firſt Year, and upon the Marriage of Miniſters, Heads,
‘ Principals or Maſters, ordained or admitted Aſſiſtants and Succeſſors to thoſe having Right to a Benefice or
‘ Salary; and upon the firſt and every ſucceeding Marriage of every Miniſter, Head, Principal or Maſter,
‘ admitted as well after as before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and forty-
‘ four, to his Benefice or Office: And every Miniſter, Head, Principal or Maſter aforeſaid, neglecting to
‘ pay the annual or other Rates due at the Times appointed, was to be ſubject to lawful Intereſt from the
‘ reſpective Times of Payment: And every Benefice and every Office as aforeſaid, vacant before the twenty-
‘ fifth Day of *March* one thouſand ſeven hundred and forty-four, was to be ſubject to the Sum of five
‘ Pounds; and vacant on or after the ſaid twenty-fifth Day of *March*, to two Pounds ten Shillings, for
‘ every Half Year the Vacancy ſhould continue: And it was further enacted, That out of the aforeſaid an-
‘ nual Rates and other Sums, there ſhould be paid, by Order and Direction of Truſtees therein after named,
‘ a Sum not exceeding two hundred and ten Pounds of lawful Money of *Great Britain*, yearly, for the Sa-
‘ laries of a General Collector or Receiver, and a Clerk; and that the Remainder of the ſaid ſeveral Sums
‘ ſhould be applied to the Payment of an Annuity of ten Pounds, or fifteen Pounds, or twenty Pounds, or
‘ twenty-five Pounds reſpectively, to the Widow of every Miniſter, Head, Principal or Maſter, who had
‘ been ſubject to the annual Rates of two Pounds twelve Shillings and ſix Pence, or three Pounds eighteen
‘ Shillings and nine Pence, or five Pounds five Shillings, or ſix Pounds eleven Shillings and three Pence re-
‘ ſpectively, to commence from the firſt Term of *Whitſunday* or *Martinmas*, which ſhould be one full Half
‘ Year after the Huſband's Death; and if no Widow was left, but one or more Children, ſuch Child or
‘ Children was to be intitled to a Sum equal to ten Years Annuity that would have been payable to their
‘ Father's Widow; and if the Widow died, or was married before the Lapſe of ten Years after the Com-
‘ mencement of her Annuity, and whoſe Huſband left a Child or Children, who, at her Death or Marriage,
‘ ſhould be under the Age of ſixteen Years, ſuch Child or Children was to be intitled to a Sum equal to ten
‘ Years of the ſaid Widow's Annuity, deducting ſo much thereof, as had been then received by the Widow:
‘ And it was further enacted, That the Surplus of the annual Rates and Sums after Payment of the annual
‘ Expence of Management, and of the ſaid Annuities and other Proviſions, ſhould at the Term of *Whit-*
‘ *ſunday* yearly, be lent out to Miniſters, Heads, Principals and Maſters, ſubject to annual Rates as afore-
‘ ſaid, to the amount of thirty Pounds to each (every of whom was thereby obliged to receive the ſame)
‘ which was to be repaid with Intereſt, at the Time that he ceaſed to have Right to his Benefice or Office:
‘ And it was thereby further enacted, That all future Surpluſſes, over and above the Sums ſo lent as afore-
‘ ſaid, ſhould, from time to time, be lent out at an Intereſt not under four Pounds *per Centum per Annum*,
‘ until a Capital was made of thirty-five thouſand Pounds; and the Surplus ariſing above the ſaid Capital,
‘ was to be divided proportionably amongſt the Children of Miniſters, Heads, Principals and Maſters, who,
‘ in reſpect of the Death of their Father, or the Death or Marriage of his Widow within that Year, ſhould
‘ be then intitled to receive their Proviſions: And divers Proviſions were enacted to prevent any Diminution
‘ of, or Incroachment upon, the ſaid Capital: And Truſtees were nominated for levying, receiving, and
‘ iſſuing the reſpective annual Sums payable by virtue of the ſaid Act for the Purpoſes therein expreſſed, and
‘ for lending out the Surplus in Manner therein directed, and for raiſing the aforeſaid Capital of thirty-five
‘ thouſand Pounds by Loans at Intereſt, and for uplifting the ſaid Capital in the Whole or in Part, and re-
‘ employing the ſame; and they were to meet in the Old Church Iſle at *Edinburgh*, and were to have four
‘ ſtated regular Meetings yearly; and a General Collector or Receiver of the aforeſaid annual or other Rates
‘ was to be appointed, who was to have full Power to carry on all Suits and Actions for Recovery thereof;
‘ and was impowered to uſe all Diligence for ſecuring all and every the aforeſaid Sums; the Expence whereof
‘ was to be recovered out of the reſpective Debtors Eſtates, without any Abatement or Mitigation; and in-
‘ cidental Expences of the ſaid Truſtees were not to exceed, in any one Year, the Sum of forty Pounds:
‘ And whereas Inconveniencies and Difficulties have ariſen in the Execution of the ſaid Act, by reaſon that
‘ the Miniſters, Heads, Principals and Maſters, ordained or admitted after the twenty-fifth Day of *March*
‘ one thouſand ſeven hundred and forty-four, are allowed to withhold their Declarations touching their
‘ Election of their annual Rates, ſo late in the Year as *Candlemas*; and the Collector General cannot ef-
‘ fectually levy and bring in the ſaid Rates, and other Sums, under his Management, between the Terms
‘ appointed for the Payment and Diſtribution thereof, by the Means of an ordinary Action againſt the De-
‘ ficients; and the Expence of ſuch Action becomes very heavy upon the deficient Miniſter, Head, Princi-
‘ pal or Maſter: And whereas the Number of Benefices and Offices in *Scotland*, ſubjected to the ſaid Rates,
‘ have been found to be conſiderably leſs, and the Number of Widows and Children to be provided for
‘ conſiderably greater than was ſuppoſed in the Computation, upon which the Proportion between the an-
‘ nual Rates and the Annuities and Proviſions mentioned in the ſaid recited Act was fixed; and the Annui-
‘ ties and Proviſions already become payable to the Widows and Children of Miniſters, Heads, Principals
‘ and Maſters deceaſed, and thoſe which may become due for ſeveral ſucceeding Years, will, in all Proba-
‘ bility, very much exceed what they were computed at; and the ſaid deceaſed Miniſters, Heads, Princi-

'pals and Masters, have contributed very little to the Fund established by the said Act; and there is great 'Reason to apprehend, that the annual Surplusses, in the early Years of Collection of the Rates and Sums 'aforesaid, will not raise the intended Capital, and that the said Fund, if raised, will not be sufficient for 'answering the Design of the said Act; by reason whereof, the Widows and Children of those Ministers, 'Heads, Principals and Masters, who shall have contributed most to the raising of the said Fund, will be 'deprived of a great Part of the Annuities and Provisions due to them, unless some Deduction shall be 'made from the Annuity granted to the Widow, or the Provision made for the Child or Children of each 'Minister, Head, Principal or Master, who shall not have contributed to the Fund a Sum equal to three 'Years Amount of the Annuity correspondent to his annual Rate, and unless a Sum be allowed annually 'for increasing the capital Fund to a greater Amount than is allowed by the said recited Act: And whereas 'also it is equitable and just, that the Widows, as well as Children of Contributors to the said capital 'Fund, should have a Share of any Benefit which may casually arise from the Surplusses thereof, after such 'Capital shall be made up:' Therefore, and for removing the Doubts and Difficulties aforesaid touching the Execution of the said recited Act, and for preserving a just and equal Proportion, as much as is possible, between the Contributions made to the said Fund by any Minister, Head, Principal or Master, and the Sums to be drawn out of the same by his Widow and Children, and between the Widows and Children of such Contributors; your Majesty's most dutiful and loyal Subjects, the Trustees named and appointed in and by the said recited Act for putting the same in Execution, as specially warranted and authorized to that effect by the General Assembly of the Church of *Scotland*, holden in the Month of *May* last, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifteenth Day of *May* one thousand seven hundred and forty-nine, every Minister who shall be ordained and admitted to a Benefice in the Church of *Scotland*, and every Person who shall be admitted as Head, Principal or Master, in any of the Universities of Saint *Andrews*, *Glasgow* and *Edinburgh*, shall make his Election to which of the four yearly Rates mentioned in the said recited Act he chooses to be subjected, during his Life, in Manner therein directed, within the Times respectively after-mentioned; that is to say, Every Minister having a Benefice in the Western or Northern Isles of *Scotland*, on or before the fifteenth Day of *January*, that shall first happen after such Minister shall have had Right to his Benefice for a Year and half; and every other Minister aforesaid, of the Church of *Scotland*, on or before the fifteenth Day of *January*, that shall first happen after such Minister shall have had Right to his Benefice for one half Year; and every Head, Principal or other Master aforesaid, of any of the said three Universities, on or before the fifteenth Day of *January*, that shall first happen after he hath held his Office for four Calendar Months; and every respective Minister, Head, Principal or Master, neglecting to notify his Election in the Form and Manner prescribed by the said recited Act, within the respective Times herein before limited, shall be deemed and held to have made his Election of the annual Rate of three Pounds eighteen Shillings and nine Pence, and shall be liable to the said Rate accordingly, during his Life.

Beneficed Ministers and Heads of the Universities to choose within a certain Time, to which of the yearly Rates they will be subject.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Lords of Council and Session in *Scotland*, or any one of them, to issue Letters of Horning, at the Instance of the General Collector or Receiver for the time being, of the annual Rates or other Sums imposed by the said recited Act, against all and every the Ministers of the Church of *Scotland*, and Heads, Principals and Masters in the Universities, subject or liable to the same, for compelling Payment of their annual or other Rates or Sums, Principal or Interest, to the Payment of which they or any of them are or may be liable by virtue of the said recited Act; and that the said Letters of Horning shall be executed, and other Proceedings shall be had thereon, in the same Form and Manner as is now in Use and authorized by Law, with respect to Hornings at the Instance of the Ministers of the said Church of *Scotland*, for compelling Payment of their Stipends; and that no Suspension of any Charge to be given in virtue of such Letters of Horning, shall be past without Consignation of the Sum charged for, as is also in Use, and authorized by Law in the aforesaid Case; any Law or Custom to the contrary notwithstanding.

The Lords of Session, upon Application, to issue Letters of Horning for Payment of the Rates.

Methods of executing the Letters.

III And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Trustees for the time being, executing the said Act, and they are hereby required to stop and deduct the one Half of every Annuity which shall become payable for the first Time, at the Term of *Whitsunday* one thousand seven hundred and forty-nine, or at any Term of *Witsunday* thereafter, to the Widow of every Minister of the Church of *Scotland*, and of every Head, Principal or Master, in any of the three Universities above mentioned, subject and liable to the annual Rates aforesaid, who shall not have paid, during the Time of and by his being a Contributor to the said Fund, a Sum equal to three Years Amount of the Annuity correspendent to his annual Rate, and the like at every succeeding Term of *Whitsunday*, during the Life of such Widow, until either she shall pay into the Fund, or until such Stoppages and Deductions shall amount to as much, as together with the Sums paid by her Husband (without computing any Interest thereon) shall make up or be equal to three Years of her Annuity; and that it shall and may be lawful for the Trustees aforesaid, and they are hereby required to stop and detain out of the Sum or Provision which shall become payable, at the said Term of *Whitsunday* one thousand seven hundred and forty-nine, or at any Term of *Whitsunday* thereafter, to the Child or Children of every Minister, Head, Principal or Master, subject and liable to the annual Rates aforesaid, who shall not have paid a Sum equal to the Amount of three Years Annuity corresponding to his annual Rate, so much as, together with the Sums paid by him, or that may have been deducted from his Widow (without computing Interest thereon) shall make up or be equal to three Years of the said corresponding Annuity; and the Widows or Children aforesaid shall only be intitled, in the respective Cases and Events aforesaid, to the Remainder, after the said respective Stoppages or Deductions of Annuities or Sums provided to them severally by the said recited Act; any thing therein contained to the contrary notwithstanding.

Trustees to stop one Half of every Annuity where the Contributor, &c. shall not have paid to the Fund a Sum equal to 3 Years Amount of such Annuity, &c.

Certain Sums to be applied yearly for raiſing a Fund of 30l. in the Hands of every Miniſter, and the Heads of the Univerſities;

and a Capital of 50,000l. to be lent out as directed by recited Act.

IV. And be it further enacted by the Authority aforeſaid, That the Truſtees named in or appointed by the ſaid recited Act, and acting for the time being in the Execution thereof, ſhall order and direct, and take Care, that the Sums after mentioned ſhall be applied, from Year to Year, out of the firſt and readieſt of the whole Produce, in virtue of the aforeſaid recited Act, after defraying the annual Expence of Management (as ſettled and limited by the ſaid recited Act and this preſent Act) for and towards raiſing and ſecuring a Stock or Fund to the Extent of thirty Pounds of lawful Money of *Great Britain*, to and in the Hands of each Miniſter in the Church of *Scotland*, and each Head, Principal or Maſter, in the ſaid Univerſities of *Saint Andrews*, *Glaſgow* and *Edinburgh*, who ſhall have become ſubject to one or other of the annual Rates above mentioned; and a further Sum of fifty thouſand Pounds like Money, of Capital, by their lending or cauſing to be lent out of the after mentioned Sums annually, in the Manner preſcribed in and by the ſaid Act; that is to ſay, Three thouſand Pounds ſhall be ſo applied at the Term of *Whitſunday* in each of the Years, from one thouſand ſeven hundred and forty-nine, to one thouſand ſeven hundred and fifty-two, both incluſive; two thouſand Pounds at the Term of *Whitſunday* in each of the Years from one thouſand ſeven hundred and fifty-three to one thouſand ſeven hundred and fifty-ſix, both incluſive; one thouſand Pounds at the Term of *Whitſunday* in each of the Years, from one thouſand ſeven hundred and fifty-ſeven to one thouſand ſeven hundred and ſixty-three, both incluſive; four hundred Pounds at the Term of *Whitſunday* in each of the Years, from one thouſand ſeven hundred and ſixty-four to one thouſand ſeven hundred and ſeventy, both incluſive; and two hundred Pounds at the Term of *Whitſunday* in the Year one thouſand ſeven hundred and ſeventy-one; and at the Term of *Whitſunday* in each Year thereafter, until each Miniſter, Head, Principal or Maſter, ſubject to one or other of the annual Rates aforeſaid, ſhall have received thirty Pounds in Loan; and likewiſe until the ſaid further Sum or Capital of fifty thouſand Pounds ſhall have been made up.

Surplus of the annual Produce how to be applied.

V. And be it further enacted, That if the annual Produce aforeſaid, in any one Year, computed from *Martinmas* to *Martinmas*, ſhall exceed the Charges of Management, and the Sums hereby ordered to be applied for raiſing the Stock, and the Annuities due to the Widows, and Proviſions due to the Children for that Year, and the Arrears of the Annuities and Proviſions for former Years herein after mentioned (if any ſuch were) ſuch Exceſs or Surplus ſhall be applied to the Purpoſe aforeſaid, of raiſing the Capital Stock or Fund, by lending out the ſame along with the Sums herein before appointed to be lent out for ſuch reſpective Year.

Deficiencies of the Surplus for Payment of the Annuities how to be made good.

VI. Provided always, and it is enacted by the Authority aforeſaid, That although the annual Surplus aforeſaid, for any one Year, computed from *Martinmas* to *Martinmas*, after Payment of the Charges of Management, and of the Sum hereby appointed to be applied for raiſing of the Stock or Capital Fund for that Year, ſhall not be ſufficient to pay the whole Annuities to Widows, and Proviſions to Children, payable for that Year, in virtue of the ſaid recited Act, and of this preſent Act, yet no Incroachment ſhall on that Account be made upon the Capital, ſo far as then raiſed; nor ſhall the farther raiſing thereof, according to the true Intent and Meaning of this Act, be thereby ſtopped or retarded, but ſuch Deficiency or Short-coming ſhall firſt affect the Childrens Proviſions proportionably, and then the Annuities of all the Widows intitled proportionably, without Regard to the Order of Time in which thoſe Proviſions or Annuities become due; and the ſame ſhall again be made good to them out of the Surplus of the Produce, computed as aforeſaid, for the ſucceeding Year or Years, in this Order, *viz.* After Payment of the Expence of Management, and of the Sum to be applied for raiſing the Stock as aforeſaid, the Widows Annuities unpaid in the preceding Year, ſhall be paid and made good in the firſt Place; and then the Widows Annuities of the current Year; and after the ſaid Annuities, the Childrens Proviſions of the former Year or Years, according to the Order of Time in which they become due to them, as aforeſaid; and laſtly, the Childrens Proviſions for the current Year.

Capital Fund not to exceed 50,000l. over and above 30l. to be lent to each Miniſter, &c. Application of the Surplus.

VII. Provided alſo, and it is hereby enacted, That the Capital Fund or Stock to be ſettled and ſecured as aforeſaid, ſhall at no Time exceed the foreſaid Sum of fifty thouſand Pounds, over and above the Sum of thirty Pounds lent to each Miniſter, Head, Principal or Maſter as aforeſaid; and that after ſuch Capital ſhall be raiſed, the Surplus of the annual Income, under the Management of the Truſtees aforeſaid, ariſing in any one Year, computed from *Martinmas* to *Martinmas*, after Payment of all the Burdens of that Year, including the Arrears of former Yeare aforeſaid (if any be) ſhall, at the *Whitſunday* when ſuch Surplus ariſes, be diſtributed to, and divided amongſt, all the Widows then intitled to Annuities, and all the Children then intitled to receive Proviſions; ſo as that each Widow and each Child, ſhall receive a proportionable Share of ſuch Surplus, correſpondent to the Extent of the annual Rates of their deceaſed Huſbands or Fathers.

Regulations touching the Management of the Capital.

VIII. And be it further enacted by the Authority aforeſaid, that all and every other Regulation, enacted by the ſaid recited Act of the ſeventeenth Year of his Majeſty's Reign, touching the Securing and Management of the Capital Stock therein mentioned, and for making up any accidental Diminution of, or preventing any Encroachment upon the ſame, after it ſhall be made up, in Whole or in Part, ſhall ſubſiſt, take Place and be in Force, with Regard to the Capital Stock hereby permitted to be raiſed, when it ſhall be ſo raiſed in Whole or in Part, in the ſame Manner as if every one of the ſaid Regulations had been herein repeated and re-enacted.

'IX. And whereas the Old Church Iſle of *Edinburgh* was found to be a Place ſo inconvenient for the 'Meeting of the Truſtees appointed to execute the ſaid recited Act of Parliament, that ſoon after their en-'tering on the Execution thereof, they were obliged to build, and did cauſe to be built, a Houſe within the 'City of *Edinburgh*, containing a Hall for their Meetings, and Offices for their Collector and Clerk, and a 'Charter Room for the Preſervation of their Books and Papers, a great Part of the Expence of which 'Building remains yet unpaid: And whereas Doubts have been raiſed, whether the ſaid Truſtees can le-'gally hold any of the four Quarterly Meetings appointed by the ſaid recited Act, in the ſaid Hall; and 'whether the Debt incurred by the ſaid Building, and the Expence of keeping it in Repair, be ſuch neceſ-

'sary incidental Expences as fall within the Intendment of one of the Clauses herein before recited;' Be it therefore enacted by the Authority aforesaid, That from and after the fifteenth Day of *May* one thousand seven hundred and forty-nine, the Trustees named and appointed by the said recited Act of the seventeenth Year of his Majesty's Reign, and their Successors, shall hold the four stated regular Meetings yearly, appointed to be held by the said Act, upon the Days therein mentioned, in the Hall of the House aforesaid, built by the said Trustees within the City of *Edinburgh*; and that they may and shall do and act at such Meetings, in the same Manner as they might and ought to have done in the Old Church Isle of *Edinburgh*; and that the remaining Debt incurred by the said Trustees for building the said House, and the Expence in keeping the same in Repair, shall be held and deemed to be, and make a Part of the necessary incidental Expences of the said Trustees provided for by the said recited Act, and shall be paid by the General Collector or Receiver of the annual Rates, and other Sums raised or to be raised in virtue thereof, and shall be allowed to him out of the annual Receipts; provided the same, and all the other incidental Expences provided for by the said Act, do not, in any One Year, exceed the Sum of forty Pounds of lawful Money of *Great Britain*.

Trustees to hold their annual Meetings in the House built by them;

and to pay the Debt incurred for building.

Incidental Expences not to exceed 40 l. per Annum.

'X. And whereas the Ministers, Heads, Principals or Masters, who were in the said Church, or any of 'the said Universities, at the Commencement of the said in Part recited Act, will purchase the Annuities 'to their Widows, and Provisions to their Children, at less Expence than future Intrants, having held their 'Benefices and Offices for a considerable Time, without the Burden of the present annual Rates;' Be it therefore enacted by the Authority aforesaid, That every such Minister, and every such Head, Principal or Master, shall, at the Term of *Candlemas*, in each of the Years of our Lord one thousand seven hundred and fifty, one thousand seven hundred and fifty-one, one thousand seven hundred and fifty-two, one thousand seven hundred and fifty-three, one thousand seven hundred and fifty-four, and one thousand seven hundred and fifty-five, according to the Computation in *Scotland*, pay to the General Collector, at his Office in *Edinburgh*, legal Interest of the thirty Pounds lent, or that shall be lent to him; and the Produce arising from the Difference betwixt the legal Interest and the four Pounds *per Centum*, now payable on Account of the Loans of thirty Pounds lent to the Contributors, shall be applied at the Sight, and by Direction of the Trustees for defraying the Expence incurred in obtaining this present Act of Parliament, and for paying whatever Sums shall, on the fifteenth of *May* one thousand seven hundred and forty-nine, be resting of the Charge incurred by building the House within the City of *Edinburgh*, containing a Hall for the Meetings of the Trustees, Offices for their Collectors and Clerks, and a Charter Room for the Preservation of their Books and Papers; and the Surplus thereof shall go towards increasing the said Capital; and that the said additional Interests shall not be computed as any Part of the three Years Annuity, which every Contibutor is hereby obliged to make good to the Fund in the Manner already directed.

Ministers, &c. who were in the Church, &c. at the Commencement of the Act, to pay Interest of 30 l. for 6 Years.

Application of the Interests.

'XI. And whereas by the said in Part recited Act of the seventeenth Year of his Majesty's Reign, it 'was further enacted, That if the University of *Aberdeen*, or any of the Colleges therein, should apply to 'the then next General Assembly of the Church of *Scotland*, declaring, that they desired to be compre-'hended in that Act, the Heads, Principals and Masters in the said University of *Aberdeen*, or in either 'of the Colleges of the said University, should be comprehended in that Act, and should be subject to 'the annual Rates and other Burdens thereby imposed; and they, and their Widows and Children respec-'tively, should be intitled to the Privileges and Provisions therein contained, in like Manner, in all Re-'spects, as with respect to the Heads, Principals and Masters in the Universities of *Saint Andrews* and 'Glasgow, was therein before enacted: And whereas Applications were accordingly made by the *King's* 'College of *Aberdeen*, and by the *Mareshall College* of *Aberdeen*, to the General Assembly of the Church of 'Scotland, which was held at *Edinburgh* in the Month of *May* in the Year of our Lord one thousand seven 'hundred and forty-four, by which the said Colleges respectively declared, that they desired to be com-'prehended in the said Act;' Be it therefore further enacted by the Authority aforesaid, That the Heads, Principals and Masters in the said University of *Aberdeen*, or in the *King's College* and *Mareshall College* of *Aberdeen*, shall be comprehended in this present Act, and be deemed to have been comprehended in the said in Part recited Act, and shall be subject to the annual Rates and other Burdens thereby or by this Act imposed; and their Widows and Children respectively shall be entitled to the Privileges and Provisions therein contained, subject to the Variations by this Act provided, in like Manner in all Respects, as, with respect to the Heads, Principals and Masters in the Universities of *Saint Andrews* and *Glasgow*, was by the said in Part recited Act, and is herein before enacted.

The Heads, &c. of the University of Aberdeen, comprehended in this and the recited Act, &c.

XII. And it is hereby further enacted and declared, That this Act shall be deemed and taken to be a Publick Act; and all Judges, Justices and other Persons, are to take Notice thereof as such in all Courts and Places whatsoever, without specially pleading the same.

Publick Act.

CAP. XXII.

An Act for the better ascertaining, recovering and collecting certain Duties commonly called Petty Customs or Wharfage, payable upon the Importation and Exportation of Goods and Merchandizes into, or out of the Harbour of the Borough Town of *Waymouth* and *Melcombe Regis* in the County of *Dorset*; and also of Ballast and Harbour-duties, payable in respect of Ships and Vessels coming into, and going out of the said Harbour, and for the better repairing and keeping in Repair the said Harbour and the Wharfs, and other publick Buildings and Works within the said Borough and Town. P R.

'WHEREAS the Mayor, Aldermen, Bailiffs, Burgesses and Commonalty of the Borough and 'Town of *Waymouth* and *Melcombe Regis* in the County of *Dorset*, have for Time out of Mind, re-'ceived and been intitled to receive certain Duties called Petty Customs or Wharfage, upon the Importa-

'tion

' tion and Exportation of all Goods and Merchandizes into and out of the Harbour of *Waymouth* and *Mel-*
' *combe Regis* aforeſaid, from the Owner, Importer or Exporter of ſuch Goods and Merchandizes, and alſo
' certain other Duties there called Harbour-dues and Ballaſt-duty, from the Maſters or Commanders of
' Ships and Veſſels; and which ſaid ſeveral Dues and Duties have been conſtantly under the Management
' of the Mayor, Aldermen, Bailiffs and Capital or Principal Burgeſſes of the ſaid Borough and Town, as
' Truſtees and Managers; and have been applied for the repairing the ſaid Harbour, Quays and Wharfs,
' and other publick Buildings and Works within the ſaid Borough and Town: And whereas of late Years
' ſeveral Perſons have refuſed to pay the ſaid Duties, and have been induced thereto by means of the great
' Difficulties in ſupporting, by ſtrict legal Evidence, preſcriptive Claims and Rights to Duties on each par-
' ticular Species of Goods, and the Exact and preciſe Sums payable for the ſame; and although the ſaid
' Mayor, Aldermen, Bailiffs, Burgeſſes and Commonalty, in order to ſupport their Right to the ſame,
' have brought ſeveral Actions and obtained Verdicts of Damages, by which ſuch their Right in General
' hath been eſtabliſhed; yet by means of the Expences in carrying on ſuch Suits, and the many continued
' Evaſions and Refuſals of Payment, the Fund for the repairing the ſaid Harbour, Quays and Wharfs and
' other publick Buildings and Works, hath been conſiderably leſſened, and the ſaid Wharfs, Quays and
' other Buildings and Works are now in a ruinous Condition, and will be intirely deſtroyed if not timely
' prevented;' For Remedy whereof, Be it enacted, *&c.*

" There ſhall be paid to the Mayor, *&c.* of *Waymouth* and *Melcombe Regis*, for all Goods imported and ex-
" ported, and for all Ships coming into the Harbour, the Duties ſpecified in the Schedules annexed. Col-
" lector, Quay-maſter and Treaſurer to be appointed; with Salaries not exceeding 2*s.* in the Pound of the
" Money received. The Accounts to be audited every Year. Accounts may be inſpected by the Inhabi-
" tants, and Copies taken. Maſter of Ship to deliver to the Collector his Wharfage Bill, on Penalty of
" 5*l.* Quay-maſter to appoint Stations for the Ships. Maſters of Veſſels not complying, to forfeit 40*s.*
" Damage done by Veſſels to the Bridge, Wharfs or Quays, to be aſcertained upon Oath of 3 Perſons;
" On Non-Payment, the Sum to be levied by Diſtreſs and Sale of the Veſſel. Perſons throwing Ballaſt
" into the Harbour, to be fined for a publick Nuiſauce."

Petty Cuſtoms or Wharfage-duties.

" FOR every Chaldron of Coals, or Goods paying Duty by the Chaldron, 2*d.* For every Ton of
" Tobacco Pipe Clay, Buſhel Iron and Stone, 3*d.* For every Ton of Salt, and other Goods, paying
" Duty or Freight by the Ton, 6*d.* For every Load of Fir Timber, 3*d*; Load of Walnut, Mahogany
" and Plank, 1*s*; Load of Oak or other Timber, Trenals, Hoops, *&c.* 4*d*; Hundred of Spars and Ufers,
" 4*d*; hundred of Wainſcot Boards, twelve Feet in Length and one Inch thick, and ſo in Proportion, 1*s*;
" hundred of double Deals, 9*d*; hundred of ſingle Deals, 6*d*; hundred of Pipe Staves, 2*d*; hundred of
" Hogſhead Staves, 3 Halfpence; hundred of Barrel Staves, 1*d*; Buſhel of Clover Seed, 1 Half-penny;
" Quarter of Malt, Barley and Oats, 1*d*; Quarter of Wheat and other Grains and Seeds, 3 Half-pence;
" Load of Flour, 10*d*; Load of Bran, 3*d.* Hogſhead of Beer, Cyder and Vinegar, 3 Half-pence; Hog-
" ſhead of Brandy, and other Spirituous Liquors, 4*d*; Hogſhead of Wine, Oil or other Liquors, 3*d*;
" Hogſhead of Molaſſes (containing one hundred Gallons) and of Fullers Earth and Whiting, 6*d*; Hog-
" ſhead of Tobacco, 8*d*; Butt of Currans and Hogſhead of Sugar, and other Dry Goods, 1*s*; Tierce of
" Sugar or Dry Goods, 8*d*; Barrel of Pitch or Tar, 1*d*; Barrel of Groceries or other Goods, 2*d.* For
" every Crate, Hamper and Cheſt of Glaſs, and fine Earthen Ware, and for every Load of coarſe Earthen
" Ware, 4*d.* For Linnen or Woollen, 2*d. per* hundred Weight. For every hundred Weight of Rice,
" Logwood, Alum, Shot, Cordage, Hemp and Flax, 3 Farthings. For every hundred Weight of Raiſins,
" Prunes and Figs, 1*d.* For every hundred of Spices and other Goods, paying Duty or Freight by the
" hundred, 2*d.* For every Cheſt of Oranges or Lemons, 1*d*; one hundred Feet of Paving Stone, 4*d*;
" thouſand of Tiles, Bricks or Clinkers, and Firkin Staves, 3*d*; thouſand of Slatts, 3 Half-pence; Groſs
" of Bottles, 3*d.* For Goods not enumerated, one twelfth of the Freight, from *London* to *Weymouth*."

Harbour-dues and Ballaſt-duties.

" FOR every *Britiſh* Ship, not belonging to Inhabitants, which ſhall load or unload in the Harbour,
" 2*s.* For every ſuch Ship which ſhall ſail into the Harbour, and neither load nor unload there, 1*s.* 6*d.*
" For every Ship belonging to Inhabitants, which ſhall load or unload 1*s.* and ſo in Proportion to Parts of
" Ships belonging to Inhabitants. For every Foreign Ship, which ſhall ſail into the Harbour, 3*s.* For
" every ſuch Ship which ſhall load or unload, 1*d. per* Ton. For every Ton of Stone taken out of one
" Veſſel into another in the Harbour, three Half-pence. For every Ton of Ballaſt taken out of one Ship
" into another in the Harbour, 10*d.* For every Ton of Ballaſt taken into any Ship from the Quay, 1*s.*
" For every Ton of Ballaſt put out of any Ship on the Quay, 4*d.* For every Ton of Ballaſt put out of
" one Ship into another, 2*d.* For every Ton of Ballaſt taken on Board any Foreign Ship, 2*s.* For every
" Ton of Ballaſt put out of ſuch Ship, 8*d.*"

CAP.

CAP. XXIII.

An Act to charge the Sinking Fund with the Payment of Annuities in Discharge of Navy, Victualling and Transport Bills, and Ordnance Debentures, to the Amount therein mentioned.

Most Gracious Sovereign,

'WHEREAS notwithstanding the many and great Supplies granted to your Majesty for carrying on the late War, the following Debts and Deficiencies (amongst others) remain still due and unprovided for (that is to say) To discharge the Bills payable in Course of the Navy and Victualling Offices, and for Transports, which were made out between the first Day of *January* one thousand seven hundred and forty-seven, and the thirty-first Day of *December* one thousand seven hundred and forty-eight, the Sum of three millions at the least; and to discharge the Debentures payable out of the Office of Ordnance, which were made out on or before the said thirty-first Day of *December* one thousand seven hundred and forty-eight, the Sum of two hundred thirty thousand three hundred eighty-two Pounds five Shillings and one Penny, amounting together in the Whole to the Sum of three millions two hundred thirty thousand three hundred eighty-two Pounds five Shillings and one Penny; many of which Debts carry an Interest after the Rate of five Pounds *per Centum per Annum*:' Now we, your Majesty's most dutiful and faithful Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to do all that becomes dutiful and faithful Subjects to render happy and glorious the Reign of the best of Sovereigns, and having taken into our serious Consideration the said Debts and Deficiencies, and the many ill Consequences which may arise to the Publick thereby (if not timely remedied) and being heartily zealous to preserve the Honour of your Majesty and the Nation, and to establish publick Credit, have resolved (in order to make a Provision for the said Debts and Deficiencies, amounting to the said Sum of three millions two hundred thirty thousand three hundred eighty-two Pounds five Shillings and one Penny) to give and grant unto your Majesty such Supply as is hereafter mentioned, for paying an Interest or Annuity, after the Rate of four Pounds *per Centum per Annum*, for the said Principal Sum of three millions two hundred thirty thousand three hundred eighty-two Pounds five Shillings and one Penny, in lieu of all other Interest, until the same shall be redeemed and paid off, in Manner hereafter mentioned: And that a good, sure and lasting Fund may be settled and established for paying the said Interest or Annuities, after the said Rate of four Pounds *per Centum per Annum*, by half-yearly Payments, we do give and grant to your Majesty, your Heirs and Successors, for the Purposes aforesaid, so much Monies out of the Surplusses, Excesses or Overplus Monies, commonly called *The Sinking Fund*, as shall be sufficient to satisfy and pay the said Annuities, in Manner herein after-mentioned; and do most humbly beseech your Majesty to accept thereof; and that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Annuities which by this Act shall be granted and made payable, in respect of the said Principal Sum of three millions two hundred thirty thousand three hundred eighty-two Pounds five Shillings and one Penny, until the Redemption thereof by Parliament, in Manner hereafter mentioned, shall, from and after the Feast of the Annunciation of the Blessed Virgin *Mary* one thousand seven hundred and forty-nine, be charged and chargeable upon, and payable out of the Monies which, from and after the said Feast Day, shall from time to time arise, and be remaining in the Receipt of his Majesty's Exchequer, of or for the said Surplusses, Excesses or Overplus Monies, commonly called *The Sinking Fund* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) and the said Surplusses, Excesses or Overplus Monies, are hereby appropriated for that Purpose accordingly.

Annuities chargeable on the Principal Sum of 3,230,382 l. 5 s. 1 d. to be paid out of the Sinking Fund.

'II. And whereas it is the true Intent and Meaning of this Act, that all the Bills, payable in Course out of his Majesty's Offices of the Navy, or Victualling, or for Transports, which were dated or made out in those Offices on or before the said thirty-first Day of *December* one thousand seven hundred and forty-eight, not exceeding the said Sum of three millions, shall be carried to the Treasury of his Majesty Navy, to be marked and certified to the Governor and Company of the Bank of *England*; and also that all the Debentures, payable out of his Majesty's Office of Ordnance, which were dated on or before the said thirty-first Day of *December* one thousand seven hundred and forty-eight, not exceeding the said Sum of two hundred thirty thousand three hundred eighty-two Pounds five Shillings and one Penny, shall be carried to the Treasurer of his Majesty's Office of Ordnance, to be certified by him to the said Governor and Company of the Bank of *England*; and that the Proprietors of such Bills and Debentures shall, in respect of the Principal Sums contained in every such Bill or Debenture, together with the Interest thereupon, computed to the twenty-fifth Day of *March* one thousand seven hundred and forty-nine, be intitled to an Annuity after the Rate of four Pounds *per Centum per Annum*, to commence from the said Feast of the Annunciation of the Blessed Virgin *Mary* one thousand seven hundred and forty-nine, payable half yearly, and be charged on the said Surplusses, Excesses or Overplus Monies, commonly called *The Sinking Fund*, and transferrable at the Bank of *England*, until redeemed by Parliament;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Treasurer of his Majesty's Navy for the time being, to take in and receive from all and every Person and Persons, Natives and Foreigners, Bodies Politick or Corporate, who are or shall be possessed of, interested in, or intitled unto any such Navy, Victualling or Transport Bills, all such Bills as any such Person or Persons shall, on or before the twentieth Day of *April* one thousand seven hundred and forty-nine, deliver to such Treasurer, who is hereby authorized and required to mark and cancel every such Bill, and certify the same to the said Governor

Treasurers of the Navy and Ordnance to take in all Navy, Victualling and Transport Bills, and Ordnance Debentures, before 20 April 1749.

and to cancel them, and certify the same to the Bank.

nor and Company of the Bank of *England*; and that it shall also be lawful for the Treasurer of his Majesty's Office of Ordnance in like Manner to take in all Debentures payable out of the said Office of Ordnance, which shall, on or before the said twentieth Day of *April* one thousand seven hundred and forty-nine, be delivered to him, who is hereby also authorized and required to cancel the same, and certify every such Debenture to the said Governor and Company of the Bank of *England*.

Navy Bills or Ordnance Debentures, made out before 31 Dec. 1748. to be delivered to the Treasurers within the Time.

III. And it is hereby also enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, who shall be possessed of, interested in, or intitled unto any such Navy, Victualling or Transport Bills, payable in Course, or any such Debentures payable out of the said Office of Ordnance, which were dated or made out in the said respective Offices, on or before the said thirty-first Day of *December* one thousand seven hundred and forty-eight, to deliver such Bill or Bills, Debenture or Debentures, to the respective Treasurers of those Offices, to be marked, cancelled and certified as aforesaid, at any time on or before the said twentieth Day of *April* one thousand seven hundred and forty-nine, at such Place or Places as have or shall be appointed, and of which publick Notice hath or shall be given in the *London Gazette*, and other publick Papers for that Purpose.

Persons delivering such Bills or Debentures, to be intitled to an Aunuity of 4 l. per Cent.

IV. And be it further enacted by the Authority aforesaid, That every Person and Persons, who shall deliver any such Bill or Bills, Debenture or Debentures, to such respective Treasurers as aforesaid, shall, in respect of the Principal Sum or Sums contained in every such Bill or Bills, Debenture or Debentures, together with the Interest due thereupon to the said twenty-fifth Day of *March* one thousand seven hundred and forty-nine, be intitled to an Annuity after the said Rate of four Pounds *per Centum per Annum*, to commence from the said Feast Day of the Annunciation of the Blessed Virgin *Mary* one thousand seven hundred and forty-nine, and to be paid and payable to such Person or Persons, or such as he, she or they shall nominate his, her or their Executors, Administrators, Successors or Assigns respectively, until the Redemption thereof by Parliament, in Manner herein after directed in that Behalf, which said Annuities shall be paid and payable half yearly, at two of the most usual Feasts or Days of Payment in the Year, (that is to say) the Feasts of Saint *Michael* the Archangel, and the Aununciation of the Blessed Virgin *Mary*, the first Payment thereof to be due and payable at the Feast of Saint *Michael* the Archangel, which shall be in the Year of our Lord one thousand seven hundred and forty-nine.

Annuities to be payable till redeemed by Parliament,

V. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, intitled to any Annuity or Annuities as aforesaid, or such as he, she or they shall appoint his, her or their respective Executors, Administrators, Successors or Assigns, shall have, receive and enjoy such respective Annuity or Annuities, out of the Monies by this Act appropriated as aforesaid, until Redemption thereof by Parliament, according to the Proviso herein after contained in that Behalf; and that all and every such Person or Persons, their Executors, Administrators, Successors and Assigns respectively, shall have good, sure, absolute and indefeazible Estates and Interests in the said Annuities, according to the Tenor and true Meaning of this Act; and that all such Estates and Interests of and in the said Annuities, and every of them, shall be, and be adjudged, taken and accepted in Construction of Law, and in all Courts of Law and Equity whatsoever, to be a Personal and not a Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein or intitled thereunto, and not to the Heirs of such Person or Persons; any Law, Custom or Usage to the contrary notwithstanding; and that all the said Annuities, and every of them, shall be free from all Taxes, Charges and Impositions whatsoever.

and to be a Personal Estate.

Treasurers to give Certificates for the Principal Sums contained in such Bills or Debentures, with the Interest due.

VI. And be it further enacted by the Authority aforesaid, That the said respective Treasurers shall, and they are hereby authorized and required, upon any Person or Persons delivering to them any such Bill or Bills, Debenture or Debentures, forthwith to give a Certificate signed by them respectively, for the Principal Sums contained in such Bill or Bills, Debenture or Debentures, together with the Interest thereupon, computed to the said twenty-fifth Day of *March* one thousand seven hundred and forty-nine, as aforesaid, to such Person or Persons, or his or her Assigns; and all such Certificates shall be assignable by Endorsements thereupon made at any Time before the twenty-ninth Day of *September* one thousand seven hundred and forty-nine, and no longer; and all such Certificates and Assignments thereupon shall not be chargeable with any Stamp Duties, any Law or Statute to the contrary notwithstanding.

Certificates to be assignable, and not chargeable with Stamp Duty.

Interest of the Bills, &c. carrying Interest, to be computed to 25 March 1749, and to be added to the Principal.

VII. And be it further enacted by the Authority aforesaid, That the Interest of such of the said Bills and Debentures, by this Act intended to be delivered up (as carry Interest) shall be computed to the said twenty-fifth Day of *March* one thousand seven hundred and forty-nine, and shall be added to the Principal Sum contained in every such Bill or Debenture, and so much as such Principal and Interest computed as aforesaid shall amount unto, shall be the Principal Sum for which the Person or Persons delivering the same shall be intitled to an Annuity after the said Rate of four Pounds *per Centum per Annum*, until Redemption thereof, in Manner hereafter mentioned.

Guardians may deliver up such Bills or Debentures as Infants shall be intitled to, &c.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That if any Infants shall by the Gift, Devise or Decease of the Parent or other Relation of such Infants, or otherwise become intitled to any of the said Bills or Debentures intended to be provided for by this Act, in such Case the Guardian or Guardians, Trustee or Trustees, of such Infant or Infants, shall or may be, and they are hereby impowered, for the Benefit of such Infant or Infants, to deliver up to such respective Treasurers, all such of the said Bills or Debentures, to which such Infant or Infants shall be so intitled, and such Infants and Infants, Guardian or Guardians, Trustee or Trustees, delivering up such Bills or Debentures, shall be intitled to an Annuity or Annuities after the said Rate of four Pounds *per Centum per Annum*, in respect of the Principal Sums contained in such Bill or Bills, Debenture or Debentures so to be delivered up, together with the Interest thereupon, computed to the said twenty-fifth Day of *March* one thousand seven hundred and forty-nine, to be paid out of the Monies by this Act appropriated for that Purpose; and the said Guardian or Guardians, Trustee or Trustees, shall be discharged from the same; any thing herein contained, or any Law, Usage or Custom to the contrary in any wise notwithstanding.

IX. Provided

IX. Provided also, and be it further enacted by the Authority aforesaid, That any Person or Persons who as Executor to, or Administrator, Trustee, Committee of an Ideot or Lunatick, or Persons of unsound Mind, Depositary or Mortgagee, shall be or become possessed of, interested in, or intitled unto any of the said Bills or Debentures intended to be provided for by this Act, shall and may deliver up such Bills or Debentures as they shall be possessed of, interested in or intitled unto, to such respective Treasurers as aforesaid; and as to Executors or Administrators, the Annuities after the said Rate of four Pounds *per Centum per Annum*, which they shall be intitled to in respect of the Principal Sums contained in such Bills or Debentures so by them delivered up, together with the Interest thereupon, computed to the said twenty-fifth Day of *March* one thousand seven hundred and forty-nine, as aforesaid, shall be the same Assets in their Hands, as the said Bills or Debentures were or would have been, had they not been so delivered up for such Annuity as aforesaid; and as to Trustees, Committees, Depositaries and Mortgagees, the Annuity which they shall be intitled unto, for or in respect of such Trust or Mortgaged Bills or Debentures, which they shall so deliver up to such respective Treasurers as aforesaid, shall be subject and liable to the same Trusts and Equity of Redemption, as such Bills or Debentures were or would have been, had they not been so delivered up for such Annuity as aforesaid.

Executors and Trustees of Ideots, &c. may deliver up such Bills as they shall be possessed of, &c.

X. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Governor and Company of the Bank of *England*, and their Successors, or such Person or Persons as they shall appoint for that Purpose, and he and they are hereby respectively authorized and required to take in and receive all and every the Certificates, to be made out in lieu of the said Bills and Debentures, by the respective Treasurers of his Majesty's Navy and Ordnance as aforesaid, in Pursuance of the Directions of this Act; and upon the Receipt of every such Certificate shall, and they are hereby required forthwith to give Credit in a Book or Books to be prepared for that Purpose, for the Principal Sums contained in every such Certificate so brought to them as aforesaid; and the Person to whose Credit such Principal Sums shall be entered in the said Book or Books, his, her or their Executors, Administrators or Assigns, shall and may have Power to assign and transfer the same, or any Part, Share or Proportion thereof, to any other Person or Persons, Bodies Politick or Corporate whatsoever, in other Books to be prepared and kept for that Purpose; and the Principal Sums so assigned and transferred, shall carry the said Annuity of four Pounds *per Centum per Annum*, and shall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authorities herein after mentioned, until Redemption thereof as aforesaid; and the said Governor and Company for the time being shall also, on or before the twenty-fourth Day of *June* one thousand seven hundred and fifty, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books, first herein after mentioned, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever.

The Bank to receive the Certificates, and give Credit for the Principal Sums.

Bank to transmit a Copy to the Exchequer.

XI. And for the more easy and sure Payment of the several Annuities by this Act made payable as aforesaid, amounting in the Whole to the Sum of three millions two hundred thirty thousand three hundred eighty-two Pounds five Shillings and one Penny, It is hereby further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall from time to time, until the said Annuities, after the Rate of four Pounds *per Centum per Annum*, shall be redeemed according to this Act, appoint and employ one or more sufficient Persons within their Office in the City of *London*, to be their chief or first Cashier or Cashiers, and one other sufficient Person within the same Office, to be their Accomptant General; and that so much of the Monies, from time to time, arising into the said Receipt of the Exchequer, of or for the said Surpluses, Exceses or Overplus Monies, by this Act appropriated for this Purpose, as shall be sufficient, from time to time, to answer the said Annuities, and other Payments directed to be made or discharged out of the same, shall, by Order of the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or Commissioners of the Treasury of his Majesty, his Heirs or Successors for the time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, from time to time, at the respective half yearly Feast Days, or Days of Payment, in this Act before appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer, to the said first or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the time being, by way of Impress, and upon Account, for the Payment of the said Annuities made payable by this Act as aforesaid, at such Times, and in such Manner and Form, as are by this Act prescribed in that Behalf; and that all and every such Cashier or Cashiers, to whom the said Monies shall, from time to time, be issued, shall from time to time, without Delay, apply and pay the same accordingly, and render his Account thereof according to the due Course of the Exchequer; any thing herein contained to the contrary notwithstanding.

The Bank to employ a Cashier and Accomptant General;

Treasury to order the Monies appropriated for the Annuities, to be paid by way of Impress.

Cashier to pay the Annuities, and give an Account to the Exchequer.

XII. And it is hereby also enacted, That the said Accomptant General for the time being shall, from time to time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Frauds, Negligence or Delay; and that all and every Person and Persons whatsoever, who shall be intitled to any of the said Annuities, after the said Rate of four Pounds *per Centum per Annum*, and all Persons lawfully claiming under them, shall be possessed thereof as of a Personal Estate, and the same shall not be descendible to the Heir, and shall not be liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Statute or Custom to the contrary notwithstanding.

Accomptant General to inspect the Receipts and Payments.

XIII. And be it further enacted by the Authority aforesaid, That all the Monies intended to be converted into Annuities by virtue of this Act, shall be deemed, reputed and taken to be one Capital or Joint Stock, on which the said Annuities, after the said Rate of four Pounds *per Centum per Annum*, shall be attending; and that all and every Person and Persons, and Corporations whatsoever, in Proportion to the Money which he, she or they shall be intitled to as aforesaid, shall have, and be deemed to have a proportional Interest and Share in the said Stock, and in the Annuity attending the same, at the Rate aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuity

Annuities to be a Joint Stock.

Shares to be transferred.

nuity attending the ſame, ſhall be aſſignable and transferrable as this Act directs, and not otherwiſe; and that there ſhall conſtantly be kept, at all ſeaſonable Times, in the Office of the ſaid Accomptant General for the time being, within the City of *London*, a Book or Books, wherein all Aſſignments or Transfers of the ſaid whole Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the ſame, at the Rate aforeſaid, ſhall be entered and regiſtered; which Entries ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers; or if ſuch Party be abſent, by his, her or their Attorney or Attorneys thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes; and that the Perſon or Perſons to whom ſuch Transfer ſhall be made, do underwrite his, her or their Acceptance thereof; and that no other Method of aſſigning or transferring the ſaid Stock, and the Annuities attending the ſame, or any Part thereof, or any Intereſt therein, ſhall be good and available in Law; and that no Stamp Duties whatſoever ſhall be charged on the ſaid Transfers, or any of them; any other Law or Statute to the contrary notwithſtanding.

Method of transferring.

The Bank to continue a Corporation till the Annuities be redeemed.

XIV. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, (notwithſtanding the Redemption of all or any their own Funds, in purſuance of the Acts for eſtabliſhing the ſame, or any of them) ſhall continue a Corporation with all the Powers, Privileges and Advantages thereunto belonging, for the Purpoſes in this Act expreſſed, till all the Annuities to be purchaſed under this Act ſhall be redeemed by Parliament, according to the Proviſo herein after contained in that Behalf; and the ſaid Governor and Company, or any Members thereof, ſhall not incur any Diſability for or by reaſon of their doing any Matter or Thing in purſuance of this Act.

No Fee for receiving the Bills, granting Certificates, or for any Transfer.

Penalty 20l.

XV. And it is hereby enacted by the Authority aforeſaid, That no Fee or Gratuity whatſoever ſhall be demanded or taken for receiving or taking in the ſaid Bills or Debentures, or any of them, or for granting Certificates in lieu thereof as aforeſaid, or for iſſuing the Monies for paying the ſaid Annuities, or any of them; and that no Fee or Gratuity ſhall be demanded or taken for any Transfer of any Sum great or ſmall, to be made in purſuance of this Act, upon Pain that any Officer or Perſon offending, by taking or demanding any Fee or Gratuity contrary to this Act, ſhall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with Full Coſts of Suit, in any of his Majeſty's Courts of Record at *Weſtminſter*.

Treaſury to reward Perſons employed in the Execution of this Act, &c.

XVI. Provided always, and be it enacted by the Authority aforeſaid, That the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall have Power, and they are hereby authorized to reward all ſuch Perſons as ſhall be any ways employed in the Execution of this Act, for their Service, Pains and Labour; and alſo to defray ſuch incident Charges as ſhall neceſſarily attend the ſame, out of the ſaid Surpluſſes, Exceſſes or Overplus Monies; and alſo to appoint ſuch Allowances (out of the ſaid Surpluſſes, Exceſſes or Overplus Monies) for the Service, Pains and Labour of the Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, for receiving, paying and accounting for the ſaid Annuities made payable by this Act, and alſo for the Service, Pains and Trouble of the Accomptant General of the ſaid Governor and Company, for performing the Duty and Truſt incumbent on him by this Act, as they ſhall think juſt and reaſonable; all which Allowances hereby impowered to be made as aforeſaid, in reſpect to the Service, Pains and Labour of any Officer or Officers of the ſaid Governor and Company of the Bank of *England*, ſhall be for the Uſe and Benefit of the ſaid Governor and Company, and at their Diſpoſal only; any thing herein contained to the contrary notwithſtanding.

Allowances made to the Officers of the Bank, to be at the Diſpoſal of the Company.

Clauſe of Redemption.

XVII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That at any Time, upon one Year's Notice, to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* of *London*, by Authority of Parliament, at any of the half yearly Feaſt Days for Payment of the ſaid Annuities; and upon Repayment by Parliament of the principal Sum of three millions two hundred thirty thouſand three hundred eighty-two Pounds five Shillings and one Penny (by Payments not being leſs than five hundred thouſand Pounds at a time) for which the ſaid Annuities are payable to ſuch reſpective Perſons or Corporations as ſhall be intitled to the ſame Annuities; and alſo upon full Payment of all Arrearages of the ſame Annuities, then, and not till then, the ſaid reſpective Annuities, or a proportional Part thereof, ſhall ceaſe and determine, and be underſtood to be redeemed; and from and after ſuch Redemption the Monies ariſing from the ſaid Surpluſſes, Exceſſes and Overplus Monies, by this Act granted as aforeſaid, ſhall not be iſſued or applied to any Uſe or Purpoſe, but as ſhall be directed by any future Act or Acts of Parliament; any thing in this or any former Act or Acts of Parliament to the contrary notwithſtanding; and that any Vote or Reſolution of the Houſe of Commons, ſignified by the Speaker in Writing, to be inſerted in the *London Gazette*, and affixed at the *Royal Exchange* of *London* as aforeſaid, ſhall be deemed and adjudged to be ſufficient Notice within the Words and Meaning of this Act.

General Iſſue.

Treble Coſts.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times be ſued, moleſted or proſecuted for any Thing done by virtue or in purſuance of this Act, or of any the Clauſes therein contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act, and the Special Matter in Evidence for his and their Defence; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plantiff or Plantiffs ſhall diſcontinue his or their Action, or be nonſuited, or Judgment ſhall be given againſt him or them upon Demurrer, or otherwiſe, then ſuch Defendant or Defendants ſhall have Treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

CAP.

CAP. XXIV.

An Act for remedying Inconveniencies which may happen by Proceedings in Actions on the Statutes of *Hue and Cry*.

FOR remedying Inconveniencies which may happen by Proceedings in Actions on the Statutes of *Hue and Cry*, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred, and forty-nine, no Perſon whatſoever ſhall recover againſt any Inhabitant or Inhabitants of any Hundred, in any Action on any of the Statutes of *Hue and Cry*, more than the Value of two hundred Pounds, unleſs the Perſon or Perſons ſo robbed ſhall, at the Time of ſuch Robbery, for which ſuch Action ſhall be brought, be together in Company, and be in Number two at the leaſt, to atteſt the Truth of his or their being ſo robbed; any Law, Statute or Proviſion to the contrary in any wiſe notwithſtanding.

13 *Ed.* 1. *ſtat.* 2. *c.* 1 & 2. 27 *El. c.* 13.

No Perſon to recover in any Action on the Statutes of Hue and Cry more than 200*l.* unleſs at the Time of the Robbery there be two preſent to atteſt the Truth thereof. *See farther* 22 *Geo.* 2. *c.* 46.

CAP. XXV.

An Act to explain and amend ſo much of an Act made in the ninth Year of the Reign of Queen ANNE, intituled, *An Act for eſtabliſhing a General Poſt Office for all her Majeſty's Dominions; and for ſettling a Weekly Sum out of the Revenues thereof for the Service of the War, and other her Majeſty's Occaſions*; as relates to Horſes or Furniture to be let to Perſons riding Poſt.

'WHEREAS by an Act made in the ninth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for eſtabliſhing a General Poſt Office for all her Majeſty's Dominions; and for ſettling a Weekly Sum out of the Revenues thereof for the Service of the War, and other her Majeſty's Occaſions*; It is (amongſt other Things) enacted, That no Perſon or Perſons ſhall preſume to keep, provide and maintain Horſes or Furniture for the Horſing of any Perſon or Perſons riding Poſt (that is to ſay) Riding ſeveral Stages upon a Poſt Road, and changing Horſes, or ſhall lett to Hire, or furniſh any Perſon or Perſons whatſoever with Horſes or Furniture for riding Poſt as aforeſaid, on any of the Roads or Stages now or hereafter to be appointed, with or without a Guide or Horn, for Hire or Reward, or any Agreement or Promiſe of Reward, whereby he or they may have any Profit or Advantage, on Pain of forfeiting the Sum of five Pounds for every ſeveral Offence againſt the Tenor of the ſaid Act: And whereas the ſaid Reſtriction hath been conſtrued to extend to Chaiſes and Calaſhes lett out for Hire, and which change Horſes at certain Stages upon the Poſt Roads, in like Manner as Horſes lett out by the Poſt Office are changed;' Be it therefore enacted and declared by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That nothing in the ſaid Act contained doth or ſhall extend, or be conſtrued to extend, to reſtrain or prohibit the letting out for Hire, Chaiſes or Calaſhes with Horſes to draw the ſame, or the furniſhing Horſes for drawing Chaiſes or Calaſhes at any Stage or Stages upon any Poſt Road to any Perſon whatſoever; and that it ſhall and may be lawful for all Perſons to lett out for Hire, as well upon the Poſt Roads as elſewhere, Chaiſes duly licenſed, with Horſes to draw the ſame, and to furniſh or exchange Horſes for drawing any ſuch Chaiſes or Calaſhes; any thing in the ſaid Act to the contrary in anywiſe notwithſtanding.

9 Annæ, c. 10. 6 *Geo.* 1. *c.* 21. *ſect.* 51. 4 *Geo.* 2. *c.* 33.

The Act not to prohibit the furniſhing Chaiſes, &c. upon the Road.

II. Provided alſo, and be it further enacted by the Authority aforeſaid, That it ſhall be lawful for all Perſons who lett out Chaiſes or Calaſhes with Horſes for Hire, to lett out Horſes and Furniture for Horſing any Perſon or Perſons accompanying or attending any Perſon or Perſons who ſhall travel in Chaiſes or Calaſhes, and to change ſuch Horſes and Furniture in Manner as is before-mentioned.

Perſons letting Chaiſes may furniſh Horſes for Perſons attending.

III. Provided always, and it is hereby declared and enacted, That nothing herein contained ſhall be conſtrued to extend to ſtay, annul, or defeat any Judgment or Verdict obtained by virtue of the ſaid above-recited Act of the ninth Year of her late Majeſty Queen ANNE, on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-nine, or the Proceedings thereon; any thing herein contained to the contrary notwithſtanding.

This Act not to defeat any Judgment before 25 March 1749. *See farther concerning Poſt Office* 26 *Geo.* 2. *c.* 13.

CAP. XXVI.

An Act for repairing and widening the ſeveral Roads leading into the Town of *Roſs* in the County of *Hereford*. PR.

Certain Tolls granted for 21 Years.

CAP. XXVII.

An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linnen, Fuſtain, Cotton, Iron, Leather, Furr, Hemp, Flax, Mohair and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures; and for the better Payment of their Wages.

13 Geo. 2. c. 8. 1 Annæ, ſtat. 2. c. 18.

'WHEREAS by an Act made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain and amend an Act made in the firſt Year of the Reign of her late Majeſty Queen* ANNE, intituled, An Act for the more effectual preventing the Abuſes and Frauds of Perſons employed in the working up the Woollen, Linnen, Fuſtain, Cotton and Iron Manufactures of this Kingdom, *and for extending the ſaid Act to the Manufactures of Leather*, it is amongſt other Things enacted, That if any Perſon or Perſons hired or employed in the working up of any Woollen, Linnen, Fuſtain, Cotton or Iron Manufactures, ſhall purloin, imbezil, ſecrete, ſell, pawn, exchange or otherwiſe illegally diſpoſe of any the Materials with which he, ſhe or they ſhall be reſpectively entruſted to work up ſuch Woollen, Linnen, Fuſtain, Cotton or Iron Manufactures, whether the ſame be or be not firſt made up or manufactured, or ſhall reel falſe or ſhort Yarn, the Perſon or Perſons ſo offending, and being thereof convicted in Manner preſcribed by the ſaid Act of the firſt Year of her ſaid late Majeſty's Reign, ſhall forfeit Double the Value of the Damages which the Owner or Owners of ſuch Materials ſhall reſpectively ſuſtain thereby, together with full Coſts of Proſecution for every ſuch Offence: And in caſe immediate Payment of the reſpective Forfeitures, together with ſuch Coſts of Proſecution as aforeſaid, ſhall be neglected or refuſed to be made, that then it ſhall and may be lawful to and for the ſame Juſtice of the Peace, before whom ſuch Conviction ſhall be made, to cauſe the Offender or Offenders to be committed to the Houſe of Correction, to be there whipped and kept to hard Labour for any Time not exceeding fourteen Days: And in caſe of a further Conviction for a ſecond or other ſubſequent Offence for imbeziling or purloining any of the Materials in the ſaid Act of the firſt Year of her ſaid late Majeſty's Reign mentioned, that the Perſon or Perſons ſo offending ſhall, for every ſecond or other ſubſequent Offence, forfeit four times the Value of the Damages which the Owner or Owners of ſuch Materials (whether the ſame be or be not made up or manufactured) ſhall ſuſtain thereby, together with ſuch Coſts of Proſecution, as ſhall be adjudged reaſonable by the Juſtice before whom ſuch Offender or Offenders ſhall be reſpectively convicted: And in caſe immediate Payment of the reſpective Forfeitures, together with ſuch Coſts of Proſecution as aforeſaid, ſhall be neglected or refuſed to be made, that then ſuch Juſtice, or any other Juſtice of the Peace for the County, Riding, Diviſion, City, Town or Place where ſuch Offences ſhall be committed, ſhall cauſe the ſaid Offenders to be committed to the Houſe of Correction, to be there kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month, as to ſuch Juſtice ſhall ſeem reaſonable, and alſo during the Time of ſuch Commitment ſhall cauſe the ſaid Offender or Offenders to be publickly whipped in the Market Town where ſuch Offender or Offenders ſhall be reſpectively committed, at the Market Place or Croſs of ſuch Town, once or oftener, as to ſuch Juſtice ſhall ſeem reaſonable: And it is by the ſaid Act of the thirteenth Year of his preſent Majeſty's Reign alſo further enacted, That every Perſon or Perſons who ſhall buy or receive, accept or take, by way of Gift, Pawn, Pledge or Sale of or from any of the Perſons in the ſaid Act of the firſt Year of her ſaid late Majeſty's Reign mentioned, any Woollen, Linnen, Fuſtain, Cotton or Iron Manufactures, either before or after the ſame ſhall be manufactured or converted into merchantable Wares, knowing the ſame to be ſo purloined or imbezilled, and being thereof lawfully convicted, ſhall ſeverally ſuffer the like Forfeitures and Penalties as are by the ſaid Acts reſpectively inflicted on Perſons purloining or imbezilling ſuch of the Materials or Manufactures enumerated in the ſaid Acts reſpectively; all which Forfeitures, when recovered, are by the ſaid Act of the thirteenth Year of his preſent Majeſty's Reign directed to be applied in Manner following; that is to ſay, one Moiety thereof to the Uſe of the Party or Parties injured, and the other Moiety to the Uſe of the Poor of the Pariſh only where the Offence ſhall be committed, with the like Liberty and Benefit of Appealing to all Parties, as is given in and by the ſaid Act of the firſt Year of her ſaid late Majeſty: And it is by the ſaid Act of the thirteenth Year of his preſent Majeſty's Reign alſo further enacted, That if any Perſon or Perſons hired or employed in cutting, paring, waſhing, dreſſing, ſewing, making up, or otherwiſe manufacturing of Gloves, Breeches, Leather, Skins, Boots, Shoes, Slippers, Wares or other Goods or Merchandizes, to be made Uſe of in any of the Trades or Employments, or in Manner laſt-mentioned, or in any Branch or Particular thereof, ſhall fraudulently purloin, imbezil, ſecrete, ſell, pawn or exchange all or any Part of the Gloves, Breeches, Leather, Skins, Parings or Shreads of Gloves or Leather, or other Materials with which he, ſhe or they ſhall be entruſted to work up or manufacture, or ſhall purloin, imbezil, ſecrete, ſell, pawn or exchange any Gloves, Breeches, Boots, Shoes, Slippers or Wares, when made, wrought up or manufactured, or do or wilfully permit any other Act, to leſſen the Value of ſuch, or any Part of ſuch Gloves, Breeches, Leather, Skins, Parings or Shreads of Gloves or Leather, Boots, Shoes, Slippers or other Wares laſt particularized, either before or after the ſame ſhall be reſpectively ſo made into Wares, and be thereof lawfully convicted in Manner preſcribed by the ſaid laſt mentioned Act, before one or more Juſtice or Juſtices of the Peace for the County, Riding, Diviſion, City, Town or Place where ſuch Offence ſhall be committed, or where the Party or Parties ſo charged ſhall reſide or inhabit; ſuch Juſtice or Juſtices ſhall and may award the Perſon or Perſons ſo offending, to make a reaſonable and ſuitable Recompence and Satisfaction for every Of-

'fence

'fence to the Parties respectively injured, for the Damage by them sustained, so as the same do not exceed 'double the Value of the Gloves, Breeches, Leather, Boots, Shoes, Slippers, Wares, Goods or Materials, 'by such Offender or Offenders so purloined or imbeziled, secreted, sold, pawned or exchanged; one half 'thereof to go to the Party or Parties grieved, and the other half to the Use of the Poor of the Parish or 'Place where such Offence shall be committed; together with the full Charges attending such Conviction; 'to be levied by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices by Di-'stress and Sale of the Offenders Goods; but if such Offender or Offenders shall not have Goods sufficient 'to answer the Forfeitures and the Expences attending the Premisses, and shall also neglect or refuse im-'mediately to pay the same, that then the said Offender or Offenders shall, by like Warrant of such Jus-'tice or Justices last described, be for every distinct Offence committed to the House of Correction, or other 'publick Prison of such County, Riding, City, Town or Place, and there kept to hard Labour for the 'Space of fourteen Days, and shall be there likewise whipped in such Manner, as the said Justice or Jus-'tices shall order and direct; and in case also of a subsequent Conviction for a second or any other such 'like Offence, that the Person or Persons so offending, for every second or other subsequent Offence, shall 'forfeit four Times the Value of the Damages which the Owner or Owners of such Materials, either be-'fore or after the same shall be respectively made up into Wares, shall sustain thereby, together with such 'Costs of Prosecution as shall be adjudged reasonable by the Justice, before whom such Offender or Of-'fenders shall be respectively convicted; and in case immediate Payment of the respective Forfeitures, to-'gether with such Costs of Prosecution as aforesaid, shall be neglected or refused to be made, that then it 'shall and may be lawful to and for such Justice to commit the Offender or Offenders last described to the 'House of Correction, or other publick Prison, to be there kept to hard Labour, for any Time not exceed-'ing three Months, nor less than one Month, as to such Justice shall seem reasonable; and also during the 'Time of such Commitment, shall cause the said Offender or Offenders to be publickly whipped in the 'Market Town where such Offender or Offenders shall be respectively committed, at the Market Place 'or Cross of such Town, once or oftener, as to such Justice shall seem reasonable: And it is by the said 'Act of the thirteenth Year of his present Majesty's Reign also further enacted, That every Person and 'Persons who shall knowingly or willingly buy or receive, accept or take, by way of Pawn, Pledge, Sale, 'or in any other Manner, of or from any of the Persons offending in either of the Particulars last-mentioned, 'or of or from any other Person or Persons whatsoever (except of or from the Person or Persons in whom 'the Property of such Gloves, Breeches, Leather, Boots, Shoes, Slippers, Wares, Goods or other Mate-'rials, shall be at the Time of such Sale, Pawn or Exchange) or offer so to do, such Person or Persons of-'fending therein respectively, shall, for every Offence, being convicted thereof in Manner before prescribed 'by the said last mentioned Act, make such suitable and reasonable Recompence and Satisfaction, within 'two Days next after the Matter of Fact shall be determined by any one or more Justice or Justices as 'aforesaid, upon hearing the same, or else be subject to such Distress; and for want of sufficient Distress, 'to be liable to the like Punishment as is by the said Act directed to be inflicted on such Person or Persons 'as shall purloin, imbezil, secrete, sell, pawn or exchange any Gloves, Breeches, Leather, Boots, Shoes, 'Slippers, Wares, Goods or other Materials or Effects of that Sort as aforesaid, and so in like Manner for 'any Second, and every other subsequent Offence: And whereas the Penalties and Forfeitures to which 'Offenders against the said Acts are subjected, have not been sufficient to deter Persons from committing 'the Offences thereby intended to be prevented: And whereas many Persons employed in the making of 'Felts or Hats, and in preparing or working up the Manufactures of Furr, Hemp, Flax, Mohair and Silk, 'and also the Manufactures made of Wooll, Furr, Hemp, Flax, Mohair, Cotton or Silk, or some of them 'mixed one with another, have of late been guilty of divers Frauds and Abuses, by purloining, imbezil-'ling, secreting, selling, pawning, exchanging or otherwise unlawfully disposing of the Materials with 'which they have been entrusted; and it is therefore become necessary to make Provision for preventing 'such Offences for the future:' Therefore for amending and rendering more effectual the said Act made in the thirteenth Year of his present Majesty's Reign, and for extending the Provisions and Regulations therein and herein made, to the several Manufactures herein before mentioned, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons whatsoever, who shall be hired or employed to make any Felt or Hat, or to prepare or work up any Woollen, Linnen, Fustain, Cotton, Iron, Leather, Furr, Hemp, Flax, Mohair or Silk Manufactures, or any Manufactures made up of Wooll, Furr, Hemp, Flax, Cotton, Mohair or Silk, or of any of the said Materials mixed one with another, shall, from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-nine, purloin, imbezil, secrete, sell, pawn, exchange or otherwise unlawfully dispose of any of the Materials, with which he, she or they shall be respectively entrusted, whether the same, or any Part thereof, be or be not first wrought, made up, manufactured or converted into merchantable Wares, or shall reel False or Short Yarn, and shall be thereof lawfully convicted, by the Oath or (if the Owner thereof be of the People called *Quakers*) solemn Affirmation of the Owner of such Goods or Materials, or by the Oath or Affirmation of any other credible Witness or Witnesses, or by the Confession of the Person or Persons charged with such Offence, before any one or more Justice or Justices of the Peace of the County, Riding, Division, City, Liberty, Town or Place where such Offence shall be committed, or where the Person or Persons so charged shall reside or inhabit (which Oath or Affirmation the said Justice or Justices is and are hereby impowered and required to administer) it shall and may be lawful to and for the said Justice or Justices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit the Person or Persons so convicted to the House of Correction, or other publick Prison of such County, Riding, Division, City, Liberty, Town or Place, there to be kept to hard Labour for the Space of fourteen Days, and also to order the Person or Persons so convicted to be once publickly whipped at the Market Place, or some other publick Place of the City, Town or Place where such Offender or Offenders shall be respectively

Persons employed in the Manufactures described, being convicted of imbezilling, &c. any of the Materials,

or of reeling False or Short Yarn,

to be committed,

and publickly whipped.

Penalty of a ſubſequent Offence.

reſpectively committed; and in caſe of a further Conviction, in Manner before preſcribed by this Act, for or upon a ſecond or other ſubſequent Offence of the ſame kind, it ſhall and may be lawful to and for the Juſtice or Juſtices, before whom ſuch Conviction ſhall be had, to commit the Perſon or Perſons ſo again offending to the Houſe of Correction, or other publick Priſon as aforeſaid, there to be kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month, and alſo to order the Perſon or Perſons ſo again offending, to be publickly whipped at the Market Place, or ſome other publick Place of the City, Town or Place where ſuch Offender or Offenders ſhall be reſpectively committed, twice or oftener, as to ſuch Juſtice or Juſtices ſhall appear reaſonable; any thing in the ſaid Act of the firſt Year of her ſaid late Majeſty's Reign, or in the ſaid in Part recited Act of the thirteenth Year of his preſent Majeſty's Reign, to the contrary in any wiſe notwithſtanding.

Perſons convicted of buying or receiving Materials from Workmen,

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall buy, receive, accept or take, by way of Gift, Pawn, Pledge, Sale, or Exchange, or in any other Manner whatſoever, of or from any Perſon or Perſons, hired or employed to make any Felt or Hat, or to prepare or work up the Woollen, Linnen, Fuſtain, Cotton, Iron, Leather, Furr, Hemp, Flax, Mohair or Silk Manufactures, or any Manufactures made up of Wooll, Furr, Hemp, Flax, Cotton, Mohair or Silk, or of any of the ſaid Materials mixed one with another, any Thrums or Ends of Yarn, or any other Materials of Wooll, Furr, Hemp, Flax, Cotton or Iron, or any Leather, Mohair or Silk, whether the ſame, or any Part thereof, be or be not firſt wrought, made up or manufactured, knowing the Perſon or Perſons of whom he, ſhe or they ſo buy, receive, accept or take the ſaid Materials, to be ſo hired or employed as aforeſaid, and not having firſt obtained the Conſent of the Perſon or Perſons ſo hiring or employing him, her or them, who ſhall offer to ſell, pawn, pledge, exchange or otherwiſe diſpoſe of the ſaid Materials, or ſhall buy, receive, accept or take, in any Manner whatſoever, of or from any other Perſon or Perſons whomſoever any of the ſaid Materials, whether the ſame be or be not firſt wrought, made up or manufactured, knowing the ſame to be ſo purloined or imbezilled; then, and in every ſuch Caſe, the Perſon or Perſons ſo buying, receiving, accepting or taking any ſuch Materials, being thereof lawfully convicted, in Manner before preſcribed by this Act, for the Conviction of Perſons purloining or imbezilling the ſaid Materials, ſhall, for the firſt Offence, forfeit the Sum of twenty Pounds; and in caſe the ſaid Forfeiture ſhall not be immediately paid, the Juſtice or Juſtices before whom ſuch Conviction ſhall be had, ſhall commit the Party or Parties ſo convicted to the Houſe of Correction, or other publick Priſon as aforeſaid, there to be kept to hard Labour, for the Space of fourteen Days, unleſs the ſaid Forfeiture ſhall be ſooner paid; and if within two Days before the Expiration of the ſaid fourteen Days, the ſaid Forfeiture ſhall not be paid, the ſaid Juſtice or Juſtices is and are hereby impowered and required, to order the Perſon or Perſons ſo convicted to be publickly whipped at the Market Place, or ſome other publick Place of the City, Town or Place where ſuch Offender or Offenders ſhall be reſpectively committed, once or oftener, as to ſuch Juſtice or Juſtices ſhall appear reaſonable; and in caſe of a further Conviction, for or upon a ſecond or any other ſubſequent Offence of the ſame Kind, the Perſon or Perſons ſo again offending, being thereof convicted in Manner before preſcribed by this Act, ſhall, for every ſecond or other ſubſequent Offence, forfeit the Sum of forty Pounds; and in caſe the ſaid Forfeiture ſhall not be immediately paid, the Juſtice or Juſtices, before whom ſuch Conviction ſhall be had, ſhall commit the Party or Parties ſo convicted to the Houſe of Correction, or other puplick Priſon as aforeſaid, there to be kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month, unleſs the ſaid Forfeiture ſhall be ſooner paid; and if within ſeven Days before the Expiration of the Time for which ſuch Offender or Offenders ſhall be ſo committed, the ſaid Forfeiture ſhall not be paid, the ſaid Juſtice or Juſtices is and are hereby impowered and required to order ſuch Offender or Offenders to be publickly whipped at the Market Place, or ſome other publick Place of the City, Town or Place where he, ſhe or they ſhall be reſpectively committed, twice or oftener, as to ſuch Juſtice or Juſtices ſhall appear reaſonable; and the ſaid reſpective Forfeitures of twenty Pounds and forty Pounds, when recovered, after Satisfaction ſhall have been made thereout to the Party or Parties injured, together with ſuch Coſts of Proſecution as ſhall be judged reaſonable by the Juſtice or Juſtices before whom ſuch Conviction ſhall have been had, ſhall be equally diſtributed amongſt the Poor of the Pariſh or Place where the Perſon or Perſons ſo convicted ſhall reſide or inhabit; any thing in the ſaid two firſt-mentioned Acts, or either of them, to the contrary in any wiſe notwithſtanding.

to forfeit for the firſt Offence 20l. and on Nonpayment to be committed,

and whipped;

and in caſe of ſubſequent Offence,

to forfeit 40l. &c.

Appeal given to Perſons convicted of buying Materials.

III. Provided always, and it is hereby enacted, That if any Perſon convicted as aforeſaid, of buying, receiving or taking to pawn any of the Materials herein before-mentioned, ſhall think himſelf or herſelf aggrieved by the Judgment of the Juſtice or Juſtices, before whom he, ſhe or they ſhall have been convicted, ſuch Perſon ſhall have Liberty to appeal to the Juſtices, at the next General or Quarter Seſſions of the Peace, which ſhall be held for the County, Riding, Diviſion, City, Liberty, Town or Place where ſuch Judgment ſhall have been given; and that the Execution of the ſaid Judgment ſhall in ſuch Caſe be ſuſpended, the Perſon ſo convicted entering into a Recognizance at the Time of ſuch Conviction, with two ſufficient Sureties, in double the Sum which ſuch Perſon ſhall have been adjudged to forfeit, upon Condition to proſecute ſuch Appeal with Effect, and to be forth coming to abide the Judgment and Determination of the Juſtices in the ſaid General or Quarter Seſſions; which Recognizance the ſaid Juſtice or Juſtices, before whom ſuch Conviction ſhall be had, is and are hereby impowered and required to take; and the Juſtices, in the ſaid General or Quarter Seſſions, are hereby authorized and required to hear and finally determine the Matter of the ſaid Appeal, and to award ſuch Coſts as to them ſhall appear juſt and reaſonable to be paid by either Party; and if upon the Hearing of the ſaid Appeal, the Judgment of the Juſtice or Juſtices, before whom the Appellant ſhall have been convicted, ſhall be affirmed, ſuch Appellant ſhall immediately pay the Sum which he or ſhe ſhall have been adjudged to forfeit, together with ſuch Coſts as the Juſtices in the ſaid General or Quarter Seſſions ſhall award, to be paid by him or them for defraying the Expences ſuſtained by the Defendant or Defendants in ſuch Appeal; or in Default of making ſuch Payments, ſhall ſuffer the reſpective Pains and Penalties by this Act inflicted upon Perſons who ſhall neglect

The Appellant giving Security, &c.

to pay, or shall not pay the respective Forfeitures by this Act imposed upon such as shall be convicted of buying, receiving or taking to Pawn any of the Materials herein before-mentioned, which shall have been purloined or imbezilled. *See farther* 23 *Geo.* 2. *c.* 13. *sect.* 9.

Justices impowered to grant a Warrant to search the Houses, &c. of Persons convicted of purloining, &c.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall be charged with, and afterwards convicted of purloining or imbezilling any of the aforesaid Materials, or of buying or receiving the same in Manner before described, it shall and may be lawful to and for the Justice or Justices of the Peace before whom such Conviction shall be had, to issue a Warrant under his or their Hand and Seal, or Hands and Seals, directed to any Person or Persons, impowering him or them, in the Presence of a Constable or Headborough, and in the Day Time, to enter into and search the Houses, Out-houses, Shops, Cellars, Vaults and other Places belonging to the Person or Persons so convicted as aforesaid; and if upon any such Search or Searches, there shall be found any Thrums or Ends of Yarn, or any other Materials of Wooll, Furr, Hemp, Flax, Cotton, Iron, Leather, Mohair or Silk, it shall and may be lawful to and for the Person or Persons impowered to make such Search or Searches as aforesaid, to bring such Materials before the said Justice or Justices, to be by him or them detained and kept in safe Custody; and if within the Space of twenty-four Days next after such Thrums, or Ends of Yarn, or other Materials shall be so taken and detained, it shall be made appear to the Satisfaction of the said Justice or Justices, that the Person or Persons from whose Houses, Out-houses, Shops, Cellars, Vaults or other Places as aforesaid, the said Materials shall be so taken and detained, is or are the lawful Owner or Owners thereof, and came to the Possession of the same in an honest and lawful Manner, then all such Thrums or Ends of Yarn, or other Materials, so taken and kept as aforesaid, shall be restored to the Person or Persons out of whose Custody or Possession the same shall have been so taken; but in case it shall not be made appear within the Time before limited, to the Satisfaction of the said Justice or Justices, that the Person or Persons convicted as aforesaid, is or are the lawful Owner or Owners of the said Materials so taken and detained as aforesaid, then, and in every such Case, the said Materials shall be deemed and adjudged to be purloined and imbezilled; and it shall and may be lawful to and for the said Justice or Justices to direct all such Thrums or Ends of Yarn or other Materials, to be publickly sold, and the Money arising by such Sale (the Charges of such Sale being first deducted) to be equally distributed amongst the Poor of the Parish or Place where the Person or Persons so convicted shall reside or inhabit.

Justice to give Notice to the Convict, of the Materials brought to him, in order to prove his Property, &c.

V. Provided always, and it is hereby enacted, That the said Justice or Justices shall, within three Days after such Materials shall be brought to him or them as aforesaid, give Notice thereof in Writing under his or their Hand and Seal, or Hands and Seals, to the Person or Persons convicted as aforesaid, appointing in such Notice a Time and Place for his, her or their attending, in order to make out and prove his, her or their Property in such Materials so taken and detained as aforesaid; which Time so to be appointed, shall be within twenty-one Days, and not less than eighteen Days after such Notice given; and if the Person or Persons so convicted, shall be detained in any House of Correction, or other Prison as aforesaid, the said Justice or Justices shall also cause a Copy of the said Notice, attested under his or their Hand and Seal, or Hands and Seals, to be delivered to the Master or Keeper of such House of Correction, or other Prison; which Master or Keeper is hereby required to bring, or cause to be brought, before such Justice or Justices, the Person or Persons named in such Notice at the Time and Place therein specified, if the Person or Persons named in such Notice be then in the Custody of such Master or Keeper; and if any such Master or Keeper shall neglect or refuse so to do, such Master or Keeper shall, for every such Neglect or Refusal, forfeit to the Person or Persons respectively named in such Notice, the full Value of the Materials so taken, detained and sold; to be recovered by Distress and Sale of the Goods and Chattles of such Master or Keeper, by Warrant under the Hand and Seal, or Hands and Seals of the Justice or Justices signing such Notice, in case the said Forfeiture shall not be immediately paid.

Persons aggrieved may appeal.

VI. Provided also, and it is hereby further enacted, That if any Person shall think himself or herself aggrieved by the Judgment or Order of the said Justice or Justices, relating to the Sale or Disposal of the said Materials so found and detained as aforesaid, such Person shall have Liberty to appeal against the Judgment or Order of the said Justice or Justices, to the Justices of the Peace in the General or Quarter Session of the Peace which shall be held for the same County, Riding, Division, City, Liberty or Town Corporate, next after such Judgment or Order shall be given or made; and that in the mean Time the Sale and Disposal of such Materials shall be postponed; Notice in Writing under the Hand of the Person intending to appeal, signifying such his or her Intention, being given to the Justice or Justices by whom such Order shall have been made, before the Time appointed for the Sale and Disposal of such Materials; and the Justices of the Peace in the said General or Quarter Sessions of the Peace, are hereby authorized and impowered to summon and examine Witnesses upon Oath (or being of the People called *Quakers*, upon their solemn Affirmation) and to hear and finally determine the Matter of the said Appeal; and in case the said Appellant shall not prosecute such his or her Appeal, or for any other Cause the Judgment of the said Justice or Justices by whom such Order shall have been made shall be affirmed, it shall and may be lawful to and for the Justices in the said General or Quarter Sessions of the Peace, to award such Costs as they, in their Discretion, shall think reasonable to be paid by the Appellant for defraying the Expences sustained by the Defendant or Defendants in such Appeal.

Notice of Appeal to be given.

Penalty on Workmen not returning the Remains of the Materials, within 21 Days.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons entrusted with any of the Materials herein before-mentioned, in order to prepare, work up, or manufacture the same, shall not use all such Materials in the preparing, working up or manufacturing of the same, and shall neglect or delay, for the Space of twenty-one Days after such Materials shall be prepared, worked up or manufactured, to return (if required by the Owner or Owners of such Materials so to do) so much of the said Materials as shall not be used as aforesaid, to the Person or Persons entrusting him, her or them therewith, such Neglect or Delay shall be deemed and adjudged to be an Imbezilling or Purloining of such Materials; and the Person or Persons so neglecting or delaying, being thereof convicted, in Manner before prescribed for the

Conviction

Conviction of Offenders againſt this Act, ſhall ſuffer the like Puniſhment, as Perſons convicted of imbezilling or purloining any of the Materials herein before-mentioned, are by this Act rendered ſubject and liable to.

Juſtice to iſſue his Warrant upon Complaint of any Offence againſt this Act.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any one Juſtice of the Peace of any County, Riding, Diviſion, City, Liberty, Town or Place, and he is hereby required, upon Complaint to him made upon Oath, or (if the Perſon complaining be of the People called *Quakers*) ſolemn Affirmation of any Offence committed againſt this Act within the ſame County, Riding, Diviſion, City, Liberty, Town or Place, to iſſue his Warrant for apprehending and bringing before him, or before any other Juſtice or Juſtices of the Peace of the ſame County, Riding, Diviſion, City, Liberty, Town, or Place, the Perſon or Perſons charged with ſuch Offence; and the Juſtice or Juſtices, before whom ſuch Perſon or Perſons ſhall be brought, is and are hereby authorized and required to hear and determine the Matter of every ſuch Complaint, and to proceed to Conviction and Judgment thereupon.

Journeymen not completing their Work, &c.

IX. And, for the better regulating of the Journeymen, and other Perſons employed as Manufacturers or Workers in the Manufacture of Felts or Hats, and in the Woollen, Linnen, Fuſtian, Cotton, Iron, Mohair, Furr, Hemp, Flax, or Silk Manufactures, or any Manufactures made up of Wooll, Furr, Hemp, Flax, Linnen, Cotton, Mohair, or Silk, or any of the ſaid Materials mixed one with another, Be it further enacted by the Authority aforeſaid, That if any Perſon who, at any Time after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-nine, ſhall be hired, retained or employed to prepare or work up any of the Manufactures herein before-mentioned for any one Maſter, ſhall neglect or refuſe the Performance thereof, by procuring or permitting himſelf or herſelf to be ſubſequently retained or employed by any other Maſter or Perſon whatſoever, before he or ſhe ſhall have completed the Work which he or ſhe was firſt and originally ſo hired, retained, or employed to perform, and which was firſt delivered to him or her; then, and in every ſuch Caſe, the Perſon ſo offending, being thereof lawfully convicted by the Oath, or (being of the People called *Quakers*) Affirmation of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, Town or Place, where the Offence or Offences ſhall be committed, ſhall be ſent to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding one Month.

to be committed.

Limitation of the Powers of this Act.

X. Provided always, and it is hereby enacted and declared, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend to repeal any of the Proviſions mentioned and contained in an Act made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for regulating the Trade of Silk-throwing*; or in an Act made in the twentieth Year of the Reign of King CHARLES the Second, intituled, *An Act to regulate the Trade of Silk-throwing*; or in an Act made in the eighth and ninth Years of the Reign of King WILLIAM the Third, intituled, *An Act for the further Encouragement of the Manufacture of Luſtrings and Alamodes within this Realm, and for the better preventing the Importation of the ſame; for the Puniſhment of Silk Winders, Doublers, and other Perſons, convicted of purloining, imbezilling, pawning, ſelling, or detaining, any Silk delivered them to wind, double, or work up, or after the ſame is wrought up, and of the Buyers, Receivers, or Perſons taking to pawn any Silk ſo imbezilled or purloined*, but that the ſaid Proviſions ſhall remain in full Force, and the Penalties and Forfeitures to which Offenders againſt the ſaid Acts are thereby reſpectively ſubjected, may be levied, recovered and inflicted in the ſame Manner as ſuch Penalties and Forfeitures might have been levied, recovered and inflicted before the making of this Act; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

13 & 14 Car. 2. c. 15.

20 Car. 2. c. 6.

8 & 9 W. 3. c. 36.

None to be puniſhed twice for the ſame Offence.

XI. Provided nevertheleſs, and it is hereby further enacted and declared, That no Perſon ſhall, by virtue of the ſaid Acts herein before laſt-mentioned, or of this Act, ſuffer or be liable to ſuffer the Puniſhments thereby inflicted, twice for one and the ſame Fact or Offence.

12 Geo. 1. c. 34.

'XII. And whereas by an Act made in the twelfth Year of the Reign of his late Majeſty King GEORGE 'the Firſt, intituled, *An Act to prevent unlawful Combinations of Workmen employed in the Woollen Manufac-* 'tures, *and for better Payment of their Wages*, all Contracts, Covenants or Agreements, and all By-laws, 'Ordinances, Rules or Orders made or entered into, or hereafter to be made or entered into, by or between 'any Perſons brought up in, or profeſſing, uſing or exerciſing the Art and Myſtery of a Wooll Comber or 'Weaver, or Journeyman Wooll Comber, or Journeyman Weaver, in any Pariſh or Place within this 'Kingdom, for regulating the ſaid Trade or Myſtery, or for regulating or ſettling the Prices of Goods, or 'for advancing their Wages, or for leſſening their uſual Hours of Work, are declared to be illegal, null and 'void to all Intents and Purpoſes: And it is, by the ſaid laſt-mentioned Act (amongſt other things) enact-'ed, That if any Wooll Comber or Weaver, or Journeyman Wooll Comber, or Journeyman Weaver, or 'other Perſon concerned in any of the Woollen Manufactures of this Kingdom, ſhall at any Time keep 'up, continue, act in, make, enter into, ſign, ſeal, or be knowingly concerned in any Contract, Covenant 'or Agreement, By-law, Ordinance, Rule or Order of any Club, Society or Combination, by the ſaid 'Act declared to be illegal, or ſhall preſume or attempt to put any ſuch illegal Agreement, By-law, Ordi-'nance, Rule or Order in Execution; every Perſon ſo offending, being thereof lawfully convicted in Man-'ner preſcribed by the ſaid Act, ſhall at the Diſcretion of the Juſtices of the Peace, before whom ſuch Con-'viction ſhall be had, be committed either to the Houſe of Correction, there to be kept to hard Labour 'for any Time not exceeding three Months, or to the common Gaol of the County, City, Town or Place 'where ſuch Offence ſhall be committed, there to remain without Bail or Mainprize for any Time not ex-'ceeding three Months: And it is, by the ſaid laſt-mentioned Act, alſo further enacted, That if any Per-'ſon retained or employed as a Wooll Comber or Weaver, or Servant in the Art or Myſtery of a Wooll 'Comber or Weaver, ſhall depart from his Service before the End of the Time for which he is hired or re-'tained, or ſhall quit or return his Work before the ſame ſhall be finiſhed according to Agreement, unleſs 'it be for ſome reaſonable Cauſe to be allowed by two or more Juſtices of the Peace within their reſpective 'Juriſdictions; every Perſon ſo offending, being thereof convicted in Manner preſcribed by the ſaid Act, 'ſhall be committed to the Houſe of Correction, there to be kept to hard Labour for any Time not exceed-

'ing

'ing three Months; and if any Wooll Comber, Weaver, Servant or Person hired, retained or employed 'in the said Art or Mystery, shall wilfully damnify, spoil or destroy (without the Consent of the Owner) 'any of the Goods, Wares, or Work committed to his Care or Charge, or wherewith he shall be intrust-'ed, such Offender being thereof convicted, shall forfeit and pay to the Owner or Owners of such Goods 'or Wares so damnified, spoiled or destroyed, double the Value thereof; to be levied by Distress and Sale of 'the Offender's Goods and Chattles, by Warrant or Warrants under the Hands and Seals of any two 'or more Justices of the Peace, within their respective Jurisdictions, and for want of sufficient Di-'stress, such Justices shall commit the Party or Parties offending to the House of Correction, there to be kept 'to hard Labour, for any Time not exceeding three Months, or until Satisfaction be made to the Party or 'Parties aggrieved for the same: And it is, by the said last-mentioned Act, also further enacted, That every 'Clothier, Serge Maker, or Woollen or Worsted Stuff Maker, or Person concerned in making any Wool-'len Cloths, Serges or Stuffs, or concerned in employing Wooll Combers, Weavers, or other Labourers 'in the Woollen Manufactury, shall pay to all Persons by them employed in the Woollen Manufacture, the 'full Wages, or other Price agreed on, in good and lawful Money of this Kingdom, and shall not pay the 'said Wages, or other Price agreed on, or any Part thereof, in Goods, or by way of Truck, or in any 'other Manner than in Money, or make any Deduction from such Wages or Price, for or on Account of any 'Goods sold or delivered, previous to such Agreement, by any Person or Persons whatsoever: And for the 'more easy Recovery of the said Wages, or Price agreed on, any two or more Justices of the Peace, within 'their respective Jurisdictions, are authorized and required, upon Complaint made for that Purpose, to sum-'mon before them the Party or Parties offending, and for Non-payment of such Wages, or Price agreed 'on, in Money as aforesaid, or sufficient Satisfaction given for the same, to the good Liking of the Party 'or Parties aggrieved, to issue their Warrant or Warrants under their Hands and Seals, for levying such 'Wages or Price, due as aforesaid, by Distress and Sale of the Offender's Goods and Chattels, rendering 'the Overplus to the Owner; and for want of sufficient Distress, to commit the Party or Parties offending 'to the common Goal of the County, City, Town or Place, where such Offence shall be committed, there 'to remain without Bail or Mainprize for the Space of six Months, or until he, she or they shall pay such 'Wages, or Price agreed on, in Money as aforesaid, or give full Satisfaction for the Payment of the same, 'to the good Liking of the Party grieved: And it is, by the said last-mentioned Act, also further enacted, 'That if any Clothier, Serge Maker, Woollen or Worsted Stuff Maker, or Person concerned in making 'any Woollen Cloths, Serges or Stuffs, or any way concerned in employing Wooll Combers, Weavers or 'other Labourers in the Woollen Manufactury, shall pay any Person or Persons employed by them, their 'Wages, or other Price agreed on, or any Part thereof, either in Goods, or by way of Truck, or in any 'other Manner than in Money, every Person so offending, shall also forfeit and pay the Sum of ten Pounds, 'one Moiety thereof to the Informer, and the other Moiety to the Party or Parties aggrieved, to be levied 'by Distress and Sale of the Offender's Goods as aforesaid, rendering the Overplus (if any be) to the Owner: 'And it is by the said last-mentioned Act, also provided, That it shall be lawful for any Person aggrieved, 'by any Order or Orders to be made by any two or more Justices of the Peace as aforesaid, to ap-'peal to the Justices of the Peace at the next General Quarter-Sessions to be holden for the County, City, 'Division, Parish or Place, where such Order shall be made, giving reasonable Notice of such Appeal, the 'Reasonableness of which Notice shall be determined by the Justices at the Quarter-Sessions to which such 'Appeal is made; and if it shall appear to them, that reasonable Time of Notice was not given, then they 'shall adjourn the said Appeal to the next Quarter-Sessions, and then and there finally hear and determine 'the same; and the Justices, who in the General Quarter-Sessions shall hear the Matter, shall have Power 'to award reasonable Costs to either Party, as to them shall seem just: And it is, by the said last-mentioned 'Act also further enacted, That if any Person or Persons shall assault or abuse any Master Wooll Comber, 'Master Weaver, or other Person concerned in any of the Woollen Manufactures, whereby any such Ma-'ster or other Person shall receive any bodily Hurt, for not complying with, or not conforming, or not sub-'mitting to any such illegal By-laws, Ordinances, Rules or Orders aforesaid; or if any Person or Persons 'shall write, or cause to be written, or knowingly send, or cause to be sent, any Letter, or other Writing 'or Message, threatening any Hurt or Harm to any such Master Wooll Comber, or Master Weaver, or 'other Person concerned in the Woollen Manufacture, or threatening to burn, pull down, or destroy any 'of their Houses or Out-houses, or to cut down or destroy any of their Trees, or to maim or kill any of 'their Cattle, for not complying with any Demands, Claims or Pretences of any of his or their Work-'men, or others employed by them in the said Manufacture, or for not conforming, or not submitting to 'any such illegal By-laws, Ordinances, Rules or Orders as aforesaid, every Person so knowingly and wil-'lingly offending in the Premisses, being thereof lawfully convicted, upon any Indictment to be found with-'in twelve Calendar Months next after any such Offence committed, shall be adjudged guilty of Felony, 'and shall be transported for seven Years to some or one of his Majesty's Colonies or Plantations in *Ame-'rica*, by such Ways and Means, and in such Manner, and under such Pains and Penalties, as Felons in 'other Cases are by Law to be transported: And whereas it is necessary that the said several Provisions and 'Regulations in the said last in Part recited Act, should be extended to Journeymen Dyers, Journeymen 'Hot Pressers, and all other Persons employed in the Woollen Manufactures of this Kingdom, and also to 'Journeymen, Servants, Workmen and Labourers, employed in the making of Felts or Hats, and in the 'Manufactures of Silk, Mohair, Furr, Hemp, Flax, Linnen, Cotton, Fustian, Iron, and Leather, or 'any Manufactures made up of Wooll, Furr, Hemp, Flax, Cotton, Mohair, or Silk, or of any of the 'said Materials mixed one with another;' Be it therefore enacted by the Authority aforesaid, That the said several before recited Clauses in the said Act, made in the twelfth Year of his said late Majesty's Reign, and all the Provisions, Regulations, Pains, Penalties and Forfeitures, therein contained, shall, from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-nine, extend, and be construed, deemed and adjudged to extend to Journeymen Dyers, Journeymen Hot Pressers, and all other Persons whatsoever, employed in or about any of the Woollen Manufactures of this Kingdom, and also to

The Provisions in the recited Act, to extend to Persons employed in the Manufactures enumerated.

Journeymen, Servants, Workmen and Labourers, and all other Persons whatsoever employed in the making of Felts or Hats, or in or about any of the Manufactures of Silk, Mohair, Furr, Hemp, Flax, Linnen, Cotton, Fustian, Iron or Leather, or in or about any Manufactures made up of Wooll, Furr, Hemp, Flax, Cotton, Mohair, or Silk, or of any of the said Materials mixed one with another, in as full and ample Manner as the said Provisions, Regulations, Pains, Penalties and Forfeitures, are by the said last-mentioned Act declared to extend to the several and respective Persons therein named; and the Pains, Penalties and Forfeitures, which shall be incurred by reason of any Offence committed against the said last-mentioned Act, by any Person or Persons employed or concerned in or about any of the said Manufactures, herein before enumerated, shall be inflicted, levied and recovered, in the same Manner as the Pains, Penalties and Forfeitures, contained in the said last in Part recited Act, are directed to be inflicted, levied and recovered, upon and against the several and respective Persons therein mentioned.

Forfeitures to be inflicted as in the said Act.

CAP. XXVIII.

An Act for continuing two Acts of Parliament, the one passed in the thirteenth Year of the Reign of his late Majesty King *George* the First, for amending the several Roads leading from the City of *Bristol*; and the other passed in the fourth Year of the Reign of his present Majesty, to explain and amend the same Act; and for making the said Acts more effectual; and also for repairing other Roads therein mentioned. P R.

The former Acts 13 Geo. 1. c. 12. and 4 Geo. 2. c. 22. continued for 21 Years.

CAP. XXIX.

An Act for making an authentick Roll of Valuation for the Shire of *Argyll*.

'WHEREAS there has not been any authentick or authorized Valuation of the Shire of *Argyll* extant at any Time since the late happy Revolution, in the Year of our Lord one thousand six hundred eighty-eight, and for want thereof it was provided by the sixth Act of the Parliament of *Scotland*, holden in the Year one thousand six hundred and ninety, intituled, *Act for raising a Supply offered to their Majesties*; That the Shire of *Argyll* should pay their Proportion of that Supply, and in Time coming, according as the said Shire did pay before the Year one thousand six hundred and eighty-four, until there be a new Valuation: And whereas such new Valuation has never hitherto been made or authorized:' Now for remedying the Inconveniencies arising from the want of an authentick Roll of Valuation for the Shire of *Argyll*, according to which the established Proportion of Cess, payable by the said Shire, may be levied and collected from the several Heretors, Proprietors and Occupiers of Lands, lying within the same, in the same Manner, and with the like Ease, Certainty and Regularity, as is practised in other Shires, within that Part of *Great Britain* called *Scotland*; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir *Duncan Campbell* of *Lochnell*, *Duncan Campbell* of *Inveraw*, *Archibald Lamont* of *Lamont*, *John Campbell* of *Barcalden*, *Donald Campbell* of *Airds*, *Neil Macneil* of *Ugadill*, *Archibald Campbell* of *Knockbuy*, *Alexander Macmillan* of *Dunmore*, *Archibald Campbell* of *Danna*, *Archibald Campbell* of *Melford*, *Archibald Campbell* of *Inverliver*, *Hector Maclean* of *Torloisk*, *Neil Campbell* of *Duntroon*, Master *John Campbell* of *Ottir*, Captain *James Campbell* the younger of *Ardkinglass*, *John Mackinnon* of *Mackinnon*, *Archibald Campbell* of *Dunnoon*, *Colin Campbell* of *Skipness*, *Hector Maclean* of *Coll*, *Archibald Campbell* of *Stonfield*, *Daniel Campbell* of *Shawfield*, *Duncan Campbell* of *Shunderland*, *John Macdonald* of *Lergy*, and *Archibald Campbell* of *Jura*, of whom nine are hereby declared to be a *Quorum*, shall be, and they are hereby constituted and appointed Commissioners for making an authentick Roll of Valuation for the said Shire of *Argyll*, which they are hereby authorized, impowered and required to do.

Commissioners Names.

Nine Commissioners to be a Quorum.

II. And be it enacted by the Authority aforesaid, That the Commissioners aforesaid, or any nine or more of them, shall meet together at *Inverary* on the twenty-first Day of *June* next, and shall then adjourn themselves, and afterwards meet there, or at any other Place, as the said Commissioners, or any nine or more of them, shall think proper or convenient, as often as it shall be necessary for putting this Act, or any of the Powers therein contained, in Execution.

Time and Place of Meeting.

III And be it likewise enacted by the Authority aforesaid, That the Commissioners aforesaid, or any nine or more of them, shall have Power to summon the Heretors, and other Persons having Interest in the said Shire, to appear before them, and to take all Manner of Probation as they shall see Cause, and to do all other Acts necessary for carrying this Act into Execution.

Commissioners may summon Heretors, &c.

IV. Provided always, and it is hereby further enacted, That none of the Commissioners aforesaid, shall act as such, until they shall have qualified themselves, by taking the Oaths appointed by Law to be taken by Persons in Offices of publick Trust in *Scotland*, either in the Sheriff's Court held for the said Shire, or any other Court of Law appointed for that Purpose.

Commissioners not to act till they have qualified.

V. And it is hereby further enacted by the Authority aforesaid, That as soon as the said Commissioners shall have finished and compleated the said Roll of Valuation, three Copies thereof shall be signed by nine or more of the said Commissioners, one whereof shall be transmitted to the Treasurer's Remembrancer in his Majesty's Court of *Exchequer*, in that Part of *Great Britain* called *Scotland*, to be kept amongst the Records of the said Court, and another of the said Copies shall be delivered to the Sheriff, or Sheriff Depute of the said Shire, to be recorded in the Sheriff Books for the said Shire, and to be Patent in all Time coming to all Persons having occasion to inspect the same, and another Copy of the said Roll, so signed as aforesaid, shall

Three Copies of the Roll to be transmitted to the Offices herein mentioned.

shall be delivered to the Clerk of the Commissioners of Supply for the said Shire, for the Use of the said Commissioners in all Time coming.

VI. And it is hereby enacted by the Authority aforesaid, That the said Roll, when so signed and delivered as aforesaid, shall be of the same Force, Efficacy and Validity, to all Intents and Purposes, for and in respect to the said Shire of *Argyll*, and Lands and Hereditaments lying within the same, as any other authentick Roll of Valuation is by Law for any other Shire in that Part of *Great Britain* called *Scotland*, and the Lands lying within the same. The Validity of the Roll declared.

VII. Provided always, and it is hereby enacted by the Authority aforesaid, That the *Quota* or Proportion of Cess charged upon the said Shire, shall continue the same as it has been heretofore before the passing of this Act. The Quota of the Cess to be the same.

VIII. And provided likewise, and it is hereby further enacted, That until the first Day of *June*, which shall be in the Year of our Lord one thousand seven hundred and fifty, and likewise from and after the said first Day of *June* one thousand seven hundred and fifty, until the said Roll shall be completed, signed and delivered in Manner above mentioned, the publick Supplies shall be levied and collected within the said Shire, in the Manner that has been hitherto practised within the same before the passing of this Act. The Supplies to be raised as heretofore, till the Roll be completed.

IX. And be it likewise further enacted, That all Arrears of the puplick Supplies or Cess grown due, or hereafter to grow due on or before the said first Day of *June* one thousand seven hundred and fifty, shall be levied and collected within the said Shire, in the Manner that has been heretofore practised within the same; any thing in this Act to the contrary notwithstanding. Arrears to be levied as formerly.

X. And it is hereby further enacted, That it shall and may be lawful for any Person or Persons, Heretors or Life-renters, within the said Shire, who shall apprehend him, her or themselves to be aggrieved by the Valuation that shall be made by the said Commissioners, of any Lands or Heretages within the said Shire, as being too high or too low, or otherwise unequal, to apply for Redress of such Grievance or Unequality, by summary Petition or Complaint to the Barons of the Court of *Exchequer* in *Scotland*, at any Time within twelve Months after a Copy of the said Valuation, as settled by the Commissioners, shall be recorded in the Sheriff's Books for the said Shire, to be Patent to all Persons having Interest; and upon such Complaint exhibited to the said Barons, they are hereby authorized and required to grant Warrant for serving the same upon any nine or more of the said Commissioners, to answer upon fifteen Days after such Service; and then upon hearing the said Complaint in a summary Manner, with the Answers, if any be made by the said Commissioners, or other Parties having Interest, the said Barons, or any three of them, are hereby authorized and required to make such Order, touching the Matter of the said Complaint, as to them shall appear just, which Order shall be final; and in case it shall import any Variation of the Roll of Valuation made by the Commissioners, that Roll or Valuation shall be altered accordingly. Persons aggrieved may appeal.

CAP. XXX.

An Act for encouraging the People known by the Name of *Unitas Fratrum*, or *United Brethren*, to settle in his Majesty's Colonies in *America*.

'WHEREAS many of the People of the Church or Congregations called the *Unitas Fratrum*, or '*United Brethren*, are settled in his Majesty's Colonies in *America*, and demean themselves there as 'a sober, quiet and industrious People; and many others of the same Persuasion are desirous to transport 'themselves to, and make larger Settlements in, the said Colonies at their own Expence, provided they may 'be indulged with a full Liberty of Conscience, and in the Exercise of the Religion they profess; and seve-'ral of the said Brethren do conscientiously scruple the taking of an Oath, and likewise do conscientiously 'scruple bearing Arms, or personally serving in any military Capacity, although they are willing and ready 'to contribute whatever Sums of Money shall be thought a reasonable Compensation for such Service, and 'which shall be necessary for the Defence and Support of his Majesty's Person and Government: And 'whereas the said Congregations are an ancient Protestant Episcopal Church, which has been countenanced 'and relieved by the Kings of *England*, your Majesty's Predecessors: And whereas the encourging the said 'People to settle in *America*, will be beneficial to the said Colonies;' Therefore may it please your Majesty, at the humble Petition of *Abraham* Baron of *Gersdorff*, *Lewis* Baron *Schrautenbach* free Lord of *Lindheim*, *David Nitschman* Syndic, *Charles Sehachmann* Baron of *Hermsdorff*, and *Henry Cossart* Agent, Deputies from the said *Moravian* Churches, in Behalf of themselves and their *United Brethren*, that it may be enacted; and be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-nine, every Person being a Member of the said Protestant Episcopal Church, known by the Name of *Unitas Fratrum*, or the *United Brethren*, and which Church was formerly settled in *Moravia* and *Bohemia*, and are now in *Prussia*, *Poland*, *Silesia*, *Lusatia*, *Germany*, the *United Provinces*, and also in his Majesty's Dominions, who shall be required upon any lawful Occasion to take an Oath in any Case where by Law an Oath is or shall be required, shall, instead of the usual Form, be permitted to make his or her solemn Affirmation or Declaration in these Words following: Members of Unitas Fratrum allowed to make a solemn Affirmation in lieu of an Oath.

"I *A. B.* do declare in the Presence of Almighty God, the Witness of the Truth of what I say." Form of Affirmation.

Which said solemn Affirmation or Declaration shall be adjudged and taken, and is hereby enacted and declared to be of the same Force and Effect, to all Intents and Purposes, in all Courts of Justice, and other Places where by Law an Oath is or shall be required within the Kingdoms of *Great Britain* and *Ireland*, and

also in all and every of his Majesty's Colonies and Dominions in *America*, as if such Person had taken an Oath in the usual Form.

Penalty of false Affirming.

II. And be it further enacted by the Authority aforesaid, That any Person making such solemn Affirmation or Declaration, who shall be lawfully convicted, wilfully, falsly and corruptly to have affirmed or declared any Matter or Thing, which, if the same had been deposed on Oath in the usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the same Pains and Penalties, as by the Law and Statutes of this Realm are enacted against Persons convicted of wilful and corrupt Perjury.

Not to extend to Criminal Cases, &c.

III. Provided, and be it enacted, That no Person being of the said Church or Congregation called the *Moravian* or *United Brethren*, shall by virtue of this Act be qualified to give Evidence in any Criminal Causes, or to serve on Juries; any thing contained in this Act to the contrary notwithstanding.

Moravians summoned to do any military Service to be discharged,

IV. And be it further enacted, That every Person who is a Member of the said Church or Congregation, who shall reside in any of his Majesty's Colonies in *America*, who shall at any Time after the said twenty-fourth Day of *June* one thousand seven hundred and forty-nine, be summoned to bear Arms, or do military Service, in any of his Majesty's said Colonies or Provinces of *America*, shall, on his Application to the Governor or Commander in Chief of the said Colony or Province, or to such Officer or Person by whom such Person shall have been summoned or required to serve, or be mustered, be discharged from such Personal Service;

upon Payment of the Rate assessed;

provided that such Person, so desiring to be discharged from such Personal Service, contribute and pay such Sum of Money as shall be rated and assessed on him in lieu of such Personal Service, so as such Sum shall be rated, assessed and levied, and be in such Proportion, as is usually rated, assessed, levied and paid, by other Persons residing in the same Colony or Province, who are by reason of Age, Sex, or other Infirmity, unable to do Personal Service, and who are possessed of Estates of the same Nature as the Persons desiring such Discharge.

and producing a Certificate from some Bishop of the said Church, &c.

V. And to prevent any Doubt which may arise, whether any Person, pretending or claiming to be a Member of such Church or Congregation, is actually a Member thereof, Be it further enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who shall, as a Member or Members of such Church or Congregation, claim the Benefit of this Act, or of any Matter or Thing herein contained, shall, at the Time when he or they make such Claim, produce a Certificate signed by some Bishop of the said Church, or by the Pastor of such Church or Congregation, who shall be neareſt to the Place where such Claim is made; and shall be examined concerning the Matters contained in the said Certificate, and the due Examination thereof; and such Person so affirming to the best of his Knowledge and Belief in Manner herein before-mentioned, or proving by the Testimony of other legal Witness, that the said Certificate was duly executed by such Bishop or Pastor, and also affirming, that he is actually a Member of the said Church, known by the Name of *Unitas Fratrum*, or *United Brethren*, shall be adjudged, deemed and taken to be actually a Member of the said Church or Congregation, and as such shall be intitled to the Benefit of this Act.

Penalty of false Affirming.

VI. And be it further enacted, That any Person who shall be lawfully convicted of having wilfully, falsly and corruptly affirmed or declared in Manner aforesaid, that such Certificate was duly executed, or that he is a Member of such Church, when in Fact such Affirmation is untrue, such Person so falsly affirming, and being duly convicted thereof, shall incur the same Pains and Penalties, as by the Law and Statutes of this Realm are enacted against Persons convicted of wilful and corrupt Perjury.

The Advocate to lay before the Commissioners for Trade Lists of the Bishops appointed to grant Certificates, &c.

VII. And that it may be known whether such Bishops and Pastors, so signing such Certificates, be of the Church known by the Name of *Unitas Fratrum*, or *United Brethren*, within the Meaning of this Act, Be it further enacted, That the Advocate of the said Church or Congregation of the *United Brethren* for the time being, shall lay, or cause to be laid before *The Commissioners for Trade and Plantations*, in order that the same may remain in their Office, a List or Lists of all the Bishops of the said Church of the *United Brethren*, who are appointed by them to grant Certificates as aforesaid, together with the Hand-writing, and usual Seal; and that, from time to time, the said Advocate shall send to the said Commissioners for Trade and Plantations, the Names, Hand-writing, and Seals of any Bishops, that shall be hereafter consecrated and appointed by them as aforesaid, and the Names of such Pastors as shall be authorized by the said Advocate or Bishops to give Certificates in any of his Majesty's Colonies in *America*.

Publick Act.

VIII. And be it enacted and declared by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

CAP. XXXI.

An Act for opening and making a new Road from the East End of *New Street* in the Parish of *Saint John Southwark*, to and through the several Places therein mentioned; and for keeping the said Road in Repair for the future. P R.

Certain Tolls granted for 21 Years.

CAP. XXXII.

An Act for enlarging the Term and Powers granted by an Act passed in the eighteenth Year of the Reign of his present Majesty, for repairing the High Road leading from *Borough Bridge* in the County of *York*, through *Northallerton* in the same County, to *Croft Bridge* on the River *Tees*; and from thence through *Darlington* in the County of *Durham*, to the City of *Durham*; and for making the same more effectual. P R.

The Act 18 Geo. 2. c. 8. continued for 21 Years.

CAP.

CAP. XXXIII.

An Act for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels and Forces by Sea.

'WHEREAS the several Laws relating to the Sea Service, made at different Times, and on different Occasions, have been found by Experience not to be so full, so clear, so expedient or consistent with each other as they ought to be;' For amending and explaining the said Laws, and for reducing them into one uniform Act of Parliament; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, an Act passed in the thirteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for establishing Articles and Orders for the regulating and better Government of his Majesty's Navies, Ships of War and Forces by Sea*; and also so much of an Act passed in the second Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act concerning the Commissioners of the Admiralty*; as directs the Form of an Oath to be taken by every Officer present, upon all Trials of Offenders by Courts-martial, to be held by virtue of any Commission to be granted by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral; and also so much of an Act passed in the sixth Year of the Reign of King GEORGE the first, intituled, *An Act for making perpetual so much of an Act made in the tenth Year of the Reign of Queen* ANNE, *for the reviving and continuing several Acts of Parliament therein mentioned, as relates to the building and repairing County Gaols; and also an Act of the eleventh and twelfth Years of the Reign of* King WILLIAM *the Third, for the more effectual Suppression of Piracy; and for making more effectual the Act of the thirteenth Year of the Reign of King* CHARLES *the Second*, intituled, 'An Act for establishing Articles and Orders for the regulating and better Government of his Majesty's Navies, Ships of War and Forces by Sea;' as relates to the Trial and Punishment of Persons who shall commit any of the Crimes or Offences mentioned in the said Articles upon the Shore, in any Foreign Part or Parts; and also so much of an Act passed in the eighth Year of the Reign of King GEORGE the first, intituled, *An Act for the more effectual suppressing of Piracy*; as directs the Punishment to be inflicted by a Court-martial upon any Captain, Commander or other Officer of any of his Majesty's Ships or Vessels of War, who shall receive on Board, or permit to be received on Board, any Goods or Merchandizes whatsoever, in order to trade or merchandize with the same (except the Goods and Merchandizes therein excepted) and also an Act passed in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act for the regulating and better Government of his Majesty's Navies, Ships of War and Forces by Sea; and for regulating the Proceedings upon Courts-martial in the Sea Service*; and also an Act passed in the twenty-first Year of the Reign of his present Majesty, intituled, *An Act for further regulating the Proceedings upon Courts-martial in the Sea Service; and for extending the Discipline of the Navy to the Crews of his Majesty's Ships wrecked, lost or taken; and for continuing to them their Wages upon certain Conditions*, shall be, and the same are hereby repealed to all Intents and Purposes whatsoever.

Extended by 29 Geo. 2. c. 27.

13 Car. 2. st. 1. c. 9.

2 W. & M. st. 2. c. 2. §. 4.

6 Geo. 1. c. 19.

8 Geo. 1. c. 24.

18 Geo. 2. c. 35.

21 Geo. 2. c. 11.

repealed.

II. And for the regulating and better Government of his Majesty's Navies, Ships of War and Forces by Sea, whereon, under the good Providence of God, the Wealth, Safety and Strength of this Kingdom chiefly depend; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, the Articles and Orders herein after following, as well in Time of Peace as in Time of War, shall be duly observed and put in Execution, in Manner herein after-mentioned.

Commencement of the Articles.

'I. All Commanders, Captains and Officers, in or belonging to any of his Majesty's Ships or Vessels of War, shall cause the publick Worship of Almighty God, according to the Liturgy of the Church of *England* established by Law, to be solemnly, orderly and reverently performed in their respective Ships, and shall take care that Prayers and Preaching, by the Chaplains in Holy Orders of the respective Ships, be performed diligently; and that the Lord's Day be observed according to Law.

Publick Worship to be performed.

'2. All Flag Officers, and all Persons in or belonging to his Majesty's Ships or Vessels of War, being guilty of profane Oaths, Cursings, Execrations, Drunkenness, Uncleanness or other scandalous Actions, in Derogation of God's Honour, and Corruption of good Manners, shall incur such Punishment as a Court-Martial shall think fit to impose, and as the Nature and Degree of their Offence shall deserve.

Penalty of profane Swearing, &c.

'3. If any Officer, Mariner, Soldier or other Person of the Fleet, shall give, hold or entertain Intelligence to or with any Enemy or Rebel, without Leave from the King's Majesty, or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, Commander in Chief, or his Commanding Officer, every such Person so offending, and being thereof convicted by the Sentence of a Court-martial, shall be punished with Death.

Penalty of holding illegal Correspondence with an Enemy;

'4. If any Letter or Message from any Enemy or Rebel, be conveyed to any Officer, Mariner or Soldier, or other in the Fleet, and the said Officer, Mariner, Soldier or other as aforesaid, shall not, within twelve Hours, having Opportunity so to do, acquaint his superior Officer, or the Officer commanding in Chief, with it; or if any superior Officer being acquainted therewith, shall not in convenient Time reveal the same to the Commander in Chief of the Squadron, every such Person so offending, and being convicted thereof by the Sentence of the Court-martial, shall be punished with Death, or such other Punishment as the Nature and Degree of the Offence shall deserve, and the Court-martial shall impose.

of not acquainting the superior Officer with any Message from an Enemy;

'5. All Spies, and all Persons whatsoever, who shall come or be found, in the Nature of Spies, to bring or deliver any seducing Letters or Messages from any Enemy or Rebel, or endeavour to corrupt any Cap-

of Spies, and of delivering seducing Letters. &c.

'tain,

'tain, Officer, Mariner or other in the Fleet, to betray his Truſt, being convicted of any ſuch Offence by 'the Sentence of the Court-martial, ſhall be puniſhed with Death, or ſuch other Puniſhment as the Na- 'ture and Degree of the Offence ſhall deſerve, and the Court-martial ſhall impoſe.

of relieving an Enemy;

'6. No Perſon in the Fleet ſhall relieve an Enemy or Rebel with Money, Victuals, Powder, Shot, 'Arms, Ammunition or any other Supplies whatſoever, directly or indirectly, upon Pain of Death, or ſuch 'other Puniſhment as the Court-martial ſhall think fit to impoſe, and as the Nature and Degree of the 'Crime ſhall deſerve.

of not ſending all Papers found aboard Prize Ships;

'7. All the Papers, Charter Parties, Bills of Lading, Paſſports and other Writings whatſoever, that ſhall 'be taken, ſeized or found aboard any Ship or Ships which ſhall be ſurprized or taken as Prize, ſhall be 'duly preſerved, and the very Originals ſhall by the Commanding Officer of the Ship which ſhall take ſuch 'Prize, be ſent intirely, and without Fraud, to the Court of Admiralty, or ſuch other Court of Commiſ- 'ſioners, as ſhall be authorized to determine whether ſuch Prize be lawful Capture, there to be viewed, 'made uſe of, and proceeded upon according to Law; upon Pain that every Perſon offending herein, ſhall 'forfeit and loſe his Share of the Capture, and ſhall ſuffer ſuch further Puniſhment, as the Nature and De- 'gree of his Offence ſhall be found to deſerve, and the Court-martial ſhall impoſe.

of taking Effects out of any Prize before condemned;

'8. No Perſon in or belonging to the Fleet ſhall take out of any Prize, or Ship ſeized for Prize, any 'Money, Plate or Goods, unleſs it ſhall be neceſſary for the better ſecuring thereof, or for the neceſſary 'Uſe and Service of any of his Majeſty's Ships or Veſſels of War, before the ſame be adjudged lawful Prize 'in ſome Admiralty Court; but the full and entire Account of the whole, without Imbezzlement, ſhall be 'brought in, and Judgment paſſed intirely upon the whole without Fraud; upon Pain that every Perſon of- 'fending herein ſhall forfeit and loſe his Share of the Capture, and ſuffer ſuch further Puniſhment as ſhall 'be impoſed by a Court-martial, or ſuch Court of Admiralty, according to the Nature and Degree of the 'Offence.

of Stripping or ill uſing Perſons taken on Board a Prize;

'9. If any Ship or Veſſel ſhall be taken as Prize, none of the Officers, Mariners or other Perſons on 'Board her, ſhall be ſtripped of their Cloaths, or in any ſort pillaged, beaten or evil-intreated; upon Pain 'that the Perſon or Perſons ſo offending, ſhall be liable to ſuch Puniſhment as a Court-martial ſhall think 'fit to inflict.

of not preparing for Fight, and encouraging the Men in Time of Action;

'10. Every Flag Officer, Captain and Commander in the Fleet, who, upon Signal or Order of Fight, 'or Sight of any Ship or Ships which it may be his Duty to engage, or who, upon Likelihood of En- 'gagement, ſhall not make the neceſſary Preparations for Fight, and ſhall not in his own Perſon, and ac- 'cording to his Place, encourage the inferior Officers and Men to fight courageouſly, ſhall ſuffer Death, 'or ſuch other Puniſhment, as from the Nature and Degree of the Offence a Court-martial ſhall deem 'him to deſerve; and if any Perſon in the Fleet ſhall treacherouſly or cowardly yield or cry for Quarter, 'every Perſon ſo offending, and being convicted thereof by the Sentence of a Court-martial, ſhall ſuffer 'Death.

of diſobeying Orders in Time of Action, &c.

'11. Every Perſon in the Fleet, who ſhall not duly obſerve the Orders of the Admiral, Flag Officer, 'Commander of any Squadron or Diviſion, or other his ſuperior Officer, for aſſailing, joining Battle with, 'or making Defence againſt any Fleet, Squadron or Ship, or ſhall not obey the Orders of his ſuperior Of- 'ficer as aforeſaid in Time of Action, to the beſt of his Power, or ſhall not uſe all poſſible Endeavours to 'put the ſame effectually in Execution, every ſuch Perſon ſo offending, and being convicted thereof by 'the Sentence of the Court-martial, ſhall ſuffer Death, or ſuch other Puniſhment, as from the Nature and 'Degree of the Offence a Court-martial ſhall deem him to deſerve.

of Cowardice or Neglect of Duty in Time of Action;

'12. Every Perſon in the Fleet, who through Cowardice, Negligence or Diſaffection, ſhall in Time 'of Action withdraw or keep back, or not come into the Fight or Engagement, or ſhall not do his ut- 'moſt to take or deſtroy every Ship which it ſhall be his Duty to engage, and to aſſiſt and relieve all and 'every of his Majeſty's Ships, or thoſe of his Allies, which it ſhall be his Duty to aſſiſt and relieve, every 'ſuch Perſon ſo offending, and being convicted thereof by the Sentence of a Court-martial, ſhall ſuffer 'Death.

of not purſuing the Enemy, and of not aſſiſting a Friend;

'13. Every Perſon in the Fleet, who through Cowardice, Negligence or Diſaffection, ſhall forbear to 'purſue the Chace of any Enemy, Pirate or Rebel, beaten or flying; or ſhall not relieve or aſſiſt a known 'Friend in View to the utmoſt of his Power; being convicted of any ſuch Offence by the Sentence of a 'Court-martial, ſhall ſuffer Death.

of delaying or diſcouraging the Service, on Account of Wages, &c.

'14. If when Action, or any Service ſhall be commanded, any Perſon in the Fleet ſhall preſume to de- 'lay or diſcourage the ſaid Action or Service, upon Pretence of Arrears of Wages, or upon any Pretence 'whatſoever, every Perſon ſo offending, being convicted thereof by the Sentence of the Court-martial, 'ſhall ſuffer Death, or ſuch other Puniſhment, as from the Nature and Degree of the Offence a Court- 'martial ſhall deem him to deſerve.

of deſerting or running away with Ship or Stores;

'15. Every Perſon in or belonging to the Fleet, who ſhall deſert to the Enemy, Pirate or Rebel, or run 'away with any of his Majeſty's Ships or Veſſels of War, or any Ordnance, Ammunition, Stores or Pro- 'viſion belonging thereto, to the weakening of the Service, or yield up the ſame cowardly or treacherouſly 'to the Enemy, Pirate or Rebel, being convicted of any ſuch Offence by the Sentence of the Court-mar- 'tial, ſhall ſuffer Death.

of deſerting, or inticing others;

'16. Every Perſon in or belonging to the Fleet, who ſhall deſert or intice others ſo to do, ſhall ſuffer 'Death, or ſuch other Puniſhment as the Circumſtances of the Offence ſhall deſerve, and a Court-martial 'ſhall judge fit: And if any Commanding Officer of any of his Majeſty's Ships or Veſſels of War ſhall re- 'ceive or entertain a Deſerter from any other of his Majeſty's Ships or Veſſels, after diſcovering him to be 'ſuch Deſerter, and ſhall not with all convenient Speed give Notice to the Captain of the Ship or Veſſel to 'which ſuch Deſerter belongs; or if the ſaid Ships or Veſſels are at any conſiderable Diſtance from each 'other, to the Secretary of the Admiralty, or to the Commander in Chief; every Perſon ſo offending, and 'being convicted thereof by the Sentence of the Court-martial, ſhall be caſhiered.

'17. The

of not taking Care of Ships under Convoy;

'17. The Officers and Seamen of all Ships appointed for Convoy and Guard of Merchant Ships, or of any other, shall diligently attend upon that Charge, without Delay, according to their Instructions in that Behalf; and whosoever shall be faulty therein, and shall not faithfully perform their Duty, and defend the Ships and Goods in their Convoy, without either diverting to other Parts or Occasions, or refusing or neglecting to fight in their Defence, if they be assailed, or running away cowardly, and submitting the Ships in their Convoy to Peril and Hazard; or shall demand or exact any Money or other Reward from any Merchant or Master for convoying of any Ships or Vessels intrusted to their Care, or shall misuse the Masters or Mariners thereof; shall be condemned to make Reparation of the Damage to the Merchants, Owners and others, as the Court of Admiralty shall adjudge, and also be punished criminally according to the Quality of their Offences, be it by Pains of Death or other Punishment, according as shall be adjudged fit by the Court-martial.

of taking Goods on Board, other than Gold, Silver, Jewels, &c.

'18. If any Captain, Commander or other Officer of any of his Majesty's Ships or Vessels, shall receive on Board, or permit to be received on Board such Ship or Vessel, any Goods or Merchandizes whatsoever, other than for the sole Use of the Ship or Vessel, except Gold, Silver or Jewels, and except the Goods and Merchandizes belonging to any Merchant or other Ship or Vessel which may be shipwrecked, or in imminent Danger of being shipwrecked, either on the High Seas, or in any Port, Creek or Harbour, in order to the preserving them for their proper Owners, and except such Goods or Merchandizes as he shall at any Time be ordered to take or receive on board by Order of the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral for the time being; every Person so offending, being convicted thereof by the Sentence of the Court-martial, shall be cashiered, and be for ever afterwards rendered incapable to serve in any Place or Office in the Naval Service of his Majesty, his Heirs and Successors.

of mutinous Assemblies, or uttering seditious Words;

'19. If any Person in or belonging to the Fleet shall make or endeavour to make any mutinous Assembly upon any Pretence whatsoever, every Person offending herein, and being convicted thereof by the Sentence of the Court-martial, shall suffer Death: And if any Person in or belonging to the Fleet shall utter any Words of Sedition or Mutiny, he shall suffer Death, or such other Punishment as a Court-martial shall deem him to deserve: And if any Officer, Mariner or Soldier in or belonging to the Fleet, shall behave himself with Contempt to his superior Officer, such superior Officer, being in the Execution of his Office, he shall be punished according to the Nature of his Offence by the Judgment of a Court-martial.

of concealing mutinous Practice, or Words;

'20. If any Person in the Fleet shall conceal any traiterous or mutinous Practice or Design, being convicted thereof by the Sentence of a Court-martial, he shall suffer Death, or such other Punishment as a Court-martial shall think fit; and if any Person, in or belonging to the Fleet, shall conceal any traiterous or mutinous Words spoken by any, to the Prejudice of his Majesty or Government, or any Words, Practice or Design, tending to the Hindrance of the Service, and shall not forthwith reveal the same to the Commanding Officer, or being present at any Mutiny or Sedition, shall not use his utmost Endeavours to suppress the same, he shall be punished as a Court-martial shall think he deserves.

of endeavouring to stir up Disturbance, on Account of Unwholsomness of Victual, &c.

'21. If any Person in the Fleet shall find cause of Complaint of the Unwholsomness of the Victual, or upon other just Ground, he shall quietly make the same known to his Superior or Captain, or Commander in Chief, as the Occasion may deserve, that such present Remedy may be had as the Matter may require; and the said Superior, Captain or Commander in Chief, shall, as far as he is able, cause the same to be presently remedied; and no Person in the Fleet, upon any such or other Pretence, shall attempt to stir up any Disturbance, upon Pain of such Punishment as a Court-martial shall think fit to inflict, according to the Degree of the Offence.

of Striking, &c. a superior Officer, or disobeying his lawful Command;

'22. If any Officer, Mariner, Soldier or other Person in the Fleet, shall strike any of his superior Officers, or draw, or offer to draw, or lift up any Weapon against him, being in the Execution of his Office, on any Pretence whatsoever, every such Person being convicted of any such Offence, by the Sentence of a Court-martial, shall suffer Death; and if any Officer, Mariner, Soldier or other Person in the Fleet, shall presume to quarrel with any of his superior Officers, being in the Execution of his Office, or shall disobey any lawful Command of any of his superior Officers; every such Person being convicted of any such Offence, by the Sentence of a Court-martial, shall suffer Death, or such other Punishment, as shall, according to the Nature and Degree of his Offence, be inflicted upon him by the Sentence of a Court-martial.

of quarrelling, &c. or using reproachful Speech;

'23. If any Person in the Fleet shall Quarrel or Fight with any other Person in the Fleet, or use reproachful or provoking Speeches or Gestures, tending to make any Quarrel or Disturbance, he shall, upon being convicted thereof, suffer such Punishment as the Offence shall deserve, and a Court martial shall impose.

of wasting Stores, &c.

'24. There shall be no wasteful Expence of any Powder, Shot, Ammunition or other Stores in the Fleet, nor any Embezzlement thereof, but the Stores and Provisions shall be carefully preserved; upon Pain of such Punishment to be inflicted upon the Offenders, Abettors, Buyers and Receivers (being Persons subject to Naval Discipline) as shall be by a Court-martial found just in that Behalf.

of burning any Magazine or Vessel, &c. not belonging to an Enemy;

'25. Every Person in the Fleet, who shall unlawfully burn or set Fire to any Magazine or Store of Powder, or Ship, Boat, Ketch, Hoy or Vessel, or Tackle or Furniture thereunto belonging, not then appertaining to an Enemy, Pirate or Rebel, being convicted of any such Offence, by the Sentence of a Court-martial, shall suffer Death.

of Neglect in conducting and steering;

'26. Care shall be taken in the conducting and steering of any of his Majesty's Ships, that through Wilfulness, Negligence or other Defaults, no Ship be stranded, or run upon any Rocks or Sands, or split or hazarded; upon Pain, that such as shall be found guilty therein, be punished by Death, or such other Punishment, as the Offence by a Court-martial shall be judged to deserve.

'27. No

of sleeping on Watch, &c.

'27. No Person in or belonging to the Fleet shall sleep upon his Watch, or negligently perform the 'Duty imposed on him, or forsake his Station, upon Pain of Death, or such other Punishment as a 'Court-martial shall think fit to impose, and as the Circumstances of the Case shall require.

of Murder,

'28. All Murders committed by any Person in the Fleet, shall be punished with Death by the Sentence 'of a Court-martial.

Buggery,

'29. If any Person in the Fleet shall commit the unnatural and detestable Sin of Buggery or Sodomy 'with Man or Beast, he shall be punished with Death by the Sentence of a Court-martial.

Robbery,

'30. All Robbery committed by any Person in the Fleet, shall be punished with Death, or otherwise, 'as a Court-martial, upon Consideration of Circumstances, shall find meet.

False Musters,

'31. Every Officer or other Person in the Fleet, who shall knowingly make or sign a false Muster or 'Muster-book, or who shall command, counsel or procure the making or signing thereof, or who shall aid 'or abet any other Person in the making or signing thereof, shall, upon Proof of any such Offence being 'made before a Court-martial, be cashiered, and rendered incapable of further Employment in his Ma-'jesty's Naval Service.

not apprehending Prisoners, and permitting Escapes;

'32. No Provost-martial belonging to the Fleet shall refuse to apprehend any Criminal, whom he shall 'be authorized by legal Warrant to apprehend, or to receive or keep any Prisoner committed to his Charge, 'or wilfully suffer him to escape, being once in his Custody, or dismiss him without lawful Order, upon 'Pain of such Punishment as a Court-martial shall deem him to deserve: and all Captains, Officers and 'others in the Fleet, shall do their Endeavour to detect, apprehend and bring to Punishment all Offenders, 'and shall assist the Officers appointed for that Purpose therein, upon Pain of being proceeded against, and 'punished by a Court-martial, according to the Nature and Degree of the Offence.

scandalous, oppressive or fraudulent Behaviour of Officers;

'33. If any Flag Officer, Captain or Commander, or Lieutenant belonging to the Fleet, shall be con-'victed before a Court-martial of behaving in a scandalous, infamous, cruel, oppressive or fraudulent 'Manner, unbecoming the Character of an Officer, he shall be dismissed from his Majesty's Service.

Mutiny, Desertion or Disobedience on Shore;

'34. Every Person being in actual Service and full Pay, and Part of the Crew in or belonging to any of 'his Majesty's Ships or Vessels of War, who shall be guilty of Mutiny, Desertion or Disobedience to any 'lawful Command, in any Part of his Majesty's Dominions on Shore, when in actual Service relative to 'the Fleet, shall be liable to be tried by a Court-martial, and suffer the like Punishment for every such 'Offence, as if the same had been committed at Sea on Board any of his Majesty's Ships or Vessels of 'War.

committing on Shore any of the Crimes punishable by these Articles.

'35. If any Person who shall be in the actual Service and full Pay of his Majesty's Ships and Vessels of 'War, shall commit upon the Shore, in any Place or Places out of his Majesty's Dominions, any of the 'Crimes punishable by these Articles and Orders, the Person so offending shall be liable to be tried and 'punished for the same, in like Manner, to all Intents and Purposes, as if the said Crimes had been com-'mitted at Sea, on Board any of his Majesty's Ships or Vessels of War.

Other Crimes not Capital, &c. to be punished according to the Custom of the Navy.

'36. All other Crimes not Capital committed by any Person or Persons in the Fleet, which are not 'mentioned in this Act, or for which no Punishment is hereby directed to be inflicted, shall be punished 'according to the Laws and Customs in such Cases used at Sea.'

No Imprisonment to be longer than two Years.

III. Provided always, That no Person convicted of any Offence shall, by the Sentence of any Court-martial to be held by virtue of this Act, be adjudged to be imprisoned for a longer Term than the Space of two Years.

Court-martial not to try any Offences, except those specified in the 5, 34, 35 Articles, which shall not be committed within the Jurisdiction of the Admiralty.

IV. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to impower any Court-martial to be constituted by virtue of this Act, to proceed to the Punishment or Trial of any of the Offences specified in the several Articles contained in this Act, or of any Offence whatsoever (other than the Offences specified in the fifth, thirty-fourth and thirty-fifth of the fore-going Articles and Orders) which shall not be committed upon the main Sea, or in great Rivers only, beneath the Bridges of the said Rivers nigh to the Sea, or in any Haven, River or Creek within the Jurisdiction of the Admiralty, and which shall not be committed by such Persons as at the Time of the Offence committed shall be in actual Service and full Pay in the Fleet or Ships of War of his Majesty, his Heirs or Successors, such Persons only excepted, and for such Offences only, as are described in the fifth of the foregoing Articles and Orders.

No Soldier on Board any Transport to be tried by a Naval Court-martial.

V. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to impower any Court-martial to be constituted by virtue of this Act, to proceed to the Punishment or Trial of any Land Officer or Soldier on Board any Transport Ship, for any of the Offences specified in the several Articles contained in this Act.

The Admiralty impowered to grant Commissions for holding Courts-martial.

VI. And it is hereby further enacted, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, the Lord High Admiral of *Great Britain* or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the time being, shall have full Power and Authority to grant Commissions to any Officer commanding in Chief any Fleet or Squadron of Ships of War, to call and assemble Courts-martial, consisting of Commanders and Captains; and that in case any Officer commanding in Chief any Fleet or Squadron of Ships of War, (who shall be authorized by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the time being, to call and assemble Courts-martial in Foreign Parts) shall happen to die, or be recalled, or removed from his Command, then the Officer upon whom the Command of the said Fleet or Squadron shall devolve, and so, from time to time, the Officer who shall have the Command of the Fleet or Squadron, shall have the same Power to call and assemble Courts-martial, as the first Commander in Chief of the said Fleet or Squadron was invested with.

Commander in Chief dying, &c. the next in Command to hold Courts-martial.

Officer next in Command where there are five

VII. Provided always, and it is hereby enacted and declared, That no Commander in Chief of any Fleet or Squadron of his Majesty's Ships or Detachment thereof, consisting of more than five Ships, shall preside at

at any Court-martial in Foreign Parts, but that the Officer next in Command to such Officer commanding in Chief, shall hold such Court-martial and preside thereat; any Law, Custon or Usage to the contrary notwithstanding. Ships, to preside at Courts-martial in Foreign Parts.

VIII. And it is hereby further enacted, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, in case any Commander in Chief in any Fleet or Squadron of his Majesty's Ships or Vessels of War in Foreign Parts, shall detach any Part of such Fleet or Squadron, every Commander in Chief shall, and he is hereby authorized and required, by Writing under his Hand, to impower the Chief Commander of the Squadron or Detachment so ordered on such separate Service (and in case of his Death or Removal, the Officer to whom the Command of such separate Squadron or Detachment shall belong) to hold Courts-martial, during the Time of such separate Service, or until the Commander of the said Detachment for the time being shall return to his Commander in Chief, or shall come under the Command of any other his superior Officer, or return to *Great Britain* or *Ireland*. Commanders in Chief to impower the Commanders of a Squadron on separate Service, to hold Courts-martial.

IX. Provided always, and it is hereby further enacted, That if any five or more of his Majesty's Ships or Vessels of War shall happen to meet together in Foreign Parts, then and in such Case, it shall be lawful for the senior Officer of the said Ships or Vessels to hold Courts-martial, and preside thereat, from time to time, as there shall be Occasion, during so long Time as the said Ships or Vessels of War, or any five or more of them, shall continue together. If 5 or more Ships meet in Foreign Parts, the senior Officer to hold Courts-martial.

X. Provided nevertheless, and be it also enacted, That where any material Objection occurs, which may render it improper for the Person who is next in Command to the senior Officer or Commander in Chief of any Fleet or Squadron of his Majesty's Ships of War in Foreign Parts to hold Courts-martial, or preside thereat, in such Case it shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral for the time being, as also the Commander in Chief of any such Fleet or Squadron of his Majesty's Ships in Foreign Parts, respectively to appoint the third Officer in Command to preside at or hold such Court-martial. Where the third Officer in Command to preside.

XI. And it is hereby further enacted, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, it shall be lawful for the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral for the time being, and they are hereby respectively authorized, from time to time, as there shall be Occasion, to direct any Flag Officer, or Captain of any of his Majesty's Ships of War, who shall be in any Port of *Great Britain* or *Ireland*, to hold Courts-martial in any such Port, provided such Flag Officer or Captain be the first, second or third in Command of such Port, as shall be found most expedient, and for the Good of his Majesty's Service; and such Flag Officer or Captain, so directed to hold Courts-martial, shall preside at such Court-martial; any thing herein contained to the contrary notwithstanding. The Admiralty impowered to appoint Officers in the Ports of Great Britain, &c. to hold Courts-martial.

XII. And it is hereby further enacted, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, no Court-martial, to be held or appointed by virtue of this present Act, shall consist of more than thirteen, or of less than five Persons, to be composed of such Flag Officers, Captains or Commanders then and there present, as are next in Seniority to the Officer who presides at the Court-martial. Court-martial not to consist of more than 13, nor less than 5 Officers.

XIII. Provided always, and be it enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to authorize or impower the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or any Officer impowered to order or hold Courts-martial, to direct or ascertain the particular Number of Persons of which any Court-martial, to be held or appointed by virtue of this present Act, shall consist. The Officer not to direct the particular Number.

XIV. Provided always, and it is hereby enacted and declared, That in case any Court-martial shall, by virtue of this Act, be appointed to be held at any Place where there are not less than three, nor yet so many as five Officers of the Degree and Denomination of a Post Captain, or of a superior Rank to be found, then it shall be lawful for the Officer, at the Place appointed for holding such Court-martial, who is to preside at the same, to call to his Assistance as many of the Commanders of his Majesty's Vessels, under the Rank and Degree of a Post Captain, as, together with the Post Captains then and there present, will make up the Number of five, to hold such Court-martial. Where there are 3 Post Captains, the President to call in Commanders under that Rank.

XV. And it is hereby further enacted, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, no Member of any Court-martial, after the Trial is begun, shall go on Shore till Sentence be given, but remain on Board the Ship in which the Court shall first assemble, except in case of Sickness, to be judged of by the Court, upon Pain of being cashiered from his Majesty's Service; nor shall the Proceedings of the said Court be delayed by the Absence of any of its Members, provided a sufficient Number doth remain to compose the said Court, which shall and is hereby required to sit from Day to Day (*Sunday* always excepted) until the Sentence be given. Penalty if a Member of the Court go on Shore, after Trial is begun. Proceedings not to be delayed.

XVI. And it is hereby further enacted, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, upon all Trials of Offenders by any Court-martial, all the Officers present who are to constitute the said Court-martial, shall, before they proceed to such Trial, take such Oath as is herein after-mentioned, upon the Holy Evangelists, before the Court; which Oath the Judge Advocate, or his Deputy, or the Person appointed to officiate as such is hereby authorized and required to administer in the Words following (that is to say) Officers composing a Court-martial to be sworn.

'I *A. B.* do swear, That I will duly administer Justice, according to the Articles and Orders established by an Act passed in the twenty-second Year of the Reign of his Majesty King GEORGE the Second, for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels and Forces by Sea, without Partiality, Favour or Affection; and if any Case shall arise, which is not particularly mentioned in the said Articles and Orders, I will duly administer Justice according to my Conscience, the best of my Understanding, and the Custom of the Navy in The Oath.

' the like Caſes; and I do further ſwear, That I will not upon any Account, at any Time whatſoever, diſ-
' cloſe or diſcover the Vote or Opinion of any particular Member of this Court-martial, unleſs thereunto
' required by Act of Parliament.'

So help me GOD.

Judge Advocate to be ſworn

And ſo ſoon as the ſaid Oath ſhall have been adminiſtered to the reſpective Members, the Preſident of the Court is hereby authorized and required to adminiſter to the Judge Advocate, or the Perſon officiating as ſuch, an Oath in the following Words:

' I *A. B.* do ſwear, That I will not upon any Account at any Time whatſoever, diſcloſe or diſcover the
' Vote or Opinion of any particular Member of this Court-martial, unleſs thereunto required by Act of
' Parliament.'

So help me GOD.

Penalty of refuſing to give Evidence or prevaricating, and of Contempt to the Court;

of Perjury or Subornation.

XVII. And it is hereby further enacted, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-nine, in caſe any Perſon in the Fleet, being called upon to give Evidence at any Court-martial, ſhall refuſe to give his Evidence upon Oath, or ſhall prevaricate in his Evidence, or behave with Contempt to the Court, it ſhall and may be lawful for ſuch Court-martial to puniſh every ſuch Offender by Impriſonment, at the Diſcretion of the Court, ſuch Impriſonment not to continue longer than three Months, in caſe of ſuch Refuſal or Prevarication, nor longer than one Month in the caſe of ſuch Contempt; and that all and every Perſon and Perſons who ſhall commit any wilful Perjury, in any Evidence or Examination upon Oath at any ſuch Court-martial, or who ſhall corruptly procure or ſuborn any Perſon to commit ſuch wilful Perjury, ſhall and may be proſecuted in his Majeſty's Court of *King's Bench*, by Indictment or Information; and every Iſſue joined in any ſuch Indictment or Information ſhall be tried by good and lawful Men of the County of *Middleſex*, or ſuch other County as the ſaid Court of *King's Bench* ſhall direct; and all and every Perſon and Perſons, being lawfully convicted upon any ſuch Indictment or Information ſhall be puniſhed with ſuch Pains and Penalties, as are inflicted for the like Offences reſpectively by two Acts of Parliament, the one made in the fifth Year of the Reign of Queen ELIZABETH, intituled, *An Act for Puniſhment of ſuch Perſons as ſhall procure or commit any wilful Perjury*; and the other made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for the more effectual preventing and further Puniſhment of Forgery, Perjury and Subornation of Perjury, and to make it Felony to ſteal Bonds, Notes or other Securities for Payment of Money.*

5 Eliz. c. 9.

2 Geo. 2. c. 25.

The Offence only to be ſet forth in Information, &c.

XVIII. And be it further enacted by the Authority aforeſaid, That in every Information or Indictment to be proſecuted by virtue of this Act for any ſuch Offence, it ſhall be ſufficient to ſet forth the Offence charged upon the Defendant, without ſetting forth the Commiſſion or Authority for holding the Court-martial, and without ſetting forth the particular Matter tried or to be tried, or directed or intended to be tried before ſuch Court.

Report to be made to the Admiralty, &c. before Sentence of Death, except in Caſes of Mutiny.

XIX. And it is hereby further enacted, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-nine, no Sentence of Death given by any Court-martial held within the Narrow Seas (except in Caſes of Mutiny) ſhall be put in Execution till after the Report of the Proceedings of the ſaid Court ſhall have been made to the Lord High Admiral, or the Commiſſioners for executing the Office of Lord High Admiral, and his or their Directions ſhall have been given therein; and if the ſaid Court ſhall have been held beyond the Narrow Seas, then ſuch Sentence of Death ſhall not be carried into Execution but by Order of the Commander of the Fleet or Squadron wherein Sentence was paſſed; and in Caſes where Sentence of Death ſhall be paſſed in any Squadron, detached from any other Fleet or Squadron upon a ſeparate Service, then ſuch Sentence of Death (except in Caſes of Mutiny) ſhall not be put in Execution, but by Order of the Commander of the Fleet or Squadron, from which ſuch Detachment ſhall have been made, or of the Lord High Admiral, or Commiſſioners for executing the Office of Lord High Admiral; and in Caſes where Sentence of Death ſhall be paſſed in any Court-martial held by the ſenior Officer of five or more of his Majeſty's Ships, which ſhall happen to meet together in Foreign Parts purſuant to the Power herein before given, then ſuch Sentence of Death (except in Caſes of Mutiny) ſhall not be carried into Execution but by Order of the Lord High Admiral, or Commiſſioners for executing the Office of Lord High Admiral.

Judge Advocate to adminiſter Oath to Witneſſes.

XX. And be it further enacted, and declared, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-nine, the Judge Advocate of any Fleet for the time being, or his Deputy, ſhall have full Power and Authority, and is hereby required to adminiſter an Oath to any Witneſs at any Trial by Court-martial; and in the Abſence of the Judge Advocate and his Deputy, the Court-martial ſhall have full Power and Authority to appoint any Perſon to execute the Office of Judge Advocate.

Articles to be in Force with reſpect to Crews of Ships loſt or deſtroyed.

XXI. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and forty-nine, all the Powers given by the ſeveral Articles and Orders eſtabliſhed by this Act, ſhall remain and be in full Force with reſpect to the Crews of ſuch of his Majeſty's Ships as ſhall be wrecked, or be otherwiſe loſt or deſtroyed; and all the Command, Power and Authority given to the Officers of the ſaid Ship or Ships, ſhall remain and be in full Force as effectually as if ſuch Ship or Ships to which they did belong were not ſo wrecked, loſt or deſtroyed, until they ſhall be regularly diſcharged from his Majeſty's further Service, or removed into ſome other of his Majeſty's Ships of War, or until a Court-martial ſhall be held, purſuant to the Cuſtom of the Navy in ſuch Caſes, to enquire into the Cauſes of the Loſs of the ſaid Ship or Ships: And if upon ſuch Enquiry it ſhall appear by the Sentence of the Court-martial that all, or any of the Officers or Seamen of the ſaid Ship or Ships did their utmoſt to preſerve, get off or recover the ſaid Ship or Ships, and ſince the Loſs thereof have behaved themſelves obe-

The Pay of ſuch Ships reſerved.

diently

diently to their superior Officers, according to the Discipline of the Navy and the said Articles and Orders herein before established, then all the Pay and Wages of the said Officers and Seamen, or of such of them as shall have done their Duty as aforesaid, shall continue and go on, and be paid to the Time of their Discharge or Death; or if they shall be then alive, to the Time of the holding of such Court-martial, or Removal into some other of his Majesty's Ships of War; and every such Officer and Seaman of any of his Majesty's Ships of War, who after the Wreck or Loss of his Ship shall act contrary to the Discipline of the Navy, and the several Articles and Orders herein before established, or any of them, shall be sentenced by the said Court-martial, and punished as if the Ship to which he did belong was not so wrecked, lost or destroyed.

The Pay of the Officers and Men taken by the Enemy, who have behaved well, reserved.

XXII. And be it further enacted, That from and after the said twenty-fifth Day of *December* one thousand seven hundred and forty-nine, all the Pay and Wages of such Officers and Seamen of any of his Majesty's Ships as are taken by the Enemy, and upon Enquiry at a Court-martial shall appear by the Sentence of the said Court to have done their utmost to defend the said Ship or Ships, and since the taking thereof, to have behaved themselves obediently to their superior Officers, according to the Discipline of the Navy, and the said Articles and Orders herein before established, shall continue and go on, and be paid, from the Time of their being so taken, to the Time of the holding of such Court-martial, or until they shall be regularly discharged from his Majesty's Service, or removed into some other of his Majesty's Ships of War, or (if they shall die in Captivity, or not live to the Time of the holding of such Court-martial) to the Time of their Death, in such Manner, and not otherwise, as if the said Ship or Ships to which they did belong respectively, was not or were not so taken.

No Person, not flying from Justice, to be tried, unless Complaint in Writing be made to the Admiralty, &c. or a Court be ordered within three Years, or within one Year after the Return of the Ship or Offender.

XXIII. Provided always, and be it further enacted, That no Person or Persons not flying from Justice, shall be tried or punished by any Court-martial for any Offence to be committed against this Act, unless the Complaint of such Offence be made in Writing to the Lord High Admiral, or to the Commissioners for executing the Office of Lord High Admiral for the time being, or any Commander in Chief of his Majesty's Squadrons or Ships impowered to hold Courts-martial, or unless a Court-martial to try such Offender shall be ordered by the said Lord High Admiral, or the said Commissioners, or the said Commander in Chief, either within three Years after such Offence shall be committed, or within one Year after the Return of the Ship, or of the Squadron, to which such Offender shall belong, into any of the Ports of *Great Britain* or *Ireland*; or within one Year after the Return of such Offender into *Great Britain*, or *Ireland*.

'XXIV. And whereas by the said Act, intituled, *An Act for the more effectual suppressing of Piracy*; it is 'amongst other Things enacted in the following Words, That the said Captain, Commander or other Officer of the said Ship or Vessel of War, and all and every the Owners and Proprietors of such Goods and 'Merchandizes, put on Board such Ship or Vessel of War as aforesaid, shall lose, forfeit and pay the Value of all and every such Goods and Merchandizes so put on Board as aforesaid; one Moiety of such full 'Value to such Person or Persons as shall make the first Discovery, and give Information of or concerning 'the said Offence; the other Moiety of such full Value to and for the Use of *Greenwich Hospital*; all 'which Forfeitures shall and may be sued for and recovered in the High Court of Admiralty:' Now for making the said in Part recited Act more useful and effectual, be it enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, if any Captain, Commander or other Officer of any of his Majesty's Ships or Vessels shall receive on Board, or permit or suffer to be received on Board such Ship or Vessel, any Goods or Merchandizes, contrary to the true Intent and Meaning of the eighteenth Article in this Act before-mentioned and hereby enacted; every such Captain, Commander or other Officer shall, for every such Offence, over and above any Punishment inflicted by this Act, forfeit and pay the Value of all and every such Goods and Merchandizes so received or permitted, or suffered to be received on Board as aforesaid, or the Sum of five hundred Pounds of lawful Money of *Great Britain*, at the Election of the Informer, or Person who shall sue for the same, so that no more than one of these Penalties or Forfeitures shall be sued for and recovered by virtue of this and the said in Part recited Act, or either of them, against the same Person, for one and the same Offence; one Moiety of which Penalties or Forfeitures shall be forfeited and paid to the Person who shall inform or sue for the same, and the other Moiety thereof, to and for the Use of the Royal Hospital at *Greenwich*; which Forfeiture shall be sued for and recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the High Court of Admiralty, at the Election of the Informer, or Person who shall sue for the same; and the Court shall award such Costs to the Parties as shall be just; and in all Cases where Judgment or Sentence shall be given against any such Offender, the Court where such Judgment or Sentence shall be given, shall, with all convenient Speed, certify the same to the Lord High Admiral, or to the Commissioners for executing the said Office.

Penalty of Officers receiving on Board Goods.

Application of the Forfeiture.

Method of Recovery.

The Court to certify to the Admiralty the Judgment.

Limitation of the Powers of this Act.

XXV. Provided always, That nothing in this Act contained, shall extend, or be construed to extend to take away from the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or any Vice Admiral, or any Judge or Judges of the Admiralty, or his or their Deputy or Deputies, or any other Officers or Ministers of the Admiralty, or any others having or claiming any Admiral Power, Jurisdiction or Authority within this Realm, or any other the King's Dominions, or from any Person or Court whatsoever, any Power, Right, Jurisdiction, Pre-eminence or Authority, which he or they, or any of them, lawfully hath, have or had, or ought to have and enjoy, before the making of this Act, so as the same Person shall not be punished twice for the same Offence.

Repeal of the recited Statutes not to avoid Prosecutions for Offences committed on or before 25 Dec. 1749.

XXVI. Provided nevertheless, and be it enacted, That the Repeal of the said before recited Statutes, or any Part thereof, or any thing herein contained, shall not extend, or be deemed to extend to discharge or avoid, or prevent any Prosecution or Suit commenced, or at any Time hereafter to be commenced against any Person or Persons, for any Offence committed on or before the said twenty fifth Day of *December* one thousand seven hundred and forty-nine, or to be committed against the said Statutes, or any Part or Parts thereof, but that all Persons who have been, or shall, before the said twenty-fifth Day of *December*, be guil.y

This Act is extended by 29 Geo. 2. c. 27. And see 28 Geo. 2. c. 11. 30 Geo. 2. c. 11.

guilty of any such Offence, shall and may be prosecuted, sued, condemned and punished for the same, as well after as before the said twenty-fifth Day of *December*, as if the said Statutes had not been repealed.

CAP. XXXIV.

An Act for enlarging the Term and Powers granted by an Act made in the third Year of the Reign of his present Majesty, intituled, *An Act for making a new Road, and for repairing and amending the ancient Road between the Towns of* Wisbech *and* March, *in the Isle of* Ely *and County of* Cambridge, P R.

The Act 3 Geo. 2. c. 24. continued for 21 Years.

CAP. XXXV.

An Act for repairing and widening the Road leading from the Town of *Kingston upon Thames*, in the County of *Surry*, to a Place called *Sheetbridge* near *Petersfield*, in the County of *Southampton*; and also the Road from *Hindhead Heath*, through *Fernhurst Lane* and *Midhurst*, to the City of *Chichester* in the County of *Sussex*. P R.

Certain Tolls granted for 21 Years.

CAP. XXXVI.

For former Laws concerning Gold and Silver, refer to 28 Ed. 1. c. 20. 5 H. 4. c. 13. 2 H. 5. stat. 2. c. 4. 8 H. 5. c. 3. 2 H. 6. c. 14. 4 H. 7. c. 2. 18 El. c. 15. 15 Car. 2. c. 7. 1 W. & M. stat. 1. c. 30. 6 & 7 W. 3. c. 17. 7 & 8 W. 3. c. 19. 8 W. 3. c. 8. 9 W. 3. c. 28. 12 W. 3. c. 4. 1 Ann. stat. 1. c. 9. 10 Ann. c. 26. 6 Geo. 1. c. 11. 12 Geo. 2. c. 26. 15 Geo. 2. c. 20.

An Act for the more effectual preventing the Importation and Wear of Foreign Embroidery and Brocade, and of Gold and Silver Thread, Lace or other Work made of Gold or Silver Wire manufactured in Foreign Parts.

'WHEREAS great Quantities of Foreign Embroidery, Gold and Silver Thread, Lace, Fringe and Brocade, continue to be daily brought into, and sold within this Kingdom, and great Sums of Money are daily exported out of this Kingdom for the buying and fetching in of those Commodities, the Importation whereof is contrary to several Acts of Parliament made for prohibiting the same:' For Redress whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *July* one thousand seven hundred and forty-nine, no Foreign Embroidery, or Gold or Silver Brocade, shall be imported or brought into *Great Britain*, upon Pain of being forfeited and burnt, and upon the further Penalty of one hundred Pounds of lawful Money of *Great Britain*, to be paid by the Importer thereof for each Piece or Parcel so imported.

Penalty on importing Foreign Embroidery, or Gold or Silver Brocade.

II. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *July* one thousand seven hundred and forty-nine, no Mercer, Laceman, Haberdasher, Upholder, Milliner, Taylor, or other Person or Persons whatsoever, shall vend, utter, sell or expose to Sale, or exchange, barter, truck or otherwise dispose of, any Foreign Embroidery, Gold or Silver Thread, Lace, Fringe, Brocade, or any other Work made thereof, or of Gold or Silver Wire or Plate, wove, wrought, fabricated, or manufactured in Foreign Parts, or sew, work or make up the same, for, in or upon any Garment or Wearing Apparel whatsoever; upon Pain that all and every such Foreign Embroidery, Gold or Silver Thread, Lace, Fringe, Brocade or other Work made thereof, or of Gold or Silver Wire, or Plate, so sold or exposed to Sale, exchanged, bartered, trucked or disposed of, or sewed, worked or made up, for, in or upon any Garment or Wearing Apparel, and the Garment, Wearing Apparel or other Materials, in, with or upon which the same shall be so sewed, wrought or made up, shall be forfeited and burnt; and all and every Person or Persons who shall vend, utter, sell or expose to Sale, exchange, barter, truck or dispose of, or knowingly sew or work or make up, or cause or procure to be worked or made up, for, in or upon any Garment or Wearing Apparel, any such Foreign Embroidery, Gold or Silver Thread, Lace, Fringe, Brocade or other Work, wove, wrought, fabricated or manufactured in Foreign Parts, shall, for every such Offence, forfeit the Sum of one hundred Pounds of lawful Money of *Great Britain*.

Venders or Makers up of Foreign Embroidery, &c. to forfeit 100 l. and the Garment to be burnt.

III. And be it further enacted by the Authority aforesaid, That all Foreign Embroidery and Gold or Silver Thread, Lace, Fringe, Brocade or other Work made thereof, or of Gold or Silver Wire or Plate, wove, wrought, fabricated or manufactured in Foreign Parts, which, after the said first Day of *July* one thousand seven hundred and forty-nine, shall be siezed within this Kingdom, whether the same shall be mixed with, sewed on, or made up, together with any other Goods or Materials, or otherwise, and the Apparel, Garment or other Materials, in, with or upon which the same shall be mixed, sewed or made up, shall be forfeited, and after Condemnation shall be burnt; and the Mercer, Laceman, Haberdasher, Upholder, Milliner, Taylor or other Dealer in, or Vender or Maker up of, any of the said Manufactures, in whose House, Warehouse, Custody or Possession the same shall be so found and seized, being thereof convicted, shall for each Piece or Parcel of such Foreign Embroidery, Gold or Silver Thread, Lace, Fringe, Brocade or other Work made thereof, or of Gold or Silver Wire or Plate that shall be seized and found in his, her or their House, Shop, Warehouse, Custody or Possession as aforesaid, and which shall have been brought, placed or continued there, with his, her or their Knowledge, Privity or Consent, forfeit the Sum of one hundred Pounds of lawful Money of *Great Britain*.

Foreign Embroidery, &c. which shall be seized after 1 July 1749, to be burnt,

and the Dealer, &c. to forfeit 100 l.

IV. And be it further enacted by the Authority aforesaid, That all Foreign Embroidery, Gold or Silver Thread, Lace, Fringe, Brocade or other Work made thereof, or of Gold or Silver Wire or Plate seized by virtue of this or any other Act, shall, after Condemnation, be together with the Garment, Wearing Apparel or other Materials, in, with or upon which the same shall be mixed, sewed, wrought or made up, publickly

The Embroidery, &c. with the Garments, to be burnt.

publickly burnt at ſuch Places as the Commiſſioners of his Majeſty's Cuſtoms in *England* or *Scotland* reſpectively ſhall direct.

Proſecution of Penalties and Application.

V. And be it further enacted by the Authority aforeſaid, That the ſeveral Penalties and Forfeitures in this Act mentioned, ſhall and may be proſecuted and determined by Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland* reſpectively, wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed; and one Moiety of the ſaid Penalties and Forfeitures ſhall be to the Uſe of the King's Majeſty, and the other Moiety to ſuch Perſon or Perſons as will ſue for or proſecute the ſame.

The Proof to lie upon the Claimer.

VI. And be it further enacted by the Authority aforeſaid, That if any Queſtion or Doubt ſhall ariſe, where the ſaid Goods were manufactured, the Proof ſhall lie upon the Owner or Claimer of ſuch Goods, or the Perſon proſecuted for being guilty of an Offence againſt this Act, and not upon the Proſecutor; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

The Wearer to incur no Penalty.

VII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to inflict any Penalty on the Wearer of any Foreign Embroidery, Gold or Silver Thread, Lace, Fringe, Brocade or other Work made thereof, or of Gold or Silver Wire or Plate; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Limitation of Actions.

VIII. Provided always, and it is hereby enacted and declared, That all Informations, Bills, Actions and Suits, that ſhall be had, brought, commenced, ſued or exhibited for any Forfeiture or Offence committed againſt this or any of the former Acts of Parliament, which prohibit the Importation or Sale of Foreign Embroidery, Gold or Silver Thread, Lace, Fringe, Brocade or other Work made thereof, or of Gold or Silver Wire or Plate, or any of them, ſhall and may be had, brought, commenced, ſued and exhibited within twelve Calendar Months after the Diſcovery of ſuch Offence, and in caſe of Seizure, within three Months after ſuch Seizure ſhall be made; any former Act or Law to the contrary notwithſtanding.

General Iſſue.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued or proſecuted for what either he or they ſhall do in the Execution of this Act, he or they may plead the General Iſſue, and give this Act, and the Special Matter in Evidence; and if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his, her or their Action or Actions; or if a Verdict ſhall paſs againſt him, her or them, the Defendant or Defendants ſhall recover Treble Coſts, for which they ſhall have the like Remedy, as in other Caſes where Coſts are allowed to Defendants.

Treble Coſts. *See farther* 29 *Geo.* 2. *c.* 14. 31 *Geo.* 2. *c.* 22. 32 *Geo.* 2. *c.* 24.

CAP. XXXVII.

An Act for the better ſecuring his Majeſty's Duties ariſing upon Coal, Culm and Cinders, exported beyond Sea.

For former Duties refer to 9 & 10 *W.* 3. *c.* 13. 10 & 11 *W.* 3. *c.* 21. 8 *Ann.* *c.* 4. 9 *Ann.* *c.* 6 & 22. 12 *Ann. ſtat.* 2. *c.* 9. 6 *Geo.* 1. *c.* 4.

'WHEREAS by the Laws now in Force, the Maſters of all Ships and Veſſels uſed and employed in carrying Coals, Culm and Cinders Coaſtwiſe, from Port to Port within the Kingdom of *Great Britain*, do at the ſeveral and reſpective Ports, where and at the Time when Coals, Culm and Cinders are ſhipped or laden on Board their Ships or Veſſels, enter into Bond to his Majeſty with Security for the Delivery of their reſpective Ladings of Coals, Culm and Cinders in ſome other Port or Creek in *Great Britain*: And whereas many of the ſaid Maſters of Ships and Veſſels ſo laden with Coals, Culm or Cinders, to be carried Coaſtwiſe, do, under Pretence of being forced by contrary Winds and Streſs of Weather, carry and convey, and diſpoſe of their ſaid Ladings of Coals, Culm and Cinders in Foreign Parts beyond the Seas, without having firſt paid the Cuſtoms and Overſea Duties due to his Majeſty for the ſame upon the Exportation thereof, and which they ought to have paid at the Port where their Cargoes of Coals, Culm or Cinders were laden, before their Departure out of the ſaid Port; which Practice tends to the promoting and encouraging of Fraud, and is a great Prejudice to the publick Revenue:' Therefore for the preventing ſuch fraudulent Practices, and the Conſequences thereof for the future, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and forty-nine, it ſhall not be lawful for any Collector, Comptroller, Cuſtomer, Surveyor, Searcher, Waiter or other Officer or Officers of the Cuſtoms whatſoever, or their Deputy or Deputies, in any Port, Harbour, Haven, Creek or other Place whatſoever, within the Kingdom of *Great Britain*, to clear outwards any Ship or Veſſel whatſoever wherein Coals, Culm or Cinders ſhall have been exported and carried from any Port or Place whatſoever in *Great Britain*, to any Port or Place whatſoever in Parts beyond the Seas, nor to ſign, iſſue forth, or grant any Warrant, Cocquet, Lett-paſs, Tranſire, Sufferance, Return, Diſcharge or other Diſpatch or Di patches, of any Nature or Kind whatſoever, for the clearing outwards, either for a Coaſting or a Foreign Voyage, any ſuch Ship or Veſſel, wherein Coals, Culm or Cinders ſhall have been laden in *Great Britain*, and delivered in Foreign Parts, or for the loading or laying on Board thereon, any Goods or Merchandize whatſoever, nor to permit or ſuffer any ſuch Ship or Veſſel to go out of any Port, Harbour, Haven, Creek or other Place whatſoever in *Great Britain*, until the Maſter, Commander or other Perſon or Perſons taking Charge or Care of any ſuch Ship or Veſſel, or the Owner or Owners thereof, or ſome or one of them, ſhall and do pay, or cauſe to be paid, all the Cuſtoms and Duties due and payable for and in reſpect of ſuch Coals, Culm or Cinders ſo carried and exported into Parts beyond the Seas, in ſuch Ship or other Veſſel the laſt preceding Voyage ſhe made, or until they ſhall and do produce and ſhew unto ſuch Officer or Officers of the Cuſtoms, or their Deputy or Deputies, an authentick Certificate under the Hands and Seals of the Office of the Collector, Cuſtomer and Comptroller, or other Chief Officer or Officers of the Cuſtoms, of or belonging to the Port, Harbour, Haven, Creek or other Place in *Great Britain*, where the Coals, Culm or Cinders (ſo exported and conveyed into Foreign Parts) were firſt ſhipped and laden on Board ſuch Ship or Veſſel,

No Officer to clear outwards any Veſſels, wherein Coals were exported, until the Cuſtoms due for the laſt Voyage be paid, or a Certificate produced.

Veſſel, ſignifying that ſuch Maſter, Commander, Owner or other Perſon, or ſome or one of them, or their Agents, hath fully anſwered, paid and ſatisfied all and every the Cuſtoms and other Duties due and payable to his Majeſty, for all ſuch Coals, Culm and Cinders ſo carried and exported into Foreign Parts beyond the Seas as aforeſaid, by ſuch Ship or other Veſſel the laſt preceding Voyage made by ſuch Ship or Veſſel; and in caſe any Officer or Officers of the Cuſtoms, or his Deputy, ſhall, from and after the ſaid twenty-fourth day of *June* one thouſand ſeven hundred and forty-nine, clear any Ship or Veſſel outwards, or ſign or grant any Warrant, Cocquet, Lett-paſs, Tranſire, Sufferance, Return, Diſcharge or other Diſpatch whatſoever, either for the clearing ſuch Ship or Veſſel outwards, for a Foreign or Coaſting Voyage, or for the loading or laying on Board thereon any Goods or Merchandizes whatſoever, or ſhall permit or ſuffer any ſuch Ship or Veſſel to go out of any Port, Harbour, Haven, Creek or other Place in *Great Britain*, before the Cuſtoms and other Duties due for all the Coals, Culm or Cinders exported in her, the laſt preceding Voyage ſhe made, be fully paid and ſatisfied to his Majeſty, or until a Certificate of the Payment thereof at ſome other Port, be produced in the Manner and Form herein before mentioned; all and every ſuch Officer and Officers, or his or their reſpective Deputy or Deputies, ſo acting contrary to the true Intent and Meaning of this Act, ſhall, for every ſuch Offence, forfeit and loſe the Sum of one hundred Pounds to his Majeſty, his Heirs and Succeſſors, to be recovered by Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* at *Edinburgh* reſpectively, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed.

Penalty 100 l.

Limitation of Actions, General Iſſue.

II. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any thing done in purſuance of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act, and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant or Defendants: and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as Defendants have in other Caſes by Law.

Treble Coſts.

Penalty on Maſters of Ships, whereon Coals, &c. ſhall be laden, to be carried Coaſtwiſe, proceeding with the ſame beyond the Seas.

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and forty-nine, if any Maſter, Commander or other Perſon, taking Charge or Care of any Ship or other Veſſel whatſoever, whereon Coals, Culm and Cinders ſhall be laden in any Port, Harbour, Haven, Creek or other Place in *Great Britain*, in order to be carried Coaſtwiſe to ſome other Port or Place within the Realm, or having given Bond accordingly, ſhall proceed with his ſaid Loading of Coals, Culm or Cinders, to Parts beyond Seas, and there unlade, deliver and diſpoſe of the ſame, or any Part thereof, not being compelled thereto by Streſs of Weather, or other lawful Neceſſity; all and every ſuch Maſters, Commander or other Perſon, taking Charge or Care of ſuch Ship or Veſſel, ſhall, for every ſuch Offence, forfeit and pay for every Chaldron of Coals, Culm or Cinders ſo exported, unladen, delivered and diſpoſed of, contrary to the Tenor and true Meaning of this Act, the Sum of five Shillings, over and above all Duties payable to his Majeſty, his Heirs and Succeſſors, for or in reſpect of the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* at *Edinburgh* reſpectively, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety of which Forfeiture ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon or Perſons as ſhall inform or ſue for the ſame.

Concerning Coals ſee farther 23 *Geo.* 2 *c.* 26. 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. 33 *Geo.* 2. *c.* 15.

CAP. XXXVIII.

An Act to prevent the Miſchiefs which may happen by keeping too great Quantities of Gunpowder in any one Place, or carrying too great Quantities of Gunpowder together from one Place to another.

16 *Car.* 1. *c.* 21. 1 *Jac.* 2. *c.* 8. 5 *Geo.* 1. *c.* 26. 11 *Geo.* 1. *c.* 13. 4 *Geo.* 2. *c.* 29. 15 *Geo.* 2. *c.* 32.

'WHEREAS great Quantities of Gunpowder are frequently lodged in Warehouſes, or other Edifices, within and near to Cities and Market Towns, to the apparent Danger of the Lives and Fortunes of many thouſands of his Majeſty's Subjects:' Therefore, for preventing the Miſchiefs which may happen by keeping too great Quantities of Gunpowder in any one Place, or carrying too great Quantities of Gunpowder together from one Place to another, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-nine, it ſhall not be lawful for any Perſon or Perſons to have or keep Gunpowder for more than the Space of twenty-four Hours at any one Time, in greater Quantity than four hundred Pounds Weight, in any Houſe, Storehouſe, Warehouſe, Shop, Cellar or other Place in any City, or the Suburbs thereof, or in any Market Town, or within one hundred Yards Diſtance thereof, within that Part of *Great Britain* called *England*, or within two Miles of any of the King's Palaces or Houſes of Reſidence, or within one Mile of any of the King's Magazines for keeping Gunpowder; nor ſhall it be lawful for any Perſon or Perſons to have or keep, for more than the Space of twenty-four Hours at any one Time, a greater Quantity than thirty hundred Pounds Weight of Gunpowder in any Houſe, Storehouſe, Warehouſe, Shop, Cellar or Vault, or in any other Place whatſoever, within that Part of *Great Britain* called *England*, except as hereafter is excepted.

No Perſon to keep for more than 24 Hours, above 400 weight of Gunpowder near any City, &c.

nor above 3000 weight in any Place.

2 Juſtices on Application of a Pariſh Officer, or 2 Houſhold-

II, And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty fourth Day of *June* one thouſand ſeven hundred and forty-nine, it ſhall and may be lawful for any two or more Juſtices of the Peace of the County, Riding, Diviſion, City, Town or Place, wherein any Perſon or Perſons making,

king, dealing or trading in Gunpowder, or having Gunpowder in his, her or their Keeping or Possession, in any House, Storehouse, Warehouse, Shop, Cellar or other Place, shall reside, upon Demand made, and a reasonable Cau e assigned for such Demand, by any Parish Officer, or by any two or more Housholders inhabiting within any Parish or Place, wherein such Gunpowder is so kept, to issue a Warrant or Warrants for searching, in the Day-time, such House, Storehouse, Warehouse, Shop, Cellar or other Place; and for that Purpose to break open the Door of such House, Storehouse, Warehouse, Shop, Cellar or other Place, if there shall be Occasion; and if upon any such Search more than four hundred Pounds Weight of Gunpowder shall be found in any House, Storehouse, Warehouse, Shop, Cellar or other Place, in any City, or Suburbs thereof, or in any Market Town, or within one hundred Yards Distance thereof, or within two Miles of any of the King's Palaces or Houses of Residence, or within one Mile of any of the King's Magazines for keeping Gunpowder, or more than thirty hundred Pounds Weight in any other Place (except as herein after is excepted) all such Gunpowder, exceeding the respective Quantities before-mentioned, shall be seized and forfeited to any Person or Persons who will inform and sue for the same, by any Action, Bill or Information, in any of his Majesty's Courts of Record at *Westminster*; which Courts are hereby impowered and required to give Judgment in such Actions, Bills or Informations to be brought upon this Act for the Recovery of such Gunpowder in Specie, or for the Value thereof, together with full Costs, and to award effectual Execution thereon; provided such Suit or Action be commenced within three Calendar Months next after such Forfeiture or Penalty shall be incurred, and shall be prosecuted without wilful Delay; and upon such Seizure it shall and may be lawful for the Searchers or Persons finding the same, to remove, or cause such Gunpowder so seized to be removed out of the Limits aforesaid, and to detain and keep the same until it shall be determined in one of his Majesty's Courts of Record at *Westminster*, whether the same shall be forfeited by virtue of this Act; and the Person or Persons so seizing or detaining the same, shall not be subject or liable to any Action or Suit for so seizing or detaining the same, other than for any Damage which such Gunpowder shall or may receive during the Time the same shall be so detained.

ers, to issue Search Warrants, &c.

and if there shall be any greater Quantity found, the same to be forfeited.

Full Costs.

Limitation of Actions.

Upon Seizure the Gunpowder may be removed, &c.

III. And for preventing Mischiefs which may happen from conveying great Quantities of Gunpowder from one Place to another, Be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-nine, it shall not be lawful for any Person or Persons to convey, at any one Time, in any Waggon, Cart or other Carriage, within that Part of *Great Britain* called *England*, a greater Quantity of Gunpowder than twenty-five hundred Pounds Weight; nor shall any Person or Persons carry or convey, at any one Time, in any open Barge, Boat or Vessel, upon any River, within the Distance of one Mile from any City or Market Town, a greater Quantity of Gunpowder than fifty hundred Pounds Weight; and all such Gunpowder, which shall be carried or conveyed in any Waggon, Cart or other Carriage, after the Time aforesaid, shall be carried in covered Carts and Carriages, and the Barrels in which such Gunpowder is carried in Waggons, Carts or Carriages, Barges, Boats or Vessels, shall be close joined and hooped, and secured in such Manner, as that no Part thereof be scattered in the Passage; and if any Gunpowder shall be carried or conveyed in any greater Quantities respectively, or in any other Manner than as before directed, all such Gunpowder shall and may be seized by any Person or Persons, and upon due Proof of the Offence made before two or more Justices of the Peace, shall be forfeited to the Use of the Informer or Informers.

No greater Quantity than 25 C. Wt. to be carried at any one Time in any Land Carriage; nor greater than 50 C. Wt. in any open Vessel; and the Carriages to be covered and the Barrels close hooped.

Penalty.

IV. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-nine, if any Person or Persons, who shall be employed in any Storehouse or Warehouse where Gunpowder is kept, or in carrying or conveying Gunpowder from one Place to another, shall wilfully commit any Act, whereby such Gunpowder may be in Danger of taking Fire; every Person so offending, and being thereof convicted before one or more Justice or Justices of the Peace, shall forfeit and pay to the Informer, immediately on such Conviction, the Sum of five Shillings for every hundred Pounds Weight of Gunpowder contained in such Storehouse or Warehouse, or which such Person shall be employed in carrying or conveying from one Place to another; and in case of Nonpayment thereof, shall be committed to the publick Goal, there to remain without Bail or Mainprize, for any Time not exceeding the Space of six Calandar Months, as such Justice or Justices shall think fit.

Penalty of Carelessness in Persons employed where Gunpowder is kept, or in conveying the same.

V. Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend to any Storehouse or Magazine belonging to his Majesty, his Heirs or Successors, wherein Gunpowder or other Stores shall be kept, or to hinder the proving or trying Gunpowder for his Majesty's Officers, as is usual for the Service of his Majesty, his Heirs or Successors, or to the carrying of Gunpowder to or from any of his Majesty's Magazines, or with Forces on their March, or to any Mills already built and used for the making of Gunpowder, or to any Storehouses, Warehouses or other Offices near or adjoining to such Mills, or to the Magazines now erected for keeping Gunpowder at *Barkin Creek's* Mouth, in the County of *Essex*, and *Erith Level* in the County of *Kent*, or to the Magazines or Warehouses now erected near *Liverpool* in the County of *Lancaster*.

Places, &c. exempted.

' VI. And whereas it may be necessary hereafter to erect Warehouses for keeping Gunpowder in Places ' remote from Cities and Towns; but forasmuch as the Person or Persons, who may be desirous to erect ' such Warehouses, may be liable to Actions or Disturbance on that Account,' Be it enacted by the Authority aforesaid, That the Justices of the Peace for each County, Riding or Division, within that Part of *Great Britain* called *England*, shall, at their General Quarter Sessions of the Peace to be holden for the said Counties, Ridings or Divisions respectively, upon Application made to them for that Purpose, appoint proper and convenient Plots of Ground, at the Distance of two Miles from any City or Market Town not exceeding two Acres in any one Place, with the Use of convenient Roads leading thereto; on which Plots of Ground so appointed, it shall and may be lawful for any Person or Persons desirous so to do, to erect Warehouses for keeping Gunpowder in any Quantity, first agreeing with the Owners and Proprietors of the said Grounds for the same; and in case any such Owner or Proprietor shall refuse or neglect to agree, or by reason of any Disability or Impediment cannot so agree, the Justices of the Peace for the County, Riding, Division

Quarter Sessions may appoint Ground for erecting Warehouses for Gunpowder;

and in case of Difference, &c. appoint a Jury

to settle the Value of the Grounds.

vision or Place where such Plot of Ground shall lie, shall, at their General Quarter-Sessions, issue their Warrant or Warrants to the Sheriff of that County, to impanel and return before them, at such Times and Places as shall be appointed in such Warrant or Warrants, a sufficient Jury, who upon their Oaths (which Oaths the said Justices are hereby respectively impowered to administer) shall enquire into the true Value of the said Plot or Plots of Ground, with the Use of convenient Roads leading thereto, so to be appointed for Gunpowder Warehouses as aforesaid; and all such Verdicts and Inquisitions shall be kept with the Records of the said Sessions respectively, and the Judgments and Decrees of the said Justices respectively thereupon shall be final and conclusive to all Parties; and to that End, the said Justices respectively shall have Power to send for any Person or Persons interested, and to examine any Parties or Witnesses upon Oath, as they shall think fit (all which Oaths the said respective Justices are hereby impowered to administer); and the Sum or Sums of Money to be assessed and adjudged as aforesaid, not exceeding thirty Years Purchase, shall be paid to the respective Proprietors and Owners of the said Ground, according to their respective Interests therein, to be adjudged by the said Justices respectively as aforesaid; and upon such Payment, or in case of Refusal to accept the same, then upon leaving the same with the respective Justices, for the Benefit of such Owner or Proprietor, the Inheritance of the said Plot or Plots of Ground, and Use of the said Roads leading thereto, shall be vested in the Purchasers thereof, and their Heirs and Assigns, for the Purposes aforesaid, and not otherwise; and the Warehouses which shall be erected thereon shall be built, from time to time, in such Manner, as will most effectually render them safe and secure.

Sum not to exceed 30 Years Purchase.

No Penalty for keeping 30 C. Wt. in Warehouses already built, unless the same shall be deemed dangerous, &c.

VII. And it is hereby declared by the Authority aforesaid, That no Forfeiture or Penalty shall be incurred upon account of Gunpowder kept in greater Quantities than thirty hundred Pounds Weight, within any Warehouse or Magazine already built for that Purpose, unless the Justices of the Peace of the County or Place wherein such Warehouse is built, at their Quarter-Sessions, shall, upon Complaint thereof made by any two or more of the Inhabitants of or near that Place, adjudge the same to be dangerous and unsafe, and until the Expiration of six Calendar Months next after such Adjudication; and provided such Warehouse or Magazine be not situate in any City, or the Suburbs thereof, or in any Market Town, or within one hundred Yards Distance thereof, or within two Miles of any of his Majesty's Palaces or Houses of Residence, or within one Mile of any Magazine belonging to his Majesty for the keeping Gunpowder.

General Issue.

VIII. And be it further enacted by the Authority aforesaid, That if any Suit or Action shall be commenced or prosecuted against any Person or Persons for any thing done in pursuance of this Act, in every such Case such Person or Persons shall and may plead the General Issue, and give this Act, or the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her or their Action or Actions after Issue joined, or if upon Demurrer, or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Treble Costs.

Limitation of Actions.

IX. Provided always, and be it enacted, That all Suits, Actions and Prosecutions, to be brought, commenced or prosecuted against any Person or Persons for any Thing done, or to be done, in pursuance, or by the Authority of this Act, shall be laid or tried in the County or Place where the Fact was committed, and shall be commenced or prosecuted within six Calendar Months next after the Fact committed, and not otherwise.

This Act not to invalidate

5 Geo. 1. c. 26.

11 Geo. 1. c. 23.

Farther provided for by 29 *Geo.* 2. *c.* 16.

X. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to repeal, take away or alter any of the Clauses, Powers or Provisions contained in two Acts of Parliament, the one made in the fifth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for preventing the Mischiefs which may happen by keeping too great Quantities of Gunpowder in or near the Cities of* London *and* Westminster, *or the Suburbs thereof*; and the other made in the eleventh Year of his said late Majesty's Reign, intituled, *An Act for making more effectual an Act passed in the fifth Year of his Majestys' Reign, intituled*, An Act for preventing the Mischiefs which may happen by keeping too great Quantities of Gunpowder in or near the Cities of *London* or *Westminster*, or the Suburbs thereof.

CAP. XXXIX.

An Act for enlarging the Powers granted by an Act passed in the sixteenth Year of the Reign of his present Majesty, for repairing the Road from *Boroughbridge*, in the County of *York*, to *Catherick* in the same County, and from thence to *Piersbridge*, on the River *Tees*.

The Act 16 Geo. 2. c. 7. continued for 21 Years.

CAP. XL.

An Act for enlarging and maintaining the Harbour of *Ramsgate*, and for cleansing, amending and preserving the Haven of *Sandwich*. PR.

'WHEREAS frequent Losses of the Lives and Properties of his Majesty's Subjects happen in the 'Downs, for want of a Harbour between the North and South Forelands, the greatest Part of the 'Ships employed in the Trade of this Nation being under a Necessity at going out upon, as well as return-'ing from their Voyages, to pass through the *Downs*, and frequently by contrary Winds being detained 'there a long Time, during which they (especially the outward bound Ships) are exposed to violent Storms, 'and dangerous Gales of Wind, without having any sufficient Harbour to lie in, or retreat into, or from 'whence they can receive any Assistance: And whereas a Harbour may be made at the Town of *Ramsgate*, 'proper and convenient for the Reception of Ships, of and under three hundred Tons Burthen, and from 'whence

"whence larger Ships in Distress in the *Downs* may be supplied with Pilots, Anchors, Cables, and other "Assistance and other Necessaries; and by the smaller Ships taking shelter in this Harbour, the larger Ships "may take the Anchorage, which at present is occupied by the smaller, and by that Means their Anchors "will be fixed in more holding Ground, and the Ships not be so exposed to the Ocean:' For carrying there-fore a Work of such publick Utility into Execution, and that the said Harbour may be enlarged, constructed, finished and maintained in such a Manner, as to be rendered of Service to the Trade and Navigation of this Nation; may it please your most Excellent Majesty, that it may be enacted, *&c.*

"The Trustees are to settle the Duties; *viz.* Not exceeding 6*d. per* Ton, to be paid by every Vessel of "20 Tons and not exceeding 300 Tons, coming into the Harbour; and on every Ship which shall exceed "300 Tons, not exceeding 2*d.* for each Ton (except Ships laden with Coals or Stones) and on every Chal-"der of Coals, or Ton of Stones, not exceeding 3*d.* Duties to be published in the *London Gazette.* No "Vessel to be cleared till Information on Oath of her Burthen. Merchants to make Allowance of the "Duty to the Masters. Collector to keep the Accounts of the Monies received. Copies of which to be "transmitted to the Receiver General; and also of Receipts and Disbursements, *&c.* No Coasting Ves-"sel to pay but once a Year. Trustees to agree with Workmen for building, *&c.* the Harbour; impower-"ed to purchase Buildings, *&c.* In case of Refusal to treat, Trustees may settle the Damages, upon Oath "of a Jury. Sheriff to summon the Jury. 20 Days Notice to be given to the Parties interested, of their "Meeting. Trustees may borrow Money at 5*l. per Cent.* Interest. Or by granting Annuities at 8*l.* 10*s.* "*per Cent.* Rates not liable to pay Interest for more than 50,000*l.* at one Time. Annuities to be free "from Taxes. Trustees to meet once in every Year, and to give Notice in the *London Gazette*, *&c.* and "publish the Rates for the succeeding Year, *&c.* After Determination of Annuities Rates shall cease. "Trustees to appoint proper Officers. Trustees to meet once in every Year at *Guildhall*, and to state the "Accounts, *&c.* Accounts of Collectors to be laid before the Lord Mayor, *&c.* who may examine the "same, and impose Fines on Persons making Concealment or Imbezzlements. In Default of Payment "Persons to be committed. Accounts when allowed, to be transmitted to the Commissioners of the Navy. "No Person shall empty any Ballast, *&c.* in the Harbour, on Pain of 40*s.* Ships not to sail into the Ba-"son, Penalty 10*l.* Trustees impowered to remove Ships out of the Bason. On Death, *&c.* of Trustees, "others to be chosen. Trustees shall settle the Demands to be taken for Wharfs, *&c.* by their Tenants "and Lessees. All former Duties to cease. Ship bound to or from *Sandwich*, being the Property of the "Inhabitants, not liable to the Rates. 200*l. per Ann.* to be paid out of the Rates to the Mayor, *&c.* of "*Sandwich.* Application of the Money for repairing their Harbour. 10*l.* Penalty of throwing Ballast or "Rubbish into the River, or fixing Piles within the Channel without Licence. No more than 2 Ships to "lie abreast, longer than one Tide. The Trustees impowered to apply 10,000*l.* for erecting such Works "as they shall judge necessary at the Haven of *Sandwich.* Judgments to be final, without Appeal. Vessels "belonging to *Dover* exempted from Duties. Vessels belonging to *Weymouth* and *Melcombe Regis*, and "*Lyme Regis*, exempted. Vessels belonging to *Great Yarmouth* exempted."

CAP. XLI.

An Act for rectifying Mistakes in the Names of several of the Commissioners appointed to put in Execution the Act for granting a Land Tax for the Year one thousand seven hundred and forty-eight, and for appointing other Commissioners, together with those named in the said Act, to put in Execution an Act for granting a Land Tax for the Year one thousand seven hundred and forty-nine, and for directing the Names of Collectors of the said Tax to be certified to the Receivers General; and for the Relief of the Borough of *Honiton* as to Arrears of the Land Tax, and the House and Window Taxes for the Years one thousand seven hundred and forty-seven and one thousand seven hundred and forty-eight. EXP.

CAP. XLII.

An Act for granting to his Majesty the Sum of one million out of the Sinking Fund, for the Service of the Year one thousand seven hundred and forty-nine; and for enabling his Majesty to raise a further Sum of one million for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament; and for applying a certain Sum for defraying certain Charges and Allowances to the Officers and private Gentlemen of the reduced Troops of Horse Guards; and for continuing the Bounties on the Exportation of *British* and *Irish* Linnens; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Receipts, Annuity Orders, or other Orders lost, burnt, or otherwise destroyed.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies which we have cheerfully granted to your Majesty in this Session of Parliament, for the Service of the Year one thousand seven hundred and forty-nine, in the easiest Manner we are able, for the Benefit of your Majesty's Subjects, and also to use such Ways and Means therein, as that your Majesty may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto your Majesty the Sum of one million, out of the Surplusses, Exceses and Overplus Monies, commonly called *The Sinking Fund:* And to that End and Purpose do most humbly

humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as now are, or ſhall from time to time be and remain in the Receipt of the Exchequer, of the ſaid Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued and applied, a Sum not exceeding the ſaid Sum of one million, for and towards the Supply granted to his Majeſty for the Service of the ſaid Year one thouſand ſeven hundred and forty-nine; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

One million granted out of the Sinking Fund, towards the Supply.

II. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, ſhall think it adviſeable to raiſe the ſaid Sum of one million, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money not exceeding the ſaid Sum of one million, upon the Credit of the ſaid Surpluſſes, Exceſſes, or Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Intereſt after a Rate not exceeding four Pounds *per Centum per Annum*, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, who are hereby authorized to iſſue their Warrants for that Purpoſe as faſt as ſuch Loans ſhall be wanted for the publick Service; and moreover that no Money ſo to be lent upon the Security of this Act ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Clauſe of Loan at 4 l. per Cent.

III. And be it further enacted, That all and every Perſon and Perſons who ſhall lend any Money upon the Credit of this Act as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her or their Repayment, bearing the ſame Date with his, her or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, not exceeding the ſaid Rate of four Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent ſhall be regiſtred in Courſe according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtred in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators or Aſſigns, who ſhall have his, her or their Order or Orders firſt entered in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes or Overplus Monies; and he, ſhe or they who ſhall have his, her or their Order or Orders next entered, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in, of or for the ſaid Surpluſſes, Exceſſes, or Overplus Monies, commonly called *The Sinking Fund*, as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors or Aſſigns reſpectively, without any undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever (other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf as aforeſaid;) and that no Fee, Reward, or Gratuity directly or indirectly ſhall be demanded or taken of any of his Majeſty's Subjects for providing or making of any ſuch Books or Regiſters, or any Entries, Views or Searches in or for Payment of Money lent, or the Intereſt thereof as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue Preference of one before another ſhall be made either in Point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt with full Coſts of Suit to the Party grieved, and ſhall be forejudged of his Place or Office; and if ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages and Coſts, and ſhall be for ever after incapable of his Office or Place; and in caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon ſuch Orders, according to each Perſon's due Place and Order as before directed, then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch Manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages and Coſts to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction or Order of Reſtraint ſhall be in any wiſe granted or allowed.

Tallies and Orders for Repayment,

to carry 4 l. per Cent. Intereſt.

Orders to be regiſter'd, and paid in Courſe.

No Fee for regiſtering, &c.

Penalty.

Penalties how to be recovered.

IV. Provided always, and it is declared, That if it ſhall happen that ſeveral Tallies of Loan or Orders for Payment as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtered, then it ſhall be interpreted no undue Preference which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

No undue Preference, where Tallies are brought the ſame Day.

V. Provided alſo, That it ſhall not be interpreted any undue Preference to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come

Nor if ſubſequent Orders be paid before

come to take their Monies, and bring their Orders in Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them. Such as were not demanded.

VI. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registred by virtue of this Act, after Order entered in the Book of Registry as aforesaid, his, her or their Executors, Administrators or Assigns, by proper Words of Assignment to be indorsed and written upon his, her or their Order, may assign or transfer his, her or their Right, Title, Interest and Benefit of such Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt as aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders (which the Officers shall upon Request without Fee or Charge accordingly make) shall intitle such Assignee, his, her or their Executors, Administrators, Successors or Assigns, to the Benefit thereof, and Payment thereon, and such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release or discharge the same, or any the Monies thereby due, or any Part thereof. Orders assignable. No Fee for Entry. The Assignment not to be voided.

VII. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the said Sum of one million, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills as is herein after mentioned, or by both or either of those Ways or Means for the publick Service; Be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall judge it more adviseable to raise the said Sum of one million, or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorized and impowered at any Time or Times to prepare and make, or cause to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the said Sum of one million, together with such Loans as aforesaid, in the same or like Manner, Form or Order, and according to the same or like Rules and Directions, as in and by a certain Act of Parliament (for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and forty-nine) are enacted and prescribed concerning the Exchequer Bills to be made in pursuance of the said Act. Treasury may make new Exchequer Bills for raising the said one million, &c.

VIII. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act, (except such Clauses as do charge the same on the Rates or Duties granted by the same Act,) shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated or re-enacted in the Body of this present Act. To be subject to the Regulations in 22 Geo. 2. relating to the Malt Duty.

IX. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, Premium, Rate and Charges incident to, or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the growing Produce of the said Surpluses, Excesses or Overplus Monies, commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any former or other Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be issued and applied, as fast as the same can be regularly stated and ascertained, for and towards the paying off, cancelling and discharging such Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof. Exchequer Bills, &c. to be repaid out of the Sinking Fund.

X. And towards enabling your Majesty to discharge the great Debts contracted by the late War, and raising the Supplies granted to your Majesty in this Session of Parliament, your said dutiful and loyal Commons have also freely given and granted unto your Majesty the further Sum of one million, to be raised in Manner herein after mentioned; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commissioners of his Majesty's Treasury now or for the time being, or any three or more of them, or the Lord High Treasurer for the time being, at any Time or Times before the twenty-fifth Day of *December* one thousand seven hundred and forty-nine, to cause or direct any Loans to be taken or received at his Majesty's Exchequer, from any Person or Persons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding in Loans and Exchequer Bills together, in the whole, the said Sum of one million, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions, as in and by the before-mentioned Act of this present Session of Parliament, for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and forty-nine, are enacted and prescribed concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act. His Majesty impowered to borrow one million on Exchequer Bills.

XI. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities, contained in the said last-mentioned Act, relating to the Loans or Exchequer Bills authorized to be made by the same Act, (except such Clauses as do charge the same on the Rates and Duties granted by the same Act) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act. The Exchequer Bills to be subject to the Regulations contained in the Malt Act.

Exchequer Bills to carry 4 per Cent. Interest, and to be charged on the first Supplies, granted after 29 Sept. 1749, &c.

XII. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, not exceeding one million as aforesaid, as shall be taken in or made forth in pursuance of this Act, may respectively be made to bear or carry an Interest, *Præmium* or Rate, not exceeding four Pounds *per Centum per Annum*, and all such Loans or Exchequer Bills, together with the Interest, *Præmium*, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies which shall be granted in Parliament, next after the twenty-ninth Day of *September* one thousand seven hundred and forty-nine; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the twenty-fourth Day of *June* one thousand seven hundred and fifty, then all and every the said Loans or Exchequer Bills, with the Interest, *Præmium*, Rate and Charges incident to or attending the same, shall be, and are hereby charged and chargeable upon such Monies, as at any Time or Times, at or after the said twenty-fourth Day of *June* one thousand seven hundred and fifty, shall be or remain in the Receipt of the Exchequer of the said Surplusses, Excesses, or Overplus Monies, commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any former Act or Acts of Parliament in that Behalf); and such Monies of the said Sinking Fund shall and may be issued and applied, as fast as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Loans or Exchequer Bills, Interest, *Præmium*, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

or on the Sinking Fund.

Sinking Fund to be replaced.

XIII. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surplusses, Excesses or Overplus Monies, commonly called *The Sinking Fund*, shall from time to time be replaced by and out of the first Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

Monies of the Malt Act, &c.

XIV. Provided always, and be it enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and forty-nine;*) and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, *Præmium*, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer

and Land Tax, &c.

Bills, upon one other Act of this Session of Parliament (intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and forty-nine;*) and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, *Præmium*, Rate and Charges thereon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and

applied.

the Sum of one million by this Act granted, shall be further appropriated and applied, and are hereby appropriated for and towards the several Uses, Intents and Purposes herein after expressed (that is to say)

Out of the Aids to be paid,

1,169,878 l. 8 d. towards Naval Services.

XV. It is hereby enacted and declared, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million one hundred sixty-nine thousand eight hundred seventy-eight Pounds and eight Pence, for or towards the Naval Services herein after more particularly expressed; that is to say, For or towards defraying the Charges of the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers; and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed, for the Year one thousand seven hundred and forty-nine.

10,000 l. to Greenwich Hospital.

1,000,000 l. towards Seamens Wages, and other Debts of the Navy.

XVI. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country; and any Sum or Sums of Money, not exceeding one million, towards discharging Seamens Wages, and other Payments due on the Debt of the Navy, on the thirty-first of *December* one thousand seven hundred and forty-eight, not already provided for.

177,147 l. 15 s. 10 d. towards the Office of Ordnance.

XVII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one hundred seventy-seven thousand one hundred forty-seven Pounds fifteen Shillings and ten Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and forty-nine, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service not provided for by Parliament.

1,730,477 l. 8 s. 4 d. to the Land Forces;

of which 612,230 l. 4 s. 7 d. for Guards and Garrisons, &c. in Great Britain, &c.

XVIII. And it is hereby likewise enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one million seven hundred thirty thousand four hundred seventy-seven Pounds eight Shillings and four Pence, for and towards maintaining his Majesty's Land Forces and other Services herein after more particularly expressed; (that is to say,) any Sum or Sums of Money, not exceeding six hundred twelve thousand two hundred and thirty Pounds four Shillings and seven Pence, for defraying the Charge of the eighteen thousand eight hundred and fifty seven effective Men, including Commission and Non-commission Officers, and one thousand eight hundred and fifteen Invalids, for Guards, Garrisons, and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Service of the Year one thousand seven hundred and forty-nine; and any

any Sum or Sums of Money, not exceeding two hundred eighteen thousand eight hundred sixty-four Pounds one Shilling and five Pence Halfpenny, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons at *Annapolis Royal*, *Placentia*, *Gibraltar*, and *Providence*, for the Year one thousand seven hundred and forty-nine; and any Sum or Sums of Money, not exceeding one hundred and eleven thousand six hundred and twelve Pounds three Shillings and four Pence, for defraying the Charge of his Majesty's Forces in the Island of *Cape Breton*, and of the twelve Independent Companies of Foot in the *East-Indies*, for the Year one thousand seven hundred and forty-nine; and any Sum or Sums of Money, not exceeding thirty thousand seventy-eight Pounds two Shillings and six Pence, to make good his Majesty's Engagements with the King of *Sweden*, as *Landgrave* of *Hesse Cassel*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding thirty thousand five hundred forty-eight Pounds fourteen Shillings and six Pence, to make good his Majesty's Engagements with his most Serene Highness the Duke of *Brunswick Wolfenbuttle*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding one hundred thousand Pounds to be paid over to the Empress Queen of *Hungary*, to answer the like Sum claimed by her Imperial Majesty, as an Arrear of the Sum of four hundred thousand Pounds, mentioned in the Convention concluded at the *Hague* the twenty-sixth Day of *January* one thousand seven hundred and forty-eight, and any Sum or Sums of Money, not exceeding eight thousand six hundred and twenty Pounds, to make good his Majesty's Engagements with the Elector of *Mentz*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding forty-four thousand seven hundred forty-four Pounds six Shillings and three Pence, to make good his Majesty's Engagements with the Elector of *Bavaria*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding sixteen thousand Pounds, for the Pay of the General and Staff Officers for the Year one thousand seven hundred and forty-nine; and any Sum or Sums of Money not exceeding four hundred eighteen thousand one hundred twenty-eight Pounds eighteen Shillings and ten Pence, for defraying the extraordinary Expences of his Majesty's Land Forces in *Flanders*, in *North Britain* and *America*, and of other Services, incurred in the Year one thousand seven hundred and forty-eight, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding sixty-three thousand two hundred seventy-four Pounds six Shillings and three Pence, upon Account, for Out-pensioners of *Chelsea Hospital*, for the Year one thousand seven hundred and forty-nine; and any Sum or Sums of Money, not exceeding five thousand two hundred eighty-one Pounds sixteen Shillings and eight Pence, for defraying the Charge for Allowance to several Officers and private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse, lately disbanded, for the year one thousand seven hundred and forty-nine; and any Sum or Sums of Money, not exceeding sixty-seven thousand two hundred twenty-six Pounds eighteen Shillings and four Pence, upon Account of reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and forty-nine, subject to such Rules to be observed in the Application of the said Half-pay, as are herein after prescribed concerning the same; and any Sum or Sums of Money, not exceeding three thousand eight hundred sixty-seven Pounds fifteen Shillings and seven Pence Halfpenny, for paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines, as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and forty-nine; which said Sum of three thousand eight hundred sixty-seven Pounds, fifteen Shillings and seven Pence Halfpenny, shall be issued to such Person or Persons, as his Majesty shall, by Warrant or Warrants under his Majesty's Royal Sign Manual, direct or appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assigns, according to such Establishments, Lists or other Directions, and with and subject to such Conditions, Qualifications, and other Allowances for the same, as his Majesty, by such and the like Warrant or Warrants, shall be graciously pleased to direct and appoint.

218,864 l. 1 s. 5 d. 2 q. for the Plantations, &c.

111,612 l. 3 s. 4 d. for Cape Breton and the East Indies.

30,078 l. 2 s. 6 d. to the King of Sweden;

30,548 l. 14 s. 6 d. to the Duke of Brunswick Wolfenbuttle;

100,000 l. to the Queen of Hungary.

8,620 l. to the Elector of Mentz.

44,744 l. 6 s. 3 d. to the Elector of Bavaria.

16,000 l. for General and Staff Officers.

418,128 l. 18 s. 10 d. for the Forces in Flanders, &c.

63,274 l. 6 s. 3 d. to Out-pensioners of Chelsea Hospital;

5,281 l. 16 s. 8 d. to the two Troops of Horse Guards and Regiment of Horse disbanded;

67,226 l. 18 s. 4 d. to the reduced Officers,

3,867 l. 15 s. 7 d. 2 q. to the Pension of reduced Officers Widows, &c.

XIX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding forty thousand Pounds, upon Account, towards the Charge of transporting to his Majesty's Colony of *Nova Scotia*, and supporting and maintaining there for a certain Time after their Arrival, such reduced Officers and private Men lately dismissed his Majesty's Land and Sea Service, and others his Majesty's Subjects, as shall be willing to settle in the said Colony, under such Regulations as his Majesty shall judge proper.

40,000 l. to Nova Scotia.

XX. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and paid to the Commissioners for building a Bridge cross the River *Thames*, from the City of *Westminster* to the opposite Shore, in the County of *Surrey*, or any seven or more of them, or to such Person or Persons as shall be appointed under the Hands and Seals of the said Commissioners, or any seven or more of them, to receive the same, the Sum of twelve thousand Pounds, without Account, other than is directed for other Monies raised by virtue of several former Acts of Parliament, passed during the Reign of his present Majesty, for building the said Bridge, to be applied to finish the said Bridge, and to enable the said Commissioners to perform the other Trusts reposed in them.

12,000 l. for the Bridge at Westminster.

XXI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, to reimburse the Magistrates and Town Council of the City of *Glasgow*, the Sums extorted from them by the Rebels, upon account of their Loyalty during the late unnatural Rebellion, for the raising of which the said Magistrates and Town Council were obliged to grant their Bonds; and any Sum or Sums of Money, not exceeding five thousand three hundred and four Pounds three Shillings and four Pence, for the further settling and improving the Colony of *Georgia* in *America*, for the Year one thousand seven hundred and forty-nine.

10,000 l. to reimburse the City of Glasgow, Sums extorted by the Rebels.

5,304 l. 3 s. 4 d. for Georgia.

XXII. And be it further enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, it shall and may be lawful for his Majesty to issue and apply any Sum or Sums of Money, not exceeding

10,000 l. towards supporting the Trade to Africa.

ceeding ten thouſand Pounds, towards the Support of the Trade to *Africa*, in ſuch Manner as his Majeſty ſhall judge proper.

7,180l. 5s. 8d. to make good the Deficency of the Stamp Duties.

XXIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ſeven thouſand one hundred eighty Pounds five Shillings and eight Pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and forty-ſeven; and any Sum or Sums of Money, not exceeding thirteen thouſand eight hundred twenty-ſeven Pounds twelve Shillings and ſix Pence, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets or Wines made from *Britiſh* or Foreign Fruits or Sugar, at *Michaelmas* one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money, not exceeding thirty-five thouſand Pounds, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to anſwer one Year's Intereſt due at *Michaelmas* one thouſand ſeven hundred and forty-eight, after the Rate of three Pounds ten Shillings *per Centum per Annum*, on the Principal Sum of one million lent on the Credit of the Salt Duties, which were continued for ſix Years, from *Lady Day* one thouſand ſeven hundred and fifty-three, towards the Supply for the Year one thouſand ſeven hundred and forty-five; and any Sum or Sums of Money, not exceeding fifteen thouſand two hundred ninety-ſeven Pounds eleven Shillings and five Pence Halfpenny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Duties on Wines at *Midſummer* one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money, not exceeding one thouſand four hundred ſixty-two Pounds ſix Shillings and ten Pence, for making good the Deficiency of the ſaid additional Duties on Wines at *Chriſtmas* one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money not exceeding nine thouſand three hundred and eight Pounds ſeven Shillings and four Pence, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty on Licences for retailing of Spirituous Liquors, at *Lady-Day* one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money not exceeding thirty-three thouſand eight hundred and four Pounds thirteen Shillings and one Penny Half-penny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duties on Glaſs and Spirituous Liquors, at *Midſummer* one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money, not exceeding forty-one thouſand eight hundred twenty-two Pounds ten Shillings and five Pence, for making good the Deficiency at *Chriſtmas* one thouſand ſeven hundred and forty-eight, of the ſaid Duties on Glaſs and Spirituous Liquors; and any Sum or Sums of Money not exceeding twenty-eight thouſand two hundred ſixty-eight Pounds fifteen Shillings and five Pence three Farthings, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the new Duties on Houſes, Windows and Lights, at *Michaelmas* one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money, not exceeding thirty-one thouſand and ſixty Pounds ſixteen Shillings and one Half-penny, to make good the Deficiency of the ſaid new Duties on Houſes, Windows and Lights, at *Lady-Day* one thouſand ſeven hundred and forty-nine; and any Sum or Sums of Money, not exceeding four hundred ſeventy thouſand one hundred eighty-ſix Pounds nine Shillings and ſix Pence Farthing, to make good the Deficiency of the Grants for the Service of the Year one thouſand ſeven hundred and forty-eight.

33,127l. 12s. 6d. Deficiency of the Duties on Sweets.

35,000l. for Intereſt on the Salt Duties.

15,297l. 11s. 5d. 2q. to make good the additional Duties on Wines at Midſummer 1748;

1,462l. 6s. 10d. Deficiency at Chriſtmas 1748;

9,308l. 7s. 4d. Deficiency of the Duty on Licences for retailing Spirituous Liquors;

33,804l. 13s. 1d. 2q. Deficiency of the Duties on Glaſs and Spirituous Liquors at Midſummer 1748;

41,822l. 10s. 5d. Deficiency at Chriſtmas 1748;

28,268l. 15s. 5d. 3q. Deficiency of the Duties on Houſes, &c. at Michaelmas 1748;

and 31,060l. 16s. 2q. Deficiency at Lady-Day 1749;

470,186l. 9s. 6d. 1q. Deficiency of the Grants for 1748;

The Supplies to be applied only as this Act directs.

XXIV. And be it further enacted by the Authority aforeſaid, That the ſaid Aids or Supplies provided as aforeſaid ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules to be obſerved in the Application of the Sum of 67,226l. 18s. 4d. appropriated on account of Half-pay. *See farther* 23 *Geo.* 2. *c.* 21. *ſect.* 24.

XXV. And as to the ſaid Sum of ſixty-ſeven thouſand two hundred twenty-ſix Pounds eighteen Shillings and four Pence, by this Act appropriated on account of Half-pay, as aforeſaid; it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years at the Time when the Regiment, Troop or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſons who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Employment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any Part of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame, who has reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons, who would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be

be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

'XXVI. And whereas by an Act of Parliament made in the twenty-first Year of his Majesty's Reign, '(intituled, *An Act for granting to his Majesty the Sum of one million out of the Sinking Fund, for the Service* '*of the Year one thousand seven hundred and forty-eight; and for applying a Sum of Money remaining in the* '*Exchequer, arisen by the Rates and Duties on Houses, which determined at* Lady-day *one thousand seven hun-* '*dred and forty-seven; and for the further appropriating the Supplies granted in this Session of Parliament; and* '*for applying a certain Sum of Money for defraying the Charge of the Allowances for the Year one thousand seven* '*hundred and forty-eight, to several Officers and private Gentlemen of the two Troops of Horse Guards, and* '*three Regiments of Horse lately reduced*, several Supplies which had been granted to his Majesty, as is there- '*in* mentioned, were appropriated to several Uses and Purposes therein expressed, amongst which, any 'Sum or Sums of Money, not exceeding twenty-seven thousand two hundred twenty-four Pounds and six 'Shillings was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines, 'subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and by 'the aforesaid Act were prescribed in that Behalf;' Now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of twenty-seven thousand two hundred twenty-four Pounds and six Shillings, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or lost their Limbs in the late Wars, or such others, as by reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity; or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act, or the said former Act, to the contrary notwithstanding.

21 Geo. 2. c. 23.

Application of the Surplus of last Year's Half-pay to the Compassionate List.

XXVII. And it is hereby likewise enacted, That out of the Monies or Savings arising from the Money granted by Parliament, for the Relief and Provision of the Widows of Officers, who have been killed or died in the Service, there shall and may be issued and applied, by any Warrant or Warrants of his Majesty, under his Royal Sign Manual, any Sum or Sums of Money, not exceeding six thousand thirty-nine Pounds ten Shillings and eight Pence, for defraying the Charge of the Off-reckonings, belonging to the late third and fourth Troops of Horse Guards reduced, and Allowances to private Gentlemen of the said Troops, on their retiring from the Service, for the Year one thousand seven hundred and forty-nine.

6,039 l. 10 s. 8 d. out of the Allowance for the Widows of Officers, to defray the Off-reckonings to the 3d and 4th Troops of Horse Guards, reduced.

XXVIII. And be it further enacted by the Authority aforesaid, That the Bounties on the Exportation of *British* and *Irish* Coarse Linens, shall continue to be paid in the like Manner, and under the like Regulations as directed by the Acts of the fifteenth and sixteenth, and of the eighteenth Years of his Majesty's Reign, from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty, for and during the further Term of three Years, and from thence to the End of the then next Session of Parliament; and that the same be paid out of such Part of the old Subsidies, as is applicable to the Payment of Incidents, and that an Account of such Bounties, together with the Quantity of *British* and *Irish* Coarse Linens intitled to the same respectively, be laid before the House of Commons every Session of Parliament, in Order to the replacing the same out of the next Aids to be granted in Parliament.

Bounties on the Exportation of British and Irish Linens continued for 3 Years.

An Account thereof to be laid before the Parliament yearly.

" Upon Affidavit made of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, *&c.* being " lost or otherwise destroyed, before 1 *August* 1749, *&c.* the respective Officers are to make out Duplicates " thereof, and to discharge the same. Commissioners of the Treasury impowered to sign the Duplicates."
E X P.

C A P. XLIII.

An Act for the further enlarging the Term and Powers granted and continued by two Acts of Parliament, the one passed in the twelfth Year of the Reign of her late Majesty Queen *Anne*, and the other in the twelfth Year of the Reign of his late Majesty King *George* the First, for repairing the Roads from the City of *Worcester*, through the Borough of *Droitwich*, to *Dyers Bridge* near *Bromsgrove*, in the County of *Worcester*; and also for repairing the Roads from *Dyers Bridge* through the Town of *Bromsgrove* to *Spadesbourn Bridge*, and from *Droitwich* to *Bradley Brook*, in the same County. P R.

The Acts 12 Ann. and 12 Geo. 1. c. 20. continued for 21 Years.

C A P. XLIV.

An Act to enable such Officers, Mariners and Soldiers as have been in his Majesty's Service since his Accession to the Throne, to exercise Trades.

'WHEREAS there hath been and are divers Officers, Mariners and Soldiers who have served his 'Majesty in the late Wars by Sea or Land, some of which are Men that used Trades, others that 'were Appentices to Trades who had not served out their Times, and others, who by their own Industry 'have made themselves apt and fit for Trades; many of which, the Wars being now ended, would wil- 'lingly employ themselves in those Trades which they were formerly accustomed to, or which they are apt 'or able to follow and make use of, for the getting their Living by their own Labour, but are or may be 'hindered from exercising those Trades in certain Cities and Corporations, and other Places within this 'Kingdom, because of certain By-laws and Customs of those Places, and of the Statute made in the fifth 'Year of Queen ELIZABETH, prohibiting the Use of certain Trades by any Person who hath not served 'as an Apprentice to such Trade for the Space of seven Years:' For Remedy whereof be it enacted by the King's

For former Laws concerning Soldiers, refer to 18 *H.* 6. *c.* 18 & 19. 7 *H.* 7. *c.* 1. 2 & 3 *Ed.* 6. *c.* 2. 43 *El. c.* 3. 31 *Car.* 2. *c.* 1. 12 *Ann. stat.* 1. *c.* 13. 1 *Geo.* 1. *c.* 47. 3 *Geo.* 1. *c.* 2. 9 *Geo.* 2. *c.* 30.

Officers, Mariners and Soldiers impowered to exercise Trades;

King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all such Officers, Mariners and Soldiers, who have been at any Time employed in his Majesty's Service since his Accession to the Throne, and have not since deserted the said Service, may set up and exercise such Trades as they are apt and able for in any Town or Place within the Kingdoms of *Great Britain* and *Ireland*, without any Lett, Suit or Molestation of any Person or Persons whatsoever, for or by Reason of the using of such Trade; and if any such Officer or Officers, Mariner or Mariners, Soldier or Soldiers, who shall be sued, impleaded or indicted in any Court whatsoever, within this Kingdom, for using or exercising any such Trades as aforesaid, then the said Officer or Officers, Mariner or Mariners, Soldier or Soldiers, making it appear to the same Court, where they are so sued, impleaded or indicted, that they have served the King's Majesty, as aforesaid, shall upon the General Issue pleaded, be found Not guilty in any Plaint, Bill, Information or Indictment exhibited against them, and such Persons who notwithstanding this Act, shall prosecute their said Suit by Bill, Plaint, Information or Indictment, and shall have a Verdict pass against them, or become nonsuit therein, or discontinue their said Suit, such Person or Persons shall pay unto such Officer or Officers, Mariner or Mariners, Soldier or Soldiers, Double Costs of Suit, to be recovered as any other Costs at Common Law may be recovered; and all Judges and Jurors, before whom any such Suit, Information or Indictment shall be brought, and all other Persons whatsoever, are to take Notice of this present Act, and shall conform themselves thereunto; any Statute, Law, Ordinance, Custom or Provision to the contrary in any wise notwithstanding.

and being sued, may plead the General Issue,

and have Double Costs.

Privileges of the Universities of Cambridge and Oxford reserved to them.

II. Provided always, That this Act shall not in any wise be prejudicial to the Privileges of the Universities of *Cambridge* and *Oxford*, or either of them, or extend to give Liberty to any Person to set up the Trade of a Vintner, or to sell any Wines or other Liquors within the said Universities, without Licence first had and obtained from the Vice Chancellors of the same respectively.

See farther 28 *Geo.* 2. *c.* 1. 33 *Geo.* 2. *c.* 6, 8 & 18. *Likewise the yearly Mutiny Acts.*

CAP. XLV.

An Act for the further Encouragement and Enlargement of the Whale Fishery, and for continuing such Laws as are therein mentioned relating thereto; and for the Naturalization of such Foreign Protestants, as shall serve for the Time therein mentioned, on Board such Ships as shall be fitted out for the said Fishery.

See 26 *Geo.* 2. *c.* 32. *sect.* 10 & 11.

'WHEREAS divers Acts of Parliament have been made for the Encouragement of his Majesty's Subjects, to carry on and improve the Whale Fishery, and that the Enlargement of the said Fishery will be of great Advantage to the Trade and Navigation of this Kingdom:' For the further Encouragement to carry on the said Trade, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the fifth Year of his present Majesty's Reign, intituled, *An Act for encouraging the* Greenland *Fishery*; which was to be in Force for nine Years, from the twenty-fifth Day of *December* one thousand seven hundred and thirty-one; and which Act was, by an Act of Parliament made in the thirteenth Year of his present Majesty's Reign, intituled, *An Act for continuing the several Laws therein mentioned, relating to the* Præmiums *upon the Importation of Masts, Yards and Bowsprits, Tar, Pitch and Turpentine; to* British *made Sail Cloth, and the Duties payable on Foreign Sail Cloth; to the* Greenland *and to the Whale Fishery; and for granting a further Bounty for all Ships employed in the Whale Fishery during the present War; for exempting Harpooners and others employed in the* Greenland *Fishery Trade from being impressed; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices*, continued unto the twenty-fifth Day of *December* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Time in the said last-mentioned Act mentioned, and therein limited for the Expiration thereof, unto the twenty-fifth Day of *December* which shall be in the Year one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

5 Geo. 2. c. 28.

13 Geo. 2. c. 28.

further continued unto 25 December 1757. *and again by* 28 *Geo.* 2. *c.* 20. *to* 25 *Dec.* 1764.

Act 6 Geo. 2. c. 33. further continued to 25 December 1757. *See* 27 Geo. 2. c. 18. *Farther continued by* 28 *Geo.* 2. *c.* 20. *to* 25 *Dec.* 1764.

II. And be it further enacted by the Authority aforesaid, That an Act made in the sixth Year of his Majesty's Reign, intituled, *An Act for the further Encouragement of the Whale Fishery carried on by his Majesty's* British *Subjects*; which was to be in Force during the Continuance of the last-mentioned Act of the fifth Year of his Majesty's Reign, intituled, *An Act for encouraging the* Greenland *Fishery*; and which was, by the said Act of the thirteenth Year of his present Majesty, continued unto the said twenty-fifth Day of *December* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby continued, from the Time therein limited for the Expiration thereof, unto the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

Commissioners of the Customs upon Certificate, &c. from the Collector, to pay the second 20 s. Tonnage Bounties granted by Parliament.

III. And be it further enacted by the Authority aforesaid, That over and above the Allowance of twenty Shillings a Ton, according to the Admeasurement of the Ship, by the said last-mentioned Act directed to be paid, it shall and may be lawful for the respective Commissioners of the Customs in *Great Britain*, from the twenty-ninth Day of *September* one thousand seven hundred and forty-nine, and until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament, (upon having such Schedule, Certificate, Licence and Oath transmitted to them by the Collector and Comptroller of the Port from whence such Ship shall depart, as by the said last-mentioned Act is directed, and upon such Commissioners being satisfied of the faithful Dealings of the Master

ster and other Persons employed in such Ship, with respect to such Voyage and Fishery) on Demand, to cause Payment to be made to the Master or Owners, or to his or their Assigns, by the Receiver General of the Customs in that Part of *Great Britain* from whence such Ship shall depart, of the Sum of twenty Shillings a Ton, according to the Admeasurement of the Ship, over and above the Sum of twenty Shillings a Ton, by the last-mentioned Act granted for the Encouragement of the Whale Fishery in the *Greenland Seas*, or *Davis's Streights*, and the adjacent Seas, carried on by his Majesty's *British* Subjects, in such Manner and at such Time or Times, as the said Allowance of twenty Shillings a Ton by the said last-mentioned Act, made in the sixth Year of his present Majesty's Reign, intituled, *An Act for the further Encouragement of the Whale Fishery carried on by his Majesty's* British *Subjects*, is directed to be paid. 6 Geo. 2. c. 33.

IV. And whereas the Dispatch of Ships to the *Greenland Seas*, *Davis's Streights* and Seas adjacent, on 'the Whale Fishery, must of Necessity be within the Months of *March* or *April*, and some *British* Ships 'for the Sake of keeping the Men that have been taught the Art of the said Fishery in Employ, and to pre-'vent their going into Foreign Service, may have been fitted out from the River of *Thames*, or other Parts 'of his Majesty's *British* Dominions, and proceeded on the said Whale Fishery to the *Greenland Seas* or '*Davis's Streights*, and Seas adjacent, since the Commencement of this Session of Parliament; and it will 'therefore be but just and reasonable, that the Bounties intended to be given on the Return of Ships here-'after to be fitted out on such Voyage, should be given also to the Owners of such Ships already sailed 'upon such Voyage, and not yet returned;' Be it therefore enacted by the Authority aforesaid, That every Owner or Owners of any Ship or Ships already sailed on the said Voyage and Fishery respectively, who have conformed themselves in all Respects to the Rules and Directions prescribed by the said last-mentioned Act of the sixth Year of his present Majesty, such Owner and Owners shall, and they are hereby declared to be intitled to, and the Receiver General of the Customs, in that Part of *Great Britain* whence the Ship departed, is hereby impowered and required to pay the said respective Sums of twenty Shillings, and twenty Shillings *per* Ton, according to the Admeasurement of such Ship or Ships respectively. Ships that have already sailed intitled to the said Bounty. *See* 27 Geo. 2. c. 18. *sect.* 7.

V. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and forty-nine, every Ship built or fitted out in any of his Majesty's Dominions in *America*, of two hundred Tons and upwards, and not being more than two Years old from the first building thereof, that proceeds from any Port of his Majesty's *American* Dominions on the said Whale Fishery, manned and navigated as by the Laws now in Force is directed, which shall before she proceed on such Voyage, be visited by the proper Officer or Officers of the Customs belonging to such Port, who shall take an Account of the Tonnage thereof, in such Manner as is directed by the said last-mentioned Act concerning *British* Ships who should be intitled to the Benefits of the said Act, and shall certify such his or their Visitation, Examination and Admeasurement, to the Governor or Commander in Chief of the Place where such Ship shall be fitted out, or to the Naval Officer of such Port; and if it appear by the said Certificate of such Officer or Officers, that she had, at the Time of giving such Certificate, on Board such a Number of Men, Provisions, Boats, Fishing Lines and Instruments to be used in such Fishery, as is required by the said last-mentioned Act of *British* Ships which should be intitled to the Benefit of the said Act, and that she is a Ship strongly built, and otherwise a Ship proper for such Voyage and Fishery, and had, at the Time of granting the said Certificate, on Board among her Crew such a Number of Harpooners, Steersmen and Line-managers, who had before been employed in such Voyages (the Names of such Persons to be contained in such Certificate) according to the Directions of the said last-mentioned Act concerning *British* Ships to be employed in the said Fishery; and if the Owner or Owners, and Master or Chief Officer of such Ship shall, in Writing, at the Foot of such Certificate, make such Oath before the Governor, Commander in Chief or Naval Officer (who are hereby impowered and required to administer such Oath) as is required by the said last-mentioned Act of the Owner or Owners, and Master or Chief Officer of such *British* Ship as aforesaid, and likewise that such Ship is not more than two Years old from the first building thereof; and if the Master shall likewise, after such Certificate had, and Oath made, become bound with such Sureties, in such Penalty and Condition as is mentioned in, and required by the said last-mentioned Act to be given by the Masters of such *British* Ships as aforesaid, which said Bond is required to be taken by the Governor or Commander in Chief, or Naval Officer of such Place from whence the said Ship is so fitted out; then, and in all such Cases, it shall and may be lawful for the said Governor or Commander in Chief, or Naval Officer, and they are hereby required to give and grant to the Master and Owners of such Ship full Licence and Authority to proceed on such Voyage. Vessels fitted out in America, to be licensed to proceed on the Whale Fishery.

VI. And be it further enacted by the Authority aforesaid, That on the Arrival of such Ship at the Port in *Great Britain*, to which the said Master and Mate declared on Oath they intended to proceed after their intended Voyage to the *Greenland Seas*, or to *Davis's Streights*, or to the Seas adjacent, or on their Arrival at some other Port of *Great Britain* where they shall unload, the proper Officers of the Customs at such Port shall proceed in such Manner, and make such Schedule, as is directed by the said last-mentioned Act concerning *British* Ships who were to be intitled to the Benefits of the said Act; and such Schedule, Certificate, Licence and Oath shall be transmitted to the respective Commissioners of his Majesty's Customs for that Part of *Great Britain* in which such Ship shall arrive after her said Voyage to the *Greenland Seas* or *Davis's Streights*, or the Seas adjoining; and such Commissioners being satisfied of the faithful Dealings of the Master and other Persons employed in such Ships, with respect to such Voyage and Fishery, shall, on Demand, cause Payment to be made to the Master or Owners, or to his or their Assigns, by the Receiver General of the Customs of that Part of *Great Britain* at which the said Ship shall arrive as aforesaid, of the Sum of twenty Shillings, and twenty Shillings *per* Ton, according to the Admeasurement of such Ship duly certified as aforesaid, in like Manner as to the Owners and Masters of *British* Ships who are intitled to the said Bounties by virtue of the said last-mentioned, or by this Act of Parliament. On Arrival of such Vessels in Great Britain, the proper Officers to grant Certificates, and the Bounties to be paid.

VII. And be it enacted by the Authority aforesaid, That all Ships that shall be fitted out for the Whale Fishery in *America*, after having conformed to all the Rules and Restrictions of an Act made in the sixth Year Regulations to be observed by Ships fitted out

for the Whale Fishery. *See further* 28 *Geo.* 2. *c.* 20.

Year of his present Majesty's Reign, intituled, *An Act for the further Encouragement of the Whale Fishery*, shall sail from such Port where surveyed directly on her intended Fishery, on or before the first Day of *May*, and shall not depart or leave *Davis's Streights* or *Greenland*, and Seas adjacent, before the twentieth Day of *August*, unless they have such Success as to fill all or so many Casks with Blubber, which shall amount to not less than two hundred Hogsheads, for a Ship of three hundred Tons, and so in Proportion for a Ship of two hundred Tons and upwards, or should meet with any unavoidable Accident, so as to endanger the Lives of the Ship's Crew, which Accident shall be declared on the Oaths of the Master, Mate, Carpenter, Harpooners, Line-managers, Boat-steerers and Surgeon belonging to such Ship, or such of them as shall be living at the Time of their Arrival in Port, to the Satisfaction of the Commissioners of his Majesty's Customs in the Port of *London* or *Edinburgh* respectively; and in case of any irregular Proceedings contrary hereunto, every Ship so offending shall lose the Benefit of this Bounty.

Foreign Protestants serving 3 Years on Board English Ships employed in the Whale Fishery, and qualifying themselves, to be deemed natural born Subjects.

VIII. And be it further enacted by the Authority aforesaid, for the Encouragement of such Foreign Protestants as shall be willing to serve on Board the Ships which shall be fitted out by his Majesty's Subjects to be employed in the said Fishery, That every Person born out of the Liegance of his Majesty, his Heirs and Successors, being a Protestant, who shall serve during the Space of three Years, on Board any Ship which shall be so fitted out, as is directed by the said Act of the sixth Year of his present Majesty's Reign herein before mentioned, or by this Act, and which shall be employed in such Fishery as aforesaid, and which Person shall take and subscribe the Oaths, and make, repeat and subscribe the Declaration appointed by an Act made in the first Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* SOPHIA, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales; which said Oaths shall be taken and subscribed, and Declaration made, repeated and subscribed in the Courts of *Chancery*, *King's Bench*, *Common Pleas*, or *Exchequer*, in Term Time in *England*, or in any of them, in open Court, or before the Lords of the Council and Session, or Lords Justiciary, or Barons of the *Exchequer* in *Scotland*, or at some General Quarter Sessions of the Peace, to be held for the County where such Person does or shall inhabit, reside or settle, between the Hours of nine and twelve in the Forenoon, the taking and subscribing of which Oaths, and the making and repeating, and subscribing such Declaration, shall be entered on Record in the same Courts, for the doing whereof, only one Shilling shall be paid; every such Person and Persons shall be deemed, adjudged and taken to be his Majesty's natural-born Subject and Subjects of this Kingdom, to all Intents, Constructions and Purposes, as if he and they had been, and were born in this Kingdom.

Persons that shall be naturalized by this Act, to take the Sacrament in some Protestant Church.

IX. Provided always, and be it enacted by the Authority aforesaid, That no Person shall be naturalized by virtue of this Act, unless such Person shall have received the Sacrament of the Lord's Supper in some Protestant or reformed Congregation in his Majesty's Dominions, within three Months next before his taking such Oaths, and making and subscribing such Declaration, and shall, at the Time of his taking such Oaths, and making and subscribing such Declaration, produce a Certificate signed by the Person administering the said Sacrament, and attested by two credible Witnesses, whereof an Entry shall be made in the Court where such Oaths shall be taken, without any Fee or Reward, and shall also produce a Certificate at the same Time, under the Hands of the Owner and Master of the Ship or Vessel in which he or they shall have so served, of his or their Integrity and good Behaviour during the whole Time of such Service.

Such Persons are excluded from certain Offices, &c.

X. Provided always, and be it further enacted, That no Person who shall become a natural-born Subject of this Kingdom by virtue of this Act, shall be of the Privy Council, or a Member of either House of Parliament, or capable of taking, having or enjoying any Office or Place within the Kingdoms of *Great Britain* or *Ireland*, either Civil or Military, or taking any Grant to himself, or to any other in Trust for him, of any Lands, Tenements or Hereditaments, within the Kingdoms of *Great Britain* or *Ireland*; any thing herein before contained to the contrary thereof in any wise notwithstanding.

None to be naturalized by this Act, who are excluded by 4 Geo. 2. c. 21.

XI. Provided also, and it is hereby enacted by the Authority aforesaid, That nothing in this Act shall extend, or be construed to extend, to naturalize any Person or Persons whatsoever, who, by virtue of an Act made in the fourth Year of his Majesty's Reign, (intituled, *An Act to explain a Clause in an Act made in the seventh Year of the Reign of her late Majesty Queen* ANNE, *for naturalizing foreign Protestants, which relates to Children of the natural-born Subjects of the Crown of* England, *or of* Great Britain) are declared and enacted not to be intitled to the Benefit of the said Act of the seventh Year of her said late Majesty's Reign, but that all such Persons shall be and remain in the same State, Plight and Condition, to all Intents, Constructions and Purposes whatsoever, as they would have done if this Act had never been made; any thing in this Act contained to the contrary in any wise notwithstanding.

Persons naturalized, going out of his Majesty's Dominions for more than 1 Year, to lose the Benefit.

XII. Provided always, and be it enacted by the Authority aforesaid, That if any Person so naturalized by virtue of this Act, shall go out of his Majesty's Dominions in *Great Britain* or *Ireland*, or any of his Majesty's Plantations in *America*, for more than the Space of twelve Months at any one Time, such Person shall lose the Benefit of this Act, to all Intents and Purposes whatsoever.

CAP.

CAP. XLVI.

An Act to continue several Laws for preventing Exactions of the Occupiers of Locks and Wears upon the River *Thames* Westward, and for ascertaining the Rates of Water Carriage upon the said River; and for continuing, explaining and amending the several Laws for the better Regulation of Attornies and Solicitors; and for regulating the Price and Assize of Bread; and for preventing the Spreading of the Distemper amongst the Horned Cattle; and also for making further Regulations with respect to Attornies and Solicitors; and for further preventing the Spreading of the Distemper amongst the Horned Cattle; and for the more frequent Return of Writs in the Counties Palatine of *Chester* and *Lancaster*; and for ascertaining the Method of levying Writs of Execution against the Inhabitants of Hundreds; and for allowing *Quakers* to make Affirmation in Cases where an Oath is or shall be required.

'WHEREAS the Laws herein after mentioned (which have by Experience been found useful and beneficial) are near expiring;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the third Year of the Reign of his present Majesty, intituled, *An Act for reviving and amending an Act made in the sixth and seventh Years of the Reign of his late Majesty King* WILLIAM *the Third, intituled*, 'An Act to prevent Exactions of the Owners of Locks and Wears upon the River of *Thames* Westward, and for ascertaining the Rates of Water Carriage upon the said River;' which was to continue in Force from the first Day of *May* one thousand seven hundred and thirty, for the Term of nine Years, and from thence to the End of the then next Session of Parliament; and which by another Act made in the thirteenth Year of the Reign of his present Majesty, for continuing several Laws therein mentioned, was further continued from the Expiration thereof, until the first Day of *June* in the Year of our Lord one thousand seven hundred and forty-seven; and which by another Act made in the twentieth Year of the Reign of his present Majesty, for continuing several Laws therein mentioned, was further continued till the first Day of *June* one thousand seven hundred and forty-nine, shall be, and the same is hereby further continued from the Expiration thereof, till the first Day of *June* which shall be in the Year of our Lord one thousand seven hundred and fifty.

3 Geo. 2. c. 11. continued to 1 June 1750. EXP. See 24 Geo. 2. c. 8.

II. And be it further enacted by the Authority aforesaid, That an Act made in the second Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Attornies and Solicitors*, which was to be in Force from the first Day of *June* one thousand seven hundred and twenty-nine, for the Term of nine Years, and from thence to the End of the then next Session of Parliament; and which by an Act made in the twelfth Year of his present Majesty, for continuing several Laws therein mentioned, was explained and amended, and further continued until the twenty-fourth Day of *June* one thousand seven hundred and forty-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby, together with the Alterations and Amendments made by the said Act of the twelfth Year of his present Majesty, and those herein after-mentioned, further continued, from the Expiration thereof until the twenty-fourth Day of *June* which shall be in the Year of our Lord one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

2 Geo. 2. c. 23. continued to 24 June 1757. *Made perpetual by* 30 *Geo.* 2, *c.* 19. *sect.* 75.

III. And for the better preventing unqualified Persons from being admitted Attornies and Solicitors, and for rendering the said Act more effectual for the Purposes thereby intended; Be it enacted by the Authority aforesaid, That every Person who shall, from and after the first Day of *July* one thousand seven hundred and forty-nine, be bound by Contract in Writing to serve as a Clerk to any Attorney or Solicitor, as by the said Act is directed, shall, within three Months next after the Date of every such Contract, cause an Affidavit to be made and duly sworn of the actual Execution of every such Contract, by every such Attorney or Solicitor, and the Person so to be bound to serve as a Clerk as aforesaid; and in every such Affidavit shall be specified the Names of every such Attorney and Solicitor, and of every such Person so bound, and their Places of Abode respectively, together with the Day of the Date of such Contract; and every such Affidavit shall be filed within the Time aforesaid, in the Court where the Attorney or Solicitor to whom every such Person respectively shall be bound as aforesaid, hath been inrolled as an Attorney or Solicitor, with the respective Officer or Officers, or his or their respective Deputy or Deputies, in the respective Courts herein after-mentioned, who shall make and sign a Memorandum or Mark of the Day of filing every such Affidavit at the Back or at the Bottom thereof.

Persons bound to serve as Clerks to Attornies, to cause Affidavit to be made within three Months of the Execution of such Contracts, &c. Affidavit to be filed. *Farther time allowed by* 27 *Geo.* 2. *c.* 16. *sect.* 6.

IV. And be it further enacted, That no Person who shall, after the said first Day of *July*, become bound as aforesaid, shall be admitted or inrolled an Attorney or Solicitor in any Court in the said Act mentioned, before such Affidavit, so marked by the proper Officer as aforesaid, shall be produced and openly read in such Court, where such Person shall be admitted and inrolled an Attorney or Solicitor.

None to be admitted before such Affidavit be produced.

V. And it is hereby enacted and declared, That the several Persons following shall be deemed and taken to be the proper Officers for filing such Affidavits in the respective Courts herein after-mentioned (that is to say) in the High Court of *Chancery*, the senior Clerk of the Petty Bag Office, or his Deputy; in the Court of *King's Bench*, the Chief Clerk of that Court, or his Deputy; in the Court of *Common Pleas*, the Clerk of the Warrants of that Court, or his Deputy; in the Court of *Exchequer*, the King's Remembrancer of that Court, or his Deputy; in the Court of the Dutchy Chamber of *Lancaster* at *Westminster*, the Chief Clerk of that Court, or his Deputy; and in the several Counties Palatine of *Chester*, *Lancaster* and *Durham*,

Officers who are to file such Affidavits.

ham, the reſpective Prothonotaries of the ſaid Counties Palatine, and their reſpective Deputies; and in the ſeveral Courts of the Great Seſſions of *Wales*, the reſpective Prothonotaries of the ſaid Courts, and their reſpective Deputies.

Book to be kept for entering the Names and Places of Abode of every ſuch Attorney and Clerk, &c.

Fees for filing the Affidavits.

VI. And be it further enacted, That every ſuch Officer or Officers, or their reſpective Deputy or Deputies, filing ſuch Affidavit as aforeſaid, ſhall keep a Book, wherein ſhall be entered the Subſtance of ſuch Affidavit, ſpecifying the Names and Places of Abode of every ſuch Attorney or Solicitor, and Clerk or Perſon bound as aforeſaid, and of the Perſon making ſuch Affidavit, with the Date of the Articles or Contract in ſuch Affidavit to be mentioned, and the Days of ſwearing and filing every ſuch Affidavit reſpectively; and every ſuch Officer or Officers, or his or their Deputy or Deputies, ſhall be at Liberty to take, at the Time of filing every ſuch Affidavit, the Sum of two Shillings and ſix Pence, and no more, as a Recompence for his Trouble in filing ſuch Affidavits, and preparing and keeping ſuch Books as aforeſaid, and which ſaid Books ſhall and may be ſearched in Office Hours, by any Perſon or Perſons whatſoever, without Fee or Reward.

No Attorney to take, &c. a Clerk after diſcontinuing Buſineſs.

VII. And be it further enacted, That from and after the ſaid firſt Day of *July*, no Attorney or Solicitor ſhall take, have or retain any Clerk, who ſhall become bound by Contract in Writing as aforeſaid, after ſuch Attorney or Solicitor ſhall have diſcontinued or left off, or during ſuch Time as he ſhall not actually practiſe as, or carry on the Buſineſs of an Attorney or Solicitor.

Clerks to be employed in their proper Buſineſs during the Time of their Contract.

VIII. And be it further enacted, That every Perſon who ſhall, from and after the ſaid firſt Day of *July*, become bound, by Contract in Writing, to ſerve any Attorney or Solicitor, as by the ſaid Act is directed, ſhall, during the whole Time and Term of Service, to be ſpecified in ſuch Contract, continue and be actually employed by ſuch Attorney or Solicitor, or his or their Agent or Agents, in the proper Buſineſs, Practice or Employment of an Attorney or Solicitor.

Affidavit of the Execution of ſecond Contracts by ſuch Clerks, the Service of 5 Years to be deemed effectual,

IX. Provided always, and it is hereby enacted, If any ſuch Attorney or Solicitor, to or with whom any ſuch Perſon ſhall be ſo bound, ſhall happen to die before the Expiration of ſuch Term, or ſhall diſcontinue or leave off ſuch his Practice as aforeſaid, or if ſuch Contract ſhall by mutual Conſent of the Parties be cancelled, or in Caſe ſuch Clerk ſhall be legally diſcharged by any Rule or Order of the Court, wherein ſuch Attorney or Solicitor ſhall practiſe, before the Expiration of ſuch Term, and ſuch Clerk ſhall in any of the ſaid Caſes be bound by another Contract, or other Contracts, in Writing to ſerve, and ſhall accordingly ſerve in Manner herein before-mentioned, as Clerk to any other ſuch practiſing Attorney or Attornies, Solicitor or Solicitors as aforeſaid reſpectively, during the Reſidue of the ſaid Term of five Years; then ſuch Service ſhall be deemed and taken to be as good, effectual and available, as if ſuch Clerk had continued to ſerve as a Clerk for the ſaid Term, to the ſame Perſon to whom he was originally bound, ſo as an Affidavit be duly made and filed of the Execution of ſuch ſecond or other Contract or Contracts, within the Time, and in like Manner, as is before directed concerning ſuch original Contract.

Clerks, before admitted, to make Affidavit of having ſerved 5 Years.

X. And be it further enacted, That every Perſon who, from and after the ſaid firſt Day of *July*, ſhall become bound as a Clerk as aforeſaid, ſhall, before he be admitted an Attorney or Solicitor according to the ſaid Act, cauſe an Affidavit of himſelf, or ſuch Attorney or Solicitor, to whom he was bound as aforeſaid, to be duly made and filed with the proper Officer herein before for that Purpoſe appointed, that he hath actually and really ſerved and been employed by ſuch practiſing Attorney or Attornies, Solicitor or Solicitors, to whom he was bound as aforeſaid, or his or their Agent or Agents, during the ſaid whole Term of five Years, according to the true Intent and Meaning of this Act.

'XI. And whereas divers Perſons who are not examined, ſworn, or admitted to act as Attornies or Solicitors in any Court of Law or Equity, do, in Conjunction with, or by the Aſſiſtance or Connivance of certain ſworn Attornies and Solicitors, and by various ſubtle Contrivances, intrude themſelves into, and act and practiſe in the Office and Buſineſs of Attornies and Solicitors, to the great Prejudice and Loſs of many of his Majeſty's Subjects, and the Scandal of the Profeſſion of the Law;' Be it therefore enacted,

Sworn Attornies acting as Agents for Perſons not qualified, &c.

That from and after the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-nine, if any ſworn Attorney or Solicitor ſhall act as Agent for any Perſon or Perſons, not duly qualified to act as an Attorney or Solicitor as aforeſaid, or permit or ſuffer his Name to be any ways made uſe of upon the Account, or for the Profit of any unqualified Perſon or Perſons, or ſend any Proceſs to ſuch unqualified Perſon or Perſons, thereby to enable him or them to appear, act, or practiſe in any Reſpect as an Attorney or Solicitor, knowing him not to be duly qualified as aforeſaid, and Complaint ſhall be made thereof in a ſummary Way to the Court from whence any ſuch Proceſs did iſſue, and Proof made thereof, upon Oath, to the Satisfaction of the Court, that ſuch ſworn Attorney or Solicitor hath offended therein as aforeſaid; then, and in ſuch Caſe, every ſuch Attorney or Solicitor ſo offending

to be ſtruck off the Roll,

and to be committed,

ſhall be ſtruck off the Roll, and for ever after diſabled from practiſing as an Attorney or Solicitor; and in that Caſe, and upon ſuch Complaint and Proof made as aforeſaid, it ſhall and may be lawful to and for the ſaid Court to commit ſuch unqualified Perſon, ſo acting or practiſing as aforeſaid, to the Priſon of the ſaid Court, for any Time not exceeding one Year.

'XII. And whereas frequent Delays, Inconveniencies and unneceſſary Expences ariſe and happen, as well to Pariſhes as private Perſons, by the Miſmanagement and Unſkilfulneſs of Perſons employed as Solicitors or Agents at the Seſſions held for the ſeveral Counties, Ridings, Diviſions, Cities, Towns Corporate, and other Places of this Kingdom, who having never been regularly bred to the Law, and being ignorant of the Forms and Operations thereof, Offenders againſt the Laws of the Land have frequently eſcaped with Impunity:' For remedying therefore of theſe Inconveniencies, Be it enacted by the Authority aforeſaid,

None to act as Attornies who were not admitted according to 2 Geo. 2. c. 23.

That from and after the twenty-ninth Day of *September* which ſhall be in the Year of our Lord one thouſand ſeven hundred and forty-nine, no Perſon whatſoever ſhall act as a Solicitor, Attorney or Agent, or ſue out any Proceſs, at any General or Quarter-Seſſions of the Peace for any County, Riding, Diviſion, City, Town Corporate or other Place within this Kingdom, either with reſpect to Matters of a Criminal or Civil Nature, unleſs ſuch Perſon ſhall have been heretofore admitted an Attorney of one of his

Majesty's Courts of Record at *Westminster*, and duly inrolled pursuant to an Act made in the second Year of his present Majesty's Reign (intituled, *An Act for the better Regulation of Attornies and Solicitors*) or unless such Person shall hereafter be admitted an Attorney, and inrolled as aforesaid by virtue of this Act, or such other Law as shall be then in being, and unless such Person shall continue so entered upon the Roll, at the Time of such his acting in the Capacity aforesaid; but all and every Person or Persons respectively, who shall so act, not being admitted and inrolled as aforesaid, shall be subject and liable to a Penalty of fifty Pounds; to be recovered by Action of Debt, Bill, Plaint or Information, in any of the Courts of Record at *Westminster*, by any Person or Persons who shall sue for the same, within twelve Months after the Offence committed, with treble Costs of Suit; and if any Attorney or Attornies shall permit and suffer any Person or Persons whatsoever, not being admitted and inrolled as aforesaid, to make use of his or their Name or Names respectively, in the Courts of General or Quarter-Sessions aforesaid, such Attorney or Attornies respectively shall be subject and liable to a like Penalty of fifty Pounds, to be recovered in Manner aforesaid.

Penalty 50 l. with treble Costs. Attornies suffering Persons not admitted to use their Names, to forfeit 50 l. 'See 23 Geo. 2. c. 26.' *sect.* 15.

XIII. Provided always, That nothing herein contained shall extend, or be construed to extend, to deprive the Attornies of the Dutchy of *Lancaster*, or of the Courts of Great Sessions in *Wales*, or of the Counties Palatine of *Chester*, *Lancaster* and *Durham*, from acting within their respective Jurisdictions.

Persons exempted.

XIV. And, to the end that Justice may be impartially administered in the several General or Quarter-Sessions of this Kingdom, Be it further enacted by the Authority aforesaid, That no Clerk of the Peace, or his Deputy, nor any Under-Sheriff, or his Deputy, shall, from and after the said twenty-ninth Day of *September*, act as a Solicitor, Attorney or Agent, or sue out any Process, at any General or Quarter-Sessions of the Peace to be held for such County, Riding, Division, City, Town Corporate, or other Place within this Kingdom, where he shall execute the Office of Clerk of the Peace, or Deputy Clerk of the Peace, Under-Sheriff, or Deputy, on any Pretence whatsoever; but if any Clerk of the Peace, or his Deputy, or any Under-Sheriff, or his Deputy, shall presume to act as a Solicitor, Attorney or Agent as aforesaid, such Clerk of the Peace, or his Deputy, Under-Sheriff, or his Deputy respectively, shall be subject and liable to a like Penalty of fifty Pounds, to be recovered in Manner aforesaid.

No Clerk of the Peace, Under Sheriff, &c. to act as Attornies, &c. at Quarter-Sessions for the County, &c. Penalty 50 l.

'XV. And whereas several Persons have been bound by Articles in Writing to Attornies of one of his 'Majesty's Courts at *Westminster*, to serve them as their Clerks for the Term of five Years, which Attor-'nies have died before the Expiration of the said five Years, and after their Deaths such Persons so bound 'have served the Remainder of the said Term with some other Attornies of the said Courts, but have ne-'glected to enter into Articles with the said other Attornies for the Remainder of the Term of five Years, 'and therefore Doubts have arisen, whether such Persons could be admitted Attornies of any of his Ma-'jesty's Courts, by reason that such Service was not strictly in pursuance of the Direction of the before-'mentioned Act;' Be it therefore enacted and declared by the Authority aforesaid, That all such Persons who shall have been so bound as aforesaid for the Term of five Years to Attornies of any of his Majesty's Courts at *Westminster*, which said Attornies shall have died before the Determination of the said Term, if such Persons shall afterwards, and before the twenty-fifth Day of *March* one thousand seven hundred and forty-nine, have served the Residue of the said Term of five Years, with some other Attornies of one of his Majesty's said Courts, though without entering into any new Articles, such Persons having so served during the said Term of five Years, shall and may be admitted Attornies in any of his Majesty's Courts at *Westminster*; any thing in the said Act, or in this present Act, contained to the contrary in any wise notwithstanding.

Clerks, whose Masters have died, serving the Residue of their Times with others without fresh Contracts, to be admitted.

XVI. And be it further enacted by the Authority aforesaid, That any Person who shall have been admitted a sworn Clerk in the Office of the Six Clerks of the Court of *Chancery*, or shall have been bound by Contract in Writing, to serve as a Clerk for and during the Space of five Years, to a sworn Clerk in the said Office, and for and during the said Term of five Years shall have continued in such Service or shall have continued in such Service for the Space of three Years, or more, and shall have been admitted a Waiting Clerk, and acted as such during the Residue of the said Term of five Years, may be examined, sworn, and admitted and inrolled as a Solicitor, in the same Manner as Solicitors in Courts of Equity are by the said Act required to be examined, sworn, admitted and inrolled; any thing in the said Act to the contrary notwithstanding.

Persons admitted sworn Clerks in the Office of the Six Clerks, or bound for five Years, &c. may be admitted Solicitors.

XVII. Provided also, and it is hereby further enacted, That if any sworn Clerk in the said Six Clerks Office, with and to whom any Person hath been, or shall be bound by Contract in Writing as aforesaid, to serve as a Clerk for the Term of five Years, shall happen to die before the Expiration of the said Term of five Years, or if such Contract shall, by mutual Consent of the Parties, be vacated, or in case such Clerk be legally discharged by any Rule or Order of the Court of *Chancery*, before the Expiration of the said Term of five Years; then, and in any of the said Cases, if such Clerk shall by Contract in Writing be obliged to serve, and shall accordingly serve as a Clerk to any other sworn Clerk in the said Six Clerks Office, or to any Solicitor who shall be sworn, admitted and inrolled, pursuant to the said Act of the second Year of his present Majesty, during the Residue of the said Term of five Years, then such Service shall be deemed and taken to be as good and effectual as if such Clerk had continued to serve as a Clerk for the Term of five Years to the same Person to whom he was originally bound by Contract in Writing as aforesaid.

Clerks, whose Masters have died, &c. entering into fresh Contracts, and serving the Residue of their Time, the same to be effectual.

XVIII. Provided always, and it is hereby further enacted by the Authority aforesaid, That no sworn Clerk in the said Six Clerks Office shall have more than two Clerks at one and the same Time, including the Clerk who shall be entered on the Roll kept by the Master of the Rolls, or his Secretary, for that Purpose.

No sworn Clerk to have more than two Clerks.

XIX. Provided also, and it is hereby further declared and enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to the Taking or Binding, Examination, Swearing, Admission or Inrolment of the Attornies, or Clerks of the Offices of the King's Remembrancer,

Persons exempted.

brancer, Treasurer's Remembrancer, Pipe or Office of Pleas, in the Court of *Exchequer* at *Westminster* for the Time being, but that the said Attornies and Clerks of the said respective Offices shall and may be taken, bound, approved, sworn, admitted, and practise in the said Court of *Exchequer*, in like Manner as they usually have been, and might have done before the making of this Act, and may practise in any other of the Courts of Record before-mentioned, in the Name, and with the Consent of some sworn Attorney of such Court, such Consent being in Writing, and signed by such Attorney as aforesaid, in the Manner as they have usually been and might have done before the making of this Act; any thing herein contained to the contrary notwithstanding.

Concerning Attornies see farther 23 *Geo.* 2. *c.* 26. 33 *Geo.* 2. *c.* 16.

8 Annæ, c. 18. XX. And be it further enacted by the Authority aforesaid, That an Act made in the eighth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act to regulate the Price and Assize of Bread*; which was to be in Force for three Years, and from thence to the End of the then next Session of Parliament, and by an Act made in the first Year of the Reign of his late Majesty King GEORGE, for continuing several Laws therein mentioned, was explained, amended and continued for the further Term of three Years, and from thence to the End of the then next Session of Parliament, which said Act and Alterations had further Continuance by several subsequent Acts, and was by an Act made in the said twelfth Year of the Reign of his present Majesty explained and amended, and further continued from the Expiration thereof, to the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and forty-eight, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby, together with the Alterations and Amendments herein after-mentioned, further continued from the Expiration thereof, until the twenty-fourth Day of *June* which shall be in the Year of our Lord one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

1 Geo. 1. c. 26.

12 Geo. 2. c. 13.

continued to 14 June 1757. *See farther* 31 *Geo.* 2. *c.* 29. 32 *Geo.* 2. *c.* 18.

Bakers to imprint on every Loaf a certain Letter,

under Penalty of 20s.

'XXI. And whereas it is often very difficult for the Magistrate or Justice or Justices of the Peace, before 'whom Bread is complained of, to know under what Denomination the Bread ought to be weighed, pur- 'suant to the Directions of the said Acts of the eighth of Queen ANNE, and first of his late Majesty;' Be it enacted by the Authority aforesaid, That every common Baker, and every Person who shall make or bake for Sale, or any Ways expose to Sale, any Sort of Bread whatsoever, shall, from and after the first Day of *August* which shall be in the Year of our Lord one thousand seven hundred and forty-nine, fairly imprint or mark, or cause to be imprinted or marked, on every Loaf so by him made or exposed to Sale, the Letters herein after-mentioned (that is to say) upon every Loaf exposed to Sale as White Bread, a large Roman W. and upon every Loaf exposed to Sale as Wheaten Bread, a large Roman W H. and upon every Loaf exposed to Sale as Houshold Bread, a large Roman H. and every Person selling, or exposing to Sale, not marked as aforesaid, shall forfeit and pay the Sum of twenty Shillings to the Informer; the said Forfeiture to be adjudged, levied and recovered, in such Manner as the Penalties laid upon Persons selling or exposing to Sale any Bread deficient in Weight, are by the said Act of the first of his said late Majesty's Reign to be adjudged, levied and recovered.

Limitation of this Regulation. *See farther* 31 *Geo.* 2. *c.* 29. 32 *Geo.* 2. *c.* 18.

XXII. Provided always, That nothing in this Act shall extend, or be construed to extend, to any Sort of Bread, but what is mentioned in the said Acts of the eighth of Queen ANNE, and the first of his late Majesty.

19 Geo. 2. c. 5.

20 Geo. 2. c. 4.

21 Geo. 2. c. 33. continued to 24 Sept. 1749. 'Farther continued by 27 Geo. 2. c. 14. *And see* 30 *Geo.* 2. *c.* 20.

XXIII. And be it further enacted by the Authority aforesaid, That an Act made in the nineteenth Year of the Reign of his present Majesty, intituled, *An Act to enable his Majesty to make Rules, Orders and Regulations more effectually to prevent the spreading of the Distemper which now rages amongst the Horned Cattle in this Kingdom*, which was to continue and be in Force for the Space of eight Months, and to the End of the then next Session of Parliament; and which by an Act made in the twentieth Year of the Reign of his present Majesty, was explained, amended and continued, and to be in Force with the said last-mentioned Act, for the Space of eight Months, from the tenth Day of *January* one thousand seven hundred and forty-six, and from thence to the End of the then next Session of Parliament; and which said Acts, by an Act made in the twenty-first Year of the Reign of his present Majesty, for continuing several Laws therein mentioned, were further continued from the Expiration thereof until the twenty-fourth Day of *September* one thousand seven hundred and forty-eight, and from thence to the End of the then next Session of Parliament; shall be, and the same are hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *September* one thousand seven hundred and forty-nine, and from thence to the End of the then next Session of Parliament.

Tanner to give Notice to the Excise Officer before he brings any raw Hides, &c. into his Tan-yard, &c.

'XXIV. And whereas it is apprehended, that the Distemper which still rages amongst the Horned Cattle, 'has been greatly spread and increased by Tanners and others buying the Hides and Skins of infected Beasts, 'and carrying the same secretly to their Tan-yards:' Wherefore for preventing the same for the future, Be it enacted by the Authority aforesaid, That every Tanner, Tawer or Dresser of Hides or Skins shall, before he brings any raw Hide or Skin of any Bull, Ox, Cow, Calf, Steer or Heifer, into his Tan-yard, Workhouse, Warehouse or Place used for dressing or manufacturing of Hides or Skins, give Notice to the Officer of Excise of the District in which such Tan-yard or Dressing-place is situated, and whose Survey the said Tanner, Tawer or Dresser of Hides shall be under and subject to for the Time being, and produce to the said Officer a Certificate, under the Hand and Seal, or Hands and Seals, of one or more Justice or Justices of the Peace, or Commissioner or Commissioners of the Land Tax, specifying the Colour of such Hide or Skin, the Name and Place of Abode of the Owner of such Hide or Skin, and that upon Examination on Oath of one or more credible Person or Persons, it appeared to the Person or Persons signing and sealing such Certificate, that the Beast from which such Hide or Skin was taken was sound, and free from any Infection; which Certificate shall by the said Officer be entered into a Book to be kept for that Purpose; and if any Tanner, Tawer or Dresser of Hides or Skins, shall bring or suffer to be brought into his Tan-yard or Tan-pits, or other Place used for dressing or manufacturing Hides or Skins, any such raw Hide or Skin, or shall tan or dress or manufacture any such raw Hide or Skin, without giving such Notice, and producing

ducing such Certificate as aforesaid, every Person so offending shall, for every such Offence, forfeit the Sum of ten Pounds, to be recovered, levied and applied, as the several Forfeitures are by the said Act of the nineteenth Year of his present Majesty's Reign, to be recovered, levied and applied. Penalty of 10l.

XXV. And it is hereby further enacted, That all and every or any of the Officers of Excise, acting and employed in any District wherein any Tan-yard, Workhouse or Warehouse, or Place of dressing or manufacturing of Hides or Skins is situate and being, shall and may, at all Times, by Day or by Night (and if in the Night, then in the presence of a Constable, or other lawful Officer of the Peace) be permitted, upon his or their Request, to enter into any such Tan-yard, Workhouse, Warehouse, or Place, in order to search for Hides and Skins suspected to be brought and conveyed into the same respectively, contrary to, and against the Tenor and true Meaning of this Act, and then and there to search and examine, or cause to be searched or examined, any Tan-pit, Fat or other Place, where any such Hide or Skin is suspected to be laid, hid, put or concealed; and if any Tanner, Tawer, or other Person or Persons whatsoever shall obstruct or hinder any such Officer or Officers in the Execution of his or their Duty, Power or Authority given to, vested in, and required of him or them respectively by this Act, every Person so offending, and being thereof lawfully convicted as aforesaid, shall, for every such Offence, forfeit and pay the Sum of ten Pounds, to be recovered, applied and disposed of in Manner afore-mentioned. Officers impowered to enter Tan-yards, &c. to search for Hides brought in contrary to this Act, &c.

'XXVI. And whereas it is necessary to encourage and promote the Breeding of Cattle, the Number being 'greatly decreased by the said Mortality;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, by Advice of his Privy Council, to prohibit and forbid the killing or slaughtering of Cow Calves, in such Counties and Places, and in such Manner, and at such Times, as his Majesty, during the Continuance of the said Acts of the nineteenth and twentieth Years of his present Majesty's Reign, shall judge proper; and all and every Person offending against such Order and Prohibition, shall forfeit and pay the Sum of forty Shillings, to be recovered, levied and applied, as other Forfeitures by the said Acts are to be recovered, levied and applied. His Majesty impowered to prohibit the killing Cow Calves. Offenders to forfeit 40 s.

XXVII. And to prevent the spreading of the said infectious Distemper, by Persons who frequently buy up Cattle in infected Places, and soon after dispose of the same in Places free from the Infection, contrary to the true Intent and Meaning of the said Acts, and the Orders and Regulations made by his Majesty in Council, Be it enacted by the Authority aforesaid, That from and after the first Day of *July* one thousand seven hundred and forty-nine, no Person whatsoever, by himself, his Servant or Agent, shall sell or dispose of any living Ox, Bull, Cow, Calf, Steer or Heifer, until the same shall have been the Property of such Person for the Term of forty Days at the least; and in Proof of such Property, the Seller shall produce a Certificate under the Hand of the Person of whom such Ox, Bull, Cow, Calf, Steer or Heifer was last bought or purchased, signifying the Time when he purchased the same; and every Person who shall sell or dispose of any Ox, Bull, Cow, Calf, Steer or Heifer, without producing such Certificate, and shall be thereof convicted by his, her or their own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Justice or Justices of the Peace for the County, Riding, Division, City, Liberty or Town Corporate where the Offence shall be committed, shall, for every Ox, Bull, Cow, Calf, Steer or Heifer so sold or disposed of, forfeit and pay the Sum of ten Pounds, unless such Person shall by himself, his Agent or Servant, make Oath before the said Justice or Justices (which Oath the said Justice or Justices is and are hereby impowered to administer) that the said Ox, Bull, Cow, Calf, Steer or Heifer has been his Property for more than forty Days; the said Forfeiture to be adjudged, levied and recovered in such Manner, as the Penalty of ten Pounds is, by the said Act of the nineteenth Year of the Reign of his present Majesty, to be adjudged, levied and recovered; one Moiety of the said Forfeiture to be given to the Informer, and the other Moiety to the Poor of the Parish where the Offence shall be committed. Regulations to be observed by the Sellers of Horned Cattle. Offenders to forfeit 10l.

XXVIII. And be it further enacted by the Authority aforesaid, That every Person who shall, from and after the said first Day of *July*, sell or dispose of any Ox, Bull, Cow, Calf, Steer or Heifer, and shall give a false or untrue Certificate of the Time of the Sale of such Cattle, and every Person who shall accept of such false or untrue Certificate, knowing the same to be such, shall forfeit and pay the like Sum of ten Pounds, to be adjudged, levied, recovered and disposed of in the Manner above-directed. Penalty of giving false Certificates.

XIX. And be it enacted by the Authority aforesaid, That from and after the first Day of *July* which shall be in the Year of our Lord one thousand seven hundred and forty-nine, if any Drover, or Person or Persons driving or conducting Horned Cattle from one Place to another, shall find any Beast or Beasts in his Drift sicken upon the Road, so as to be unable to proceed forward in their Journey, such Drover, or Person or Persons driving such Horned Cattle, shall forthwith give Notice thereof to the Constable, Headborough or Churchwarden of the Parish or Place wherein such Beast or Beasts shall sicken, in order that the same may be slain and buried, the Skin being first slashed, if deemed to be ill of the Distemper now raging amongst the Horned Cattle, in the Opinion of the Officer of such Parish or Place so summoned, and of two other substantial Inhabitants of the said Parish or Place, whom the said Officer is hereby impowered, by a Note in Writing under his Hand to summon to his Assistance; and in case any Drover, or Person or Persons driving Horned Cattle, shall fail herein, or shall conceal or drive out of the Way, without giving such Notice, any such sick Beast or Beasts, he or they so offending shall forfeit and pay ten Pounds, to the Use of the Poor of such Parish or Place wherein such Beast or Beasts shall be found sick or dead, to be levied on his or their Goods and Chattles, by Warrant under the Hand and Seal of any Justice of the Peace of the County, Riding, Division, Liberty, City or Town Corporate, wherein such Drover, or Person or Persons driving such Horned Cattle shall be taken; and in case of Nonpayment, such Drover, or Person or Persons shall be committed to the common Gaol of such County, Shire, Stewartry, Riding, Division, Liberty, City or Town Corporate, there to remain without Bail or Mainprize for the Space of six Calendar Months, or until he or they shall have paid the said Penalty. Regulations to be observed by the Drivers of Horned Cattle, if any ficken on the Road. Offenders to forfeit 10l. and on Nonpayment to be committed.

'XXX. And whereas his Majesty hath, in pursuance of the said Acts of Parliament, by his Order in 'Council, bearing Date the twenty-second Day of *March* one thousand seven hundred and forty-seven, 'made

'made and established certain Rules, Orders and Regulations for the better preventing the spreading of the 'said Infection, and putting a Stop to the Distemper; which Rules, Orders and Regulations have been 'found beneficial;' Be it therefore enacted by the Authority aforesaid, That the said Order in Council, and all the Rules, Orders and Regulations therein contained and inserted (except such and so much of them, or any of them respectively, as his Majesty, his Heirs and Successors, at any Time or Times during the Continuance of the said former Acts, shall, with the Advice of his and their Privy Council, judge proper and expedient to repeal, alter or vary) shall be in Force, and the same, and also such other Rules, Orders and Regulations, Variations and Additions, as shall be made by virtue of, and in pursuance and under the Power and Authority of this present Act, and the said former Acts, shall be observed and obeyed by all his Majesty's Subjects, during the Continuance of the said former Acts, under the Penalty of ten Pounds, inflicted and directed to be levied by the said former Acts for every Offence committed against the same.

His Majesty's Order in Council declared to be valid, &c.

Offenders to forfeit 10l.

Order of Council, &c. to be executed, and declared valid.

XXXI. And it is hereby further enacted and declared, That all the Powers and Authorities given by the said Order of Council, or which shall be given by any subsequent Order of Council by virtue of the Authority aforesaid, to Justices of the Peace, and other Magistrates, and to Commissioners of the Land Tax, Inspectors, and other Officers appointed in that Behalf, shall be duly executed, and are hereby established, and enacted and declared to be as good and valid in the Law, to all Intents and Purposes, during the Continuance of the said Order or Orders, as if the same were herein repeated, and expressly enacted.

Persons disobeying or obstructing, &c.

to forfeit 50l.

XXXII. And be it further enacted, That from and after the fifteenth Day of *June* one thousand seven hundred and forty-nine, all and every Person or Persons who shall by Force or Threats intimidate, hinder or prevent the said Justices, Magistrates, Commissioners, Inspectors or other Officers, from executing the said Rules, Orders and Regulations, or from performing their respective Duties in relation thereto, or who shall enter into any Combination, Confederacy or Subscription, to disobey the said Order or Orders in Council, or to defeat, hinder or prevent the Execution thereof, shall, over and beside the Penalty inflicted by the said Act, forfeit and pay the Sum of fifty Pounds; to be recovered by Bill, Plaint, Suit or Information, in any of his Majesty's Courts of Record at *Westminster*, by any Person or Persons who shall inform and sue for the same, to go and be paid to and for the sole Use and Benefit of such Person or Persons respectively, with full Costs of Suit.

Limitation of Actions.

General Issue.

XXXIII. Provided, and be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this or any of the said former Acts, in every such Case the Action or Suit shall be brought within six Calendar Months next after the Fact committed, and not afterwards, and in the County where the Fact hath been, or shall be committed, and not elsewhere; and the Defendant and Defendants in such Action and Suit to be brought, shall and may plead the General Issue, and give the Special Matter of his Defence in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance of the said former Acts, or this present Act; and if the same shall appear so to be done, or such Action or Suit to be brought after the Time limited for bringing the same, or shall be brought in any other County, Place or Places than where the Fact was committed, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his or their Action, after the Defendant or Defendants shall have appeared, or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant and Defendants, in every such Case, shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any Cases by Law.

Treble Costs.

Regulations to be observed with regard to Writs of Execution sued out against any Hundred.

8 Geo. 2. c. 16.

XXXIV. And be it further enacted by the Authority aforesaid, That no Writ of Execution hereafter to be sued out against the Inhabitants of any Hundred, on any Judgment obtained by virtue of any Act or Acts of Parliament whatsoever, shall be levied on any particular Inhabitant or Inhabitants of such Hundred, but the Sheriff or Sheriffs shall, on Receipt of every such Writ, cause the same to be produced to two Justices of the Peace, in such Manner as is directed by the Statute made in the eighth Year of his present Majesty's Reign, intituled, *An Act for the Amendment of the Law relating to Actions on the Statute of* Hue and Cry; and that thereupon the said Justices shall, in the Manner directed by the said Act, cause a Taxation to be made, levied and collected, for raising and paying, as well the Costs and Damages recovered by the Plaintiff or Plaintiffs, as also all such just and necessary Expences as any Inhabitant or Inhabitants of such Hundred shall have been at in defending any such Action; the same being first proved on Oath, and the Attorney's Bill being first taxed in such Manner as the Act directs; and the Sums of Money so to be levied and collected shall, within the Time by the said Act limited, be paid to the Sheriff or Sheriffs, and by him or them paid or delivered over to the Persons intitled to receive the same, without any Deduction, Fee or Reward whatsoever.

Regulations in the Returns of Writs in the Court of Session of Chester, and the Court of Common Pleas of Lancaster.

'XXXV. Whereas all Writs relating to Actions depending in the Court of Session of *Chester*, or in the 'Court of *Common Pleas*, held in and for the County Palatine of *Lancaster*, are returnable at the Great Ses- 'sions, and Sessions of Assizes held respectively for the said Counties, and at no other Time, by which 'means no Action that is commenced in the said Courts can be brought to Issue, and tried, before the next 'Session or Session of Assizes but one after such Action is commenced at the soonest, which is usually near 'a Year, and a great Delay to the Suitors of the said Courts, and many other Inconveniencies do attend 'the Want of more frequent Returns of Writs in the said Courts:' For Remedy whereof, and for the greater Ease and Benefit of the Suitors in the same, Be it further enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-nine, all Writs of *Capias*, and other mesne Process, to answer relating to any Action or Suit, to be brought or commenced in the said Courts of Session for the said County of *Chester*, and Court of *Common Pleas* for the said County of *Lancaster*, that shall bear Teste in the preceding Session, or Session of Assizes respectively, shall and may be made returnable before his Majesty's Justices of the said Sessions at *Chester*, or Sessions of Assizes for the County of *Lancaster*, on the first *Wednesday* of any Month in each of the two Vacations annually, betwixt the said Session or Sessions of Assizes, or at the first Day of the next Session or Session of Assizes respectively,

ſpectively, at the Election of the Plaintiff or Plaintiffs, his, her or their Attorney, who ſhall ſue out the ſame; and that all ſuch Writs or Proceſs which ſhall iſſue out of the ſaid Courts reſpectively, returnable in the Vacations as aforeſaid, and whereon or wherewith the Defendant or Defendants ſhall be arreſted or ſerved with a Copy or Copies, ſuch Defendant or Defendants ſhall appear and file ſpecial Bail, or enter a Common Appearance, as the Caſe ſhall require, on the Day of ſuch Return, or within eight Days next after; and in Caſe of Neglect in bailable Actions, the Sheriff, Under Sheriff, or other Officer, ſhall at the Requeſt and Coſts of the Plaintiff or Plaintiffs, in ſuch Action or Suit, his, her or their Attorney or Agent, aſſign to ſuch Plaintiff or Plaintiffs, the Bail Bond taken for the Defendant's Appearance upon the Arreſt, by Indorſement and Atteſtation under his Hand in the Preſence of two or more credible Witneſſes; and the Plaintiff or Plaintiffs in ſuch Action, after ſuch Aſſignment made, may bring an Action or Suit upon ſuch Bail Bond, in his or their own Name or Names; and the ſaid Courts may, by Rule or Rules thereof reſpectively, give ſuch Relief to the Plaintiffs and Defendants in the Original Action, and to the Bail, ſo ſued upon the Bail Bond, as is agreeable to Juſtice and Reaſon; and in caſe of Service, the Copy of Writs or Proceſs, returnable in the Vacation Time as aforeſaid, and the Defendant or Defendants ſo ſerved therewith, ſhall not appear at the Return of ſuch Writ or Proceſs, or within eight Days next after the Return thereof as aforeſaid, it ſhall and may be lawful to and for the Plaintiff or Plaintiffs, in ſuch Action, upon Affidavit being made and filed with the Prothonotary of the ſaid Courts reſpectively, or his Deputy, of the Perſonal Service of ſuch Proceſs as aforeſaid, to enter a common Appearance or Appearances for the Defendant or Defendants, and to proceed thereon, as if ſuch Defendant or Defendants had entered his, her or their Appearance; and that all Writs which ſhall be made returnable in the ſaid Courts reſpectively, on ſuch Return Days as aforeſaid, ſhall and may (in caſe the Plaintiff or Plaintiffs declare according to the Practice of the ſaid Courts reſpectively) be proceeded upon in like Manner as if the ſame had been made returnable at the preceding Seſſion or Seſſion of Aſſizes for the ſaid Counties Palatine reſpectively; any Law, Statute, Uſage or Cuſtom to the contrary thereof in any wiſe notwithſtanding.

'XXXVI. And whereas a Doubt hath ariſen, whether the ſolemn Affirmation or Declaration of the 8 Geo. 1. c. 6.
'People called *Quakers*, preſcribed by an Act made in the eighth Year of the Reign of his late Majeſty
'King GEORGE the Firſt, (intituled, *An Act for granting the People called* Quakers, *ſuch Forms of Affirma-*
'*tion or Declaration as may remove the Difficulties which many of them lie under*) can be allowed and taken in-
'ſtead of an Oath, in any Caſe wherein by any Act or Acts of Parliament an Oath is required, unleſs the
'ſaid Affirmation or Declaration be by ſuch Act or Acts of Parliament particularly and expreſly directed to
'be allowed and taken inſtead of ſuch Oath; by Reaſon of which Doubt the Teſtimony of the ſaid People
'called *Quakers*, is frequently refuſed; whereby the ſaid People, and others requiring their Evidence, are
'ſubjected to great Inconveniencies:' Therefore for removing the ſaid Doubt, Be it enacted and declared by the Authority aforeſaid, That in all Caſes wherein by any Act or Acts of Parliament now in Force, or hereafter to be made, an Oath is or ſhall be allowed, authorized, directed or required, the ſolemn Affirmation or Declaration of any of the People called *Quakers*, in the Form preſcribed by the ſaid Act made in the eighth Year of his ſaid late Majeſty's Reign, ſhall be allowed and taken inſtead of ſuch Oath, although no particular or expreſs Proviſion be made for that Purpoſe in ſuch Act or Acts; and all Perſons who are or ſhall be authorized or required to adminiſter ſuch Oath, ſhall be, and are hereby authorized and required to adminiſter the ſaid Affirmation or Declaration; and the ſaid ſolemn Affirmation or Declaration, ſo made as aforeſaid, ſhall be adjudged and taken, and is hereby enacted and declared to be of the ſame Force and Effect, to all Intents and Purpoſes, in all Courts of Juſtice, and other Places, where by Law an Oath is or ſhall be allowed, authorized, directed or required, as if ſuch *Quaker* had taken an Oath in the uſual Form; and if any Perſon making ſuch Affirmation or Declaration, ſhall be lawfully convicted of having wilfully, falſely and corruptly affirmed and declared any Matter or Thing, which, if the ſame had been depoſed in the uſual Form, would have amounted to wilful and corrupt Perjury, every Perſon ſo offending ſhall incur and ſuffer the like Pains, Penalties and Forfeitures, as by the Laws and Statutes of this Realm are to be inflicted on Perſons convicted of wilful and corrupt Perjury.

Affirmation of Quakers allowed in all Caſes in lieu of an Oath required by Act of Parliament.

Penalty on falſe Affirming.

XXXVII. Provided nevertheleſs, and be it enacted, That no *Quaker* ſhall, by virtue of this Act, be qualified or permitted to give Evidence in any Criminal Caſes, or to ſerve on Juries, or to bear any Office or Place of Profit in the Government; any Thing herein contained to the contrary notwithſtanding.

Not to extend to Criminal Caſes, &c.

CAP. XLVII.

An Act for the more eaſy and ſpeedy Recovery of Small Debts, within the Town and Borough of *Southwark*, and the ſeveral Pariſhes of *Saint Saviour*, *Saint Mary* at *Newington*, *Saint Mary Magdalen Bermondſey*, *Chriſt Church*, *Saint Mary Lambeth*, and *Saint Mary* at *Rotherhithe*, in the County of *Surry*, and the ſeveral Precincts and Liberties of the ſame.

'WHEREAS ſeveral Perſons living and reſiding within the Town and Borough of *Southwark* in the
'County of *Surry*, and the ſeveral Pariſhes of *Saint Saviour*, *Saint Mary* at *Newington*, *Saint Mary*
'*Magdalen Bermondſey*, *Chriſt Church*, late Part of *Saint Saviour's*, *Saint Mary Lambeth*, and *Saint Mary* at
'*Rotherhithe*, in the ſaid County of *Surry*, and the ſeveral Precincts and Liberties thereof, contract many
'Small Debts, which in the Whole amount yearly to a great Sum of Money; and although they are well
'able to pay ſuch Debts, yet they refuſe ſo to do, preſuming on the Diſcouragements which their Creditors
'lie under from the Expence which they are unavoidably put to in ſuing for the ſame, and the Delays they
'meet with even after they have obtained Judgment; and as nothing contributes more to the promoting of
'Induſtry, and the Support of uſeful Credit, than providing an eaſy and ſpeedy Method for recovering
'of ſmall Debts;' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for such Parishioners of the several and respective Parishes within the said Town and Borough of *Southwark*, and of the several Parishes of *Saint Saviour*, *Saint Mary* at *Newington*, *Saint Mary Magdalen Bermondsey*, *Christ Church*, late Part of and comprized in the Parish of *Saint Saviour*, *Saint Mary Lambeth*, and *Saint Mary* at *Rotherhithe*, in the said County of *Surry*, as have a Right to assemble in their several and respective Vestries, and they are hereby respectively impowered and required, within two Calendar Months after the making and passing of this Act; and also on the *Tuesday* next after the Feast of *Easter*, which will be in the Year of our Lord one thousand seven hundred and fifty, and so on every *Tuesday* next after the Feast of *Easter* in every successive Year, to nominate and assign in the Whole, the Number of one hundred and thirty-two of the most substantial and discreet Persons residing within their respective Parishes, who are to be Commissioners for the Purposes herein after-mentioned and expressed, to be appointed by such Parishioners of the said several Parishes in Manner following; *videlicet*, such Parishioners of the Parish of *Saint Olave* in *Southwark*, to nominate and assign twelve of the said Persons; the Parish of *Saint John* in *Southwark* other twelve; the Parish of *Saint George* in *Southwark* other twelve; the Parish of *Saint Thomas* in *Southwark* six; the said Parish of *Saint Saviour* eighteen; the said Parish of *Newington* twelve; the said Parish of *Saint Mary Magdalen Bermondsey* eighteen; the said Parish of *Christ Church* six; the said Parish of *Lambeth* eighteen; and the said Parish of *Rotherhithe* eighteen: And the Churchwardens of each respective Parish for the Time being, or one of them, shall, within two Days next after such Nomination, cause two Lists to be made out, of the several Persons so respectively nominated and appointed as aforesaid; and shall cause one of the Lists, or a true Copy thereof, to be fixed or stuck up on the Church Door of their respective Parish; and shall deliver, or cause to be delivered, the other to the Chief Bailiff of the said Town and Borough of *Southwark*, or his Deputy, who shall forthwith cause a Copy of such Lists to be made, and stuck up in some convenient Part of the Town Hall of the said Town and Borough of *Southwark*; which said Persons, so nominated and returned for the said several Parishes respectively as aforesaid, from time to time, are hereby declared, constituted and appointed to be Commissioners to hear and determine all such Matters of Debt as are herein after-mentioned; and such Commissioners are hereby constituted a Court of Justice, by the Name of *The Court of Requests for the Town and Borough of* Southwark *in the County of* Surry; and the said Commissioners, or any three or more of them, are hereby authorized, impowered and required to assemble, sit and hold the said Court twice in every Week, *videlicet*, on every *Tuesday* and *Friday*, in the Court House of the said Town and Borough, situate and being at *Saint Margaret's Hill*, within the said Town and Borough, or in some convenient Part thereof, or some other Place near or thereunto adjoining, so as not to impede or interrupt the Business, at any Time hereafter to be done by or before his Majesty's Justices of Assize, Justices of Oyer and Terminer, Justices of Gaol Delivery, or Justices of the Peace, or the Courts Leet, or Courts of Sewers, usually done, held or kept in the said Court House; and the said Commissioners, so to be assigned and appointed for the time being, or any three or more of them, shall have Power and Authority, by virtue of this Act, to give Judgment and Decree, and to award Execution thereupon, with Costs, against the Bodies, or against the Goods and Chattles of all and every the Person or Persons against whom they shall give any Judgment or Decree, as to them shall seem just in Law or Equity.

The Parishioners to meet in their Vestries, and to nominate 132 Commissioners.

The Number which each Parish is to appoint.

Lists to be made out,

to be stuck on the Church Door, and delivered to the Chief Bailiff, and a Copy to be stuck up in the Town Hall.

Stile and Title of the Court.

Three Commissioners to sit twice a Week, &c.

Power of Commissioners.

II. And, for the more orderly and regular Proceeding in the said Court, and that no undue Preference or Delay may be made or given in summoning the said Commissioners to attend the Business of the said Court, Be it further enacted by the Authority aforesaid, That the said Chief Bailiff, or his Deputy (who are hereby impowered and required, from time to time, so to do) shall, within two Days next after such several Lists shall be returned to him as aforesaid, summon, or cause to be summoned, the first three Persons named in each List containing eighteen, the first two Persons in each List containing twelve, and the first Person named in each List containing six, to attend as Commissioners of the said Court for one Calendar Month then next following; and so the like Number of Persons out of every List, as they shall stand in Order and Rotation therein respectively, to serve as Commissioners from Month to Month, during the Term for which they are chosen Commissioners.

Chief Bailiff to summon a certain Number to attend for 1 Month.

III. Provided always, That nothing herein before contained shall extend, or be construed to extend, to exclude or debar any of the Persons who shall be nominated and returned for Commissioners as aforesaid (although they be not in Rotation) from sitting in the said Court; but that all such Commissioners shall and may, as often as they shall respectively think fit, sit and give Judgment therein; any thing herein before contained to the contrary thereof notwithstanding.

Commissioners impowered to sit, tho' not in Rotation.

IV. And be it enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-nine, it shall and may be lawful to and for every Resiant and Inhabitant of the said Town and Borough of *Southwark*, and for all the Resiants and Inhabitants within the said several Parishes of *Saint Saviour*, *Saint Mary* at *Newington*, *Saint Mary Magdalen Bermondsey*, *Christ Church*, late Part of *Saint Saviour's*, *Saint Mary Lambeth*, and *Saint Mary* at *Rotherhithe*, in the County of *Surry*, and to and for all and every Person and Persons renting or keeping any Shop, Shed, Stall or Stand, or seeking a Livelihood within the said Town and Borough, or within any of the Parishes, Limits or Precincts aforesaid, who now have, or hereafter shall have any Debt or Debts owing unto him, her or them, not exceeding the Sum of forty Shillings, by any Person or Persons whatsoever, inhabiting, or seeking a Livelihood, within the said Town and Borough, or within any of the Parishes, Limits or Precincts aforesaid, to cause such Debtor or Debtors, so inhabiting, seeking a Livelihood, as aforesaid, to be warned or summoned by the Chief Bailiff of the said Town and Borough for the time being, or his Deputy Officer or Officers (who are hereby appointed, authorized and required to execute all Warrants, Precepts and Process of the said Court of Requests) by Writing left at the Dwelling house, or Place of Abode, Shop, Shed, Stall, Stand, or any other Place of Dealing of such Debtor or Debtors, or by any other reasonable Warning or Notice, to appear before the Commissioners of the said Court, to be held at or in the Place aforesaid; and that the said Commissioners, or any three or more of them, shall, after such Summons as

Method of Proceedings, and Recovery of Debts not exceeding 40s.

as aforesaid, have full Power and Authority, by virtue of this Act, to make or cause to be made, such Acts, Order or Orders, Decrees, Judgments and Proceedings, between such Party or Parties, Plaintiffs, and his, her or their Debtor or Debtors, Defendants, touching such Debts, not exceeding the Sum of forty Shillings, in question before them, as they shall find to stand with Equity and good Conscience; and all such Acts, Decrees, Judgments and Proceedings, Order or Orders, shall be entred and registred in a Book, to be kept for that Purpose by the Clerk or Clerks of the said Court, or his or their sufficient Deputy or Deputies; and shall be observed, performed, and kept in all Parts, as well by the Plaintiff, as the Debtor or Defendant.

Orders, &c. of the Court to be registred.

V. And for the more due and regular Proceeding in the said Court intended to be established by this Act, it is hereby further enacted, That it shall and may be lawful for the said Commissioners, or any three or more of them, to administer an Oath to the Plaintiff or Defendant, and to such Witness or Witnesses as shall be produced by each Party, and also to all the Officers of the said Court, for or concerning any Business relative thereunto, if the same Commissioners, or any three or more of them, shall so think it meet.

Commissioners impowered to administer Oaths.

VI. And be it further enacted by the Authority aforesaid, That if in any Action of Debt, or Action on the Case, upon an *Assumpsit* for Recovery of any Debt to be sued or prosecuted against any Person or Persons aforesaid, in any of the King's Courts at *Westminster* or elsewhere, out of the said Court of Requests, it shall appear to the Judge or Judges of the Court where such Action shall be sued or prosecuted, that the Debt to be recovered by the Plaintiff in such Action doth not amount to the Sum of forty Shillings, and the Defendant in such Action shall duly prove, by sufficient Testimony, to be allowed by any the Judge or Judges of the said Court where such Action shall depend, that at the Time of commencing such Action, such Defendant was inhabiting and resiant within the said Town and Borough of *Southwark*, or any of the Parishes, Limits and Precincts aforesaid, in the County of *Surry*, and was liable to be warned or summoned before the said Court of Requests for such Debt, then, and in such Case, the said Judge or Judges shall not allow to the said Plaintiff any Costs of Suit; but shall award that the said Plaintiff shall pay so much ordinary Costs to the Party Defendant, as such Defendant shall justly prove before the said Judge or Judges it hath truly cost him in the Defence of the said Suit.

If Action for Debt under 40s. shall be sued in any other Court,

the Judge to award the Defendant Costs.

VII. And, for the more effectual establishing of the said Court of Requests, and the better enforcing the Orders and Decrees which shall be made by the said Commissioners; and that the said Commissioners may be invested with proper Power and Authority, and be free and exempt from any Insults or Abuses; Be it further enacted by the Authority aforesaid, That if any Person or Persons shall contemptuously affront, insult or abuse all or any of the Commissioners of the said Conrt, during their Sitting in the said Court, it shall and may be lawful to and for the said Chief Bailiff, or his Deputy Officer or Officers, by Order of the said Commissioners then sitting, or any three or more of them, to take such Person or Persons so offending as aforesaid, into Custody, and carry him, her or them before one or more of his Majesty's Justice or Justices of the Peace for the said County of *Surry*, to answer such Affront, Insult or Abuse; and upon the Fact alledged being duly proved, upon the Oath or Oaths of one or more credible Witness or Witnesses, against him, her or them, then, and in such Case, the said Justice or Justices shall proceed to punish such Person or Persons so offending as aforesaid, by Fine or Imprisonment, or both; provided that the Fine on any one Person do not exceed the Sum of twenty Shillings, and that the Imprisonment be for no longer Time than ten Days.

Penalty of insulting the Court.

VIII. And be it enacted by the Authority aforesaid, That upon the Nonpayment of the said Fine, so to be imposed or set upon every Person convicted of offending as aforesaid, it shall and may be lawful for the said Justice or Justices to issue a Warrant or Warrants, under his or their Hands and Seals, for levying the said Fine or Fines so imposed upon the Goods and Chattles of every such Offender or Offenders, being then resiant or inhabiting within the said Town and Borough, or within any of the Parishes, Limits or Precincts aforesaid, and to cause Sale to be made thereof, in case they shall not be redeemed in five Days, rendering the Overplus, if any, to the Owner upon Demand, after deducting the reasonable Charges of such Distress and Sale; which Fine or Fines, when levied or received by virtue of this Act, shall be immediately paid over into the Hands of the Churchwardens or the Overseers of the Poor of the Parish, wherein every such Offender shall, at the Time of such Offence committed, inhabit, dwell, or seek a Livelihood, towards the Support and Maintenance of the Poor of the same Parish; and if such Offender or Offenders shall not be resiant or inhabiting within the said Town and Borough, or within any of the Parishes, Limits or Precincts aforesaid, or shall not have any Goods or Chattles within the said Town and Borough, or within any of the Parishes, Limits or Precincts aforesaid, whereof such Fine or Fines can be levied as aforesaid; then and in such Case, and upon Nonpayment of such Fine or Fines, it shall and may be lawful for the said Justice or Justices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders to the County Gaol of the said County of *Surry*, there to remain until he, she or they shall pay the said Fine or Fines so imposed as aforesaid, not exceeding one Calendar Month; and such Fine or Fines, when levied or received, shall be immediately paid over into the Hand of the Justice or Justices who granted such Warrant or Warrants, as aforesaid, to be distributed among the poor Prisoners for Debt in the said Prison, in such Manner as he or they shall think fit.

Fine to be levied by Distress and Sale.

Offender not being an Inhabitant, &c.

and not paying the Fines, to be committed.

IX. And be it further enacted by the Authority aforesaid, That the Clerks of the said Court, or one of them, shall fix, or cause to be fixed or stuck up, in the most publick Part of the Court House of the said Town and Borough, or other Place where the said Commissioners shall sit to do Business as aforesaid, a true Copy of the two last preceding Clauses of this Act, to the End that no Person or Persons shall or may pretend Ignorance in the Premisses.

Copy of the two preceding Clauses to be stuck up in the Court House.

X. And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall make Oath, or give Evidence, in any Cause depending in the said Court of Requests, whereby he, she or they, shall commit any wilful or corrupt Perjury, and thereof be duly convicted according to Law, then every such

Penalty of wilful or corrupt Perjury.

Person or Persons shall incur and suffer the like Pains and Penalties, as any other Person or Persons convicted of wilful Perjury, according to the Laws and Statutes of this Realm.

Clerks appointed.

XI. And be it further enacted by the Authority aforesaid, That *John Butler*, of the Parish of *Saint Olave Southwark*, in the County of *Surry*, Gentleman, and *Hammett Richardson*, of the Parish of *Saint Mary Magdalen Bermondsey* in the County aforesaid, Gentleman, are constituted and appointed Clerks of the said Court of Requests during their respective good Behaviour therein; who shall and are hereby required to issue out all Summonses, Warrants, Precepts, Acts, Orders, Decrees, Judgments, Attachments and Proceedings of the said Court; and shall keep proper Books, wherein shall be entered and registered all Acts, Orders and Proceedings of the same Court.

Method of choosing Clerks.

XII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners in Court, or the major Part of them, on the next Court Day after the Death, Resignation or legal Amoval of both or either of the said *John Butler*, and *Hammett Richardson*, the Clerks appointed by this Act, or so soon after as the same is publickly known, and they are hereby required, to cause the whole Number of Commissioners to be summoned, who, next before such Death, Resignation or Amoval, were nominated and returned, as aforesaid, to meet at the Place aforesaid, within twenty Days next after their being summoned as aforesaid; and such Commissioners at such Meeting are hereby authorized, impowered and required, by Ballot, to elect and choose another Person or Persons in the Room of both or either of the said *John Butler* and *Hammett Richardson* so dying, resigning, or being amoved as aforesaid, for the Uses and Purposes in this Act contained; and so from time to time, upon every Vacancy of the said Office of Clerk, for ever.

Commissioners not to act till they have taken the Oath following.

XIII. And be it further enacted by the Authority aforesaid, That no Person or Persons shall be capable of acting as Commissioner or Commissioners in the Execution of the Powers given by this Act, until such Time as he and they shall respectively have taken an Oath to the Effect following:

The Oath.

'I *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my Judg-
'ment, hear and determine such Matters and Things as shall be brought before me by virtue of an Act
'of Parliament, intituled, *An Act for the more easy and speedy Recovery of small Debts, within the Town and*
'*Borough of* Southwark, *and the several Parishes of* Saint Saviour, Saint Mary *at* Newington, Saint Mary
'Magdalen Bermondsey, Christ Church, Saint Mary Lambeth, *and* Saint Mary *at* Rotherhithe, *in the*
'*County of* Surry, *and the several Precincts and Liberties of the same*; without Favour or Affection to either
'Party.'

Clerk to administer and register the Oath.

Which Oath the said Clerks, or one of them, is or are hereby impowered to administer; and shall cause a Memorial thereof to be entered among the Records of the said Court.

XIV. And be it further enacted by the Authority aforesaid, That the several Fees and Sums of Money hereafter limited and expressed, and no more or greater Fees, shall and may be taken for the respective Services of the Bailiff and Clerks; that is to say,

Table of Fees.

'For every Summons, to the Bailiff three Pence, to the Clerk three Pence.
'For every Hearing, to the Bailiff one Penny, to the Clerk three Pence.
'For an Attachment against the Defendant for not appearing to the Summons, to the Bailiff one Shil-
'ling and two Pence, to the Clerk six Pence.
'For giving Notice to the Complainant of the Service of the Attachment, to the Bailiff four Pence.
'For an Execution, to the Bailiff one Shilling and two Pence, to the Clerk ten Pence.
'For paying Money into Court, to the Bailiff one Penny, to the Clerk seven Pence.
'For acknowledging Satisfaction in full, to the Bailiff, two Pence, to the Clerk four Pence.
'For acknowledging Satisfaction in part, to the Bailiff one Penny, to the Clerk three Pence.
'For searching the Books, to the Clerk two Pence.
'For calling the Defendant before the Court, when he refuses to appear, to the Bailiff two Pence, to the
'Clerk two Pence.
'For the Complainant's marking his Appearance, to excuse his Attendance the first Court Day, to the
'Clerk four Pence.
'For a Nonsuit on the Plaintiff not appearing, to the Clerk two Pence.'

Table of Fees to be hung up in the Court House.

A Table of which said Fees shall be hung up by the Clerks of the said Court, or one of them, in some publick and conspicuous Part of the said Court House, or other Place where the said Commissioners shall meet for the Purposes aforesaid, to the End that all Persons concerned may, at all Times, see and read over the same; and if the said Chief Bailiff for the time being, or any of his Officers, shall take or demand any greater or other Fees, than as above-mentioned, or shall otherwise misbehave himself or themselves in the Execution of his or their Office, then he and they, for every such Offence, shall forfeit and pay the Sum of twenty Pounds to any Person or Persons, who shall sue for the same in any of his Majesty's Courts of Record at *Westminster*, together with full Costs of Suit, by Action of Debt, Bill, Plaint or Information; in which no Essoin, Privilege, Protection or Wager of Law, or any more than one Imparlance shall be allowed; so that such Action or Suit be commenced within three Calendar Months after the Offence be committed, and not otherwise.

Officers taking other Fees, or misbehaving, to forfeit 20 l. and Costs.

Actions to be commenced in 3 Months.

Regulations on Complaint of Misbehaviour of Clerks.

XV. And be it further enacted by the Authority aforesaid, That upon Complaint made by any Person or Persons, of the Misbehaviour or Breach of Duty of any Clerk or Clerks appointed or to be appointed by virtue of this Act, or of any Clerk or Clerks taking or demanding any greater or other Fees than as above-mentioned, it shall and may be lawful to and for the said Commissioners then sitting in Court to inquire into the Nature of such Complaint; and if it shall appear to the said Commissioners, or the major Part of them, that such Complaint deserves the Consideration of the whole Number of Commissioners nominated and returned, as aforesaid, then such Commissioners so sitting in Court, as aforesaid, are hereby directed and required to cause the whole Number of Commissioners to be summoned to meet as soon as conveniently may be, by publick Notice

tice to be given in the several Parish Churches within the said District, by the Parish Clerks thereof, immediately after Divine Service, on the *Sunday* Morning next before such Meeting is to be held, such *Sunday* being at least four Days before the holding of such Meeting, and examine into the Merits of such Complaint; and if it shall then appear to such Commissioners, or the major Part of them, that such Clerk or Clerks have or hath been guilty of a gross Misbehaviour, or Breach of Duty, in his or their Office, that then it shall and may be lawful to and for the said Commissioners, or the major Part of them, to suspend or remove such Clerk or Clerks from his or their said Office, and to elect and choose another Person or Persons in his or their Room.

Limitation with respect to certain Debts, &c.

XVI. Provided always, That this Act, or any Thing therein contained, shall not extend to any Debt for any Rent upon any Lease of Lands or Tenements, or any other real Contracts, nor to any other Debt that shall arise by reason of any Cause concerning Testament or Matrimony, or any Thing concerning or properly belonging to the Ecclesiastical Court, albeit the same shall be under forty Shillings; any thing before contained to the contrary in any wise notwithstanding.

Limitation of Actions.

XVII. And be it enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Matter or Thing done or to be done in pursuance of this Act; then, and in such Case, such Action or Suit shall be brought or commenced within three Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants in such Action or Suit to be brought, shall and may plead the General Issue, and give this Act, and the Special Matter in Evidence at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his or their Action or Actions, Suit or Suits; or if upon Verdict or Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any other Cases by Law.

General Issue.

Treble Costs.

Quakers Affirmation allowed.

XVIII. Provided always, and be it further enacted by the Authority aforesaid, That the Affirmation or Affirmations of the People called *Quakers*, shall be allowed of and taken in all Cases where any Oath or Oaths is or are directed to be taken by this Act, instead of such Oath or Oaths; and shall be administered by the same Persons, as such Oath or Oaths is or are to be administered; and every Person making such Affirmation, who shall be convicted of wilful and false Affirming, shall incur and suffer the same Penalties and Forfeitures, as are inflicted and imposed by any Laws and Statutes of this Realm, upon Persons convicted of wilful and corrupt Perjury.

Penalty on false Affirming.

Publick Act. *Explained and amended by* 32 *Geo.* 2. *c.* 6.

XIX. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act; and be judicially taken Notice of as such by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

CAP. XLVIII.

An Act to ascertain and establish the Method of Proceeding to and upon Outlawries for High Treason, and Misprision of High Treason, in *Scotland*.

7 Annæ, c. 21.

'WHEREAS by virtue of an Act of Parliament made in the seventh Year of the Reign of her late 'Majesty Queen ANNE, intituled, *An Act for improving the Union of the two Kingdoms*, all Pro- 'ceedings upon Indictments for High Treason or Misprision of High Treason, committed in *Scotland*, ought 'to be according to the Laws of *England*: And whereas Doubts may arise touching the Method of Pro- 'ceeding in *Scotland* to outlaw Persons, against whom Bills of Indictment are or may be found there for 'High Treason or Misprision of High Treason, by reason of the different Forms of Proceedings of the 'Courts of Justice in *England* and in *Scotland*, and of the different Kinds of Officers to carry the same 'into Execution:' Now, in order to remove all such Doubts, and to establish one certain, clear and plain Order and Method of Proceeding to Outlawry against Persons who have been, or shall be indicted for High Treason, or Misprision of High Treason, in *Scotland*; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Person or Persons is, are or shall be indicted for High Treason or Misprision of High Treason, before any Court of Justice in *Scotland*, having Jurisdiction to take such Indictments, and shall not be in Custody for the same, the Court wherein such Indictment is or shall be found, or to which the same is or shall be duly certified, shall have full Power and Authority, and are required, to issue one Writ of *Capias* against the Person or Persons so indicted, being so out of Custody as aforesaid, directed to the Sheriff or Stewart of the County, Shire or Stewartry, wherein such Indictment is or shall be found, and made returnable in the same Court, forty-two Days at the least after the Teste thereof, or a longer Time, by the Discretion of the said Court, if the Case requires it; which Writ shall be delivered to such Sheriff or Stewart, who shall endeavour to find and apprehend the Defendant or Defendants named in such Writ, within his County, Shire or Stewartry; and if the Defendant or Defendants shall be named in the said Writ of any Parish or Place which lies in any County, Shire or Stewartry, other than that in which such Indictment shall be found, then the said Court shall issue one other Writ of *Capias* to the Sheriff or Stewart of such other County, Shire or Stewartry, of the same Teste, Return and Import with the said first-mentioned Writ of *Capias*; and if such respective Sheriff or Stewart shall return to both the said Writs, or to the said first-mentioned Writ of *Capias* (in Cases where only one shall be necessary to be issued) that the said Defendant or Defendants is or are not to be found within the respective Counties, Shires or Stewartries of such Sheriff or Stewart, then the same Court shall issue two other Writs, the one a Writ of Proclamation, the other a Writ of Exigent, and tested the Day of the Return of the said Writ or Writs of *Capias*, and directed to the Sheriff or Stewart of the County, Shire or Stewartry in which the Parish or Place, House or Estate of which the Defendant or Defendants is, are

The Court, before whom any Indictment for High Treason or Misprision shall be found, to issue Writs of Capias against the Party if not in Custody, &c.

Or Writs of Proclamation and Exigent.

Manner of Execution, and laſt Return of the Writs.

are or ſhall be named or deſcribed in the ſaid Indictment lieth; and ſuch Writs ſhall be both returnable on one and the ſame future Day, and ſhall be delivered to ſuch Sheriff or Stewart, who ſhall execute and return the ſame in the Manner following (that is to ſay) By virtue of the ſaid Writ of Proclamation, the ſaid Sheriff or Stewart ſhall cauſe the ſaid Defendant or Defendants to be proclaimed three Times (that is to ſay) once at the Court of the Sheriff or Stewart Depute of ſuch Shire or Stewartry, and a ſecond Time at the Quarter-Seſſions of the Peace to be held for the ſame County, Shire or Stewartry, and a third Time near to the Church Door, or if there ſhall be no Church, in ſome publick Part of the Pariſh or Place of which the ſaid Defendant or Defendants ſhall be named or deſcribed in the ſaid Indictment, between the Hours of ten of the Clock in the Morning, and two in the Afternoon, and ſuch third Proclamation ſhall be made twenty-eight Days at leaſt before the fifth and laſt Sheriff's or Stewart's Depute Court, at which the ſaid Defendant or Defendants are to be called by virtue of the ſaid Writ of Exigent, in the Manner herein after-mentioned; and by virtue of the ſaid Writ of Exigent, the ſaid Sheriff or Stewart ſhall cauſe the Defendant or Defendants to be called to appear at each of the five ſucceſſive Courts to be held by the Sheriff or Stewart Depute for the ſaid County, Shire or Stewartry; and if the Defendant or Defendants ſhall not appear and ſurrender himſelf or themſelves, ſo as to be forth coming to Juſtice at ſome one or other of the ſaid Courts, at which he or they ſhall be ſo proclaimed or called as aforeſaid, the ſaid Sheriff or Stewart Depute ſhall, at the laſt of the ſaid five Courts, pronounce Judgment of Outlawry againſt him, her or them, and ſhall ſign ſuch Judgment of Outlawry; and the Sheriff or Stewart of ſuch County, Shire or Stewartry, ſhall return the ſame, and the Writs of Proclamation and Exigent, into the Court from whence the ſame ſhall iſſue, together with Indorſements on each, certifying that the ſaid Sheriff or Stewart has done every Thing required of him by the ſaid Writs, and that the Defendant or Defendants did not appear (if that ſhall be the Caſe) and thereupon ſuch Defendant or Defendants ſhall be and be deemed to be outlawed for ſuch High Treaſon or Miſpriſion of High Treaſon reſpectively, according to Law, to all Intents and Purpoſes whatſoever; and the Defendant or Defendants ſo outlawed for High Treaſon, ſhall be and be deemed to be attainted of ſuch High Treaſon as is or ſhall be mentioned and contained in ſuch Indictment, and ſhall be ſubject and liable to ſuch and the like Execution and Corruption of Blood, and to ſuch and the like Pains, Penalties, Forfeitures and Proceſſes, with reſpect to their Eſtates Real and Perſonal, moveable and immoveable, to which Perſons attainted of High Treaſon are by Law ſubject and liable; and the Defendant or Defendants ſo outlawed for Miſpriſion of High Treaſon, ſhall be ſubject and liable to all ſuch and the like Forfeitures, and to all ſuch and the like Proceſſes, out of the Court where the ſaid Writ or Writs, Proclamation or Proclamations, and Judgment of Outlawry ſhall be returned, and alſo out of the Court of *Exchequer* in *Scotland*, to ſeize and take the Perſon and Eſtate, and Goods moveable and immoveable, Real and Perſonal, of ſuch Defendants ſo outlawed for Miſpriſion of High Treaſon, as Perſons outlawed according to the Law of *England* for Miſpriſion of High Treaſon are liable and ſubject to; and all Defendants outlawed for High Treaſon or Miſpriſion of High Treaſon, in *Scotland*, ſhall, as near as can be, have all ſuch and the like Writs, Means, Methods, Remedies and Advantages, in ſuch and the like Manner and Time, and on ſuch and the like Terms and Conditions, for avoiding, falſifying or reverſing any ſuch Outlawry, as may be had by the Law and Uſage of *England* in the like Caſes (excepting ſo far as the Forms of Proceeding are varied and ſettled by this Act); and all the Writs herein before-mentioned, with the Returns thereof, and Judgments of Outlawry, ſhall be recorded and preſerved in the Court to which the ſaid Writs ſhall be returned, unleſs removed by due Courſe of Law.

Defendants not appearing, to be outlawed, and attainted.

Outlawed Perſons to have the Remedies allowed by the Laws of England.

The Writs, with the Returns and Outlawries, to be recorded.

II. And whereas the Courts of the Sheriff or Stewart Depute in *Scotland*, are not held at certain ſtated Times, which might occaſion Uncertainty and Delay in the before-mentioned Proceedings, Be it enacted by the Authority aforeſaid, That ſuch Sheriffs or Stewarts, to whom the ſaid reſpective Writs of Proclamation and Exigent ſhall be directed and delivered, ſhall, and they are hereby impowered and required forthwith to cauſe five ſucceſſive Courts of the Sheriff or Stewart Depute to be held for the Purpoſes before-mentioned, in ſuch Manner as ſhall be neceſſary for the due Execution of the ſaid Writs, three Days Notice being firſt given, before the firſt Court, at the Head Borough of the County or Stewartry, of the Times and Places where ſuch Courts ſhall be held; and the firſt of the ſaid five ſucceſſive Courts, at which the Defendant or Defendants is or are to be called by virtue of the Writ of Exigent, ſhall be held within twenty Days after the Delivery thereof to the Sheriff or Stewart, and each of the four ſucceſſive Courts ſhall be held at the End of four Weeks from the Court preceding.

Five ſucceſſive Courts to be held by the Sheriff to whom Writs of Exigent ſhall be directed.

Forms of the ſeveral Writs, and their Execution.

Writ of Capias.

Writ of Proclamation.

III. And be it further enacted by the Authority aforeſaid, That all the ſaid Writs of *Capias*, Proclamation and Exigent, ſhall be in the Name of his Majeſty, his Heirs and Succeſſors, under the Seal of ſuch Courts from whence the ſame ſhall iſſue, and ſuch Writ of *Capias* ſhall contain a Command to the Sheriff or Stewart, to take the Defendant or Defendants, and bring him, her or them, before the Court whence the ſaid Writ ſhall iſſue, at a certain Time and Place therein to be mentioned; and the Writ of Proclamation ſhall command ſuch Sheriff or Stewart to take the Defendant or Defendants, and have him, her or them before ſuch Court, at a certain Time and Place therein to be mentioned; and if he, ſhe or they cannot be found within his Shire or Stewartry, then to cauſe publick Proclamation to be made in the Court of the Sheriff Depute or Stewart Depute, at the General Quarter-Seſſions of the Peace, to be held for the ſame Shire or Stewartry, and at the Door of the Church or Place, or if no Church, at ſome open Part of the Place, of which ſuch Defendant or Defendants is, are or ſhall be named or deſcribed in ſuch Indictment, that he, ſhe or they be before the Court from whence ſuch Writ ſhall iſſue, at a certain Time and Place therein to be mentioned; and the ſaid Writ of Exigent ſhall contain a Command to the Sheriff or Stewart, to cauſe the Defendant or Defendants to be called, from Court to Court of the Sheriff or Stewart Depute, until he, ſhe or they be outlawed; and if he, ſhe or they ſhall appear, then to take him, her or them, and have his, her or their Body or Bodies before the Court, whence ſuch Writ of Exigent ſhall iſſue, at a certain Time and Place therein to be mentioned, to anſwer to his Majeſty, his Heirs or Succeſſors, for the Crime of which he, ſhe, or they is, are or ſhall be indicted.

Writ of Exigent.

IV. And

IV. And be it further enacted by the Authority aforesaid, That if any Person, so to be outlawed for High Treason as aforesaid, shall, at the Time of such Outlawry pronounced, be Resiant or Inhabitant out of the Limits of this Kingdom of *Great Britain*, and such Person shall, within one Year after such Outlawry pronounced, yield himself or herself to the Lord Justice General, Justice Clerk, or any of the Commissioners of Justiciary in *Scotland*, he or she shall be at Liberty to traverse the Indictment on which such Outlawry shall be pronounced, and take his or her Trial thereupon; and in case he or she, on such Trial, shall be found Not Guilty, by Verdict of the Jury, he or she shall be clearly acquitted and discharged of the said Outlawry, and all Penalties and Forfeitures for the same, in as large and ample a Manner and Form, as though no such Outlawry had been made.

Persons being out of the Kingdom, and returning within a Year, may traverse the Indictment.

CAP. XLIX.

An Act for making a Free Market for the Sale of Fish in the City of *Westminster*; and for preventing the Forestalling and Monopolizing of Fish; and for allowing the Sale of Fish, under the Dimensions mentioned in a Clause contained in an Act of the first Year of his late Majesty's Reign, in case the same are taken with a Hook.

Refer to 13 *Ed.* 1. *stat.* 1. *c.* 47. 1 *Geo.* 1. *c.* 18. 5 *Geo.* 1. *c* 18. 2 *Geo.* 2. *c.* 19. 9 *Geo.* 2. *c.* 33.

WHEREAS a free and open Market for Fish in the City of *Westminster* would greatly tend to increase the Number of Fishermen, and improve and encourage the Fishery of this Kingdom;' May it please your most Excellent Majesty, that it may be enacted; and Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-nine, there shall be a free and open Market held in the City of *Westminster* for all Sorts of Fish whatsoever; and that it shall and may be lawful for any Person or Persons to buy or sell any Sort of Fish in the said Market, without any Disturbance or Molestation whatsoever; nevertheless yielding and paying such Sums as are herein after-mentioned.

A free Market for Fish to be held in Westminster.

This Act is explained and amended by 29 *Geo.* 2. *c.* 39. *which is in Part repealed by* 33 *Geo.* 2. *c.* 27.

II. And to the end the said intended Market may be erected, established and maintained, under such Rules and Regulations as are by this Act herein after directed and prescribed; Be it further enacted by the Authority aforesaid, That Lieutenant General *James Oglethorpe*, the Right Honourable *Granville Leveson Gower* Esquire, commonly called Lord Viscount *Trentham*; the Right Honourable *George Doddington* Esquire, Sir *Peter Warren* Knight of the *Bath*, Sir *Bouchier Wrey* Baronet, Sir *Robert Grosvenor* Baronet, Sir *John Crosse* Baronet, Sir *Richard Lloyd* Knight, *John Laroche* Esquire, *George Harrison* Esquire, *Thomas Fonnereau* Esquire, Reverend Doctor *Scawen Kenrick*, *William Lowndes* Esquire, Captain *Phillip Durell*, *Thomas Wyndham* Esquire, *Thomas Smith* Esquire, *Harman Verelst* Esquire, *George Payne* Esquire, *Henry Cheere* Esquire, *Daniel Gell* Esquire, *Francis Hutchinson* Esquire, *William Pearce* Esquire, the Reverend *Wilson*, D. D. one of the Prebendaries of the Collegiate Church of Saint *Peter*, *Westminster*; *Richard Combes* Esquire, *Francis Gwyn* Esquire, *Edward Vernon* Esquire, shall, from and immediately after the passing of this Act, be, and are hereby appointed Trustees for putting this Act in Execution; and they, or the Survivors of them, or any five or more of them, are hereby invested with all and every the Powers and Authorities given and granted by this Act.

Trustees Names,

'III. And whereas a Sum of Money will be necessary for preparing a proper Place for the said Market, 'and in maintaining and keeping the same in Repair, and other incidental Charges attending the same;' Be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and forty-nine, there shall be paid to the said Trustees, or such other Person or Persons as the said Trustees, or any five or more of them, shall, from time to time, appoint to receive the same, the following Sums by every Fisherman, or other Person or Persons, selling any Sort of Fish in the said Market, for coming with his Boat or Vessel to, or landing, standing, being or selling in or at the said Market; that is to say,

Duties to be paid by Fishermen.

'For each Vessel laden with Salt Fish, for Groundage, the Sum of eight Pence for each Day, and twenty 'Pence for each Voyage.

'For each Lobster-boat, Dogger-boat, Smack or other Vessel, laden with fresh Sea Fish, the Sum of 'two Pence for each Day for Groundage, and thirteen Pence each Voyage.

'For every Oyster-vessel or Cock two Pence each Day for Groundage, one Halfpenny for each Bushel for 'Metage, and thirteen Pence each Voyage.'

The Duties.

Which said several Sums shall, and they are hereby declared to be vested in the said Trustees and their Successors; and the same, and every Part thereof, shall be paid, applied and disposed of, and assigned to and for the several Uses, Intents and Purposes, and in such Manner as is herein after-mentioned and directed; and it shall and may be lawful to and for the said Trustees, or any five or more of them, or such Person or Persons as they, or any five or more of them, under their Hands and Seals, shall, at a General Meeting, nominate and appoint, to demand and take the Sums hereby granted and made payable; and to levy the same upon any Person or Persons who shall, after Demand thereof made, neglect or refuse to pay such Sums as aforesaid, by Distress of any Boat or Boats, or the Tackle or Furniture thereto belonging, or there found, and belonging to the Person or Persons, who by this Act are made liable to the Payment of the same; and to detain and keep such Goods and Chattels so distrained, until such Sums, with the reasonable Charges of such distraining and keeping, shall be paid; and such Person and Persons so distraining, after the Space of three Days after such Distress made and taken, shall and may sell the Goods so distrained, returning

Duties vested in the Trustees; and may be levied by Distress and Sale.

turning the Overplus, if any be, upon Demand, to the Owner thereof, after such Sums, and the reasonable Charges for distraining and keeping the same, shall be deducted and paid.

Trustees impowered to borrow Money, and assign the Duties.

'IV. And whereas the Money to be collected by virtue of this Act, will not immediately raise a sufficient Stock for effecting the Purposes thereof;' Be it therefore enacted by the Authority aforesaid, That from and after the passing this Act, the Trustees appointed or to be appointed to put the same in Execution, or any five or more of them, shall and may, from time to time, at a General Meeting held by them for that Purpose, by any Writing under their Hands and Seals, assign over the said Sums arising by virtue of this Act, or any Part thereof, as a Security for any Sum or Sums of Money to be borrowed by the said Trustees for the Purposes of this Act, to such Person or Persons, or their Trustees, who shall advance and lend the same, to secure the Payment thereof, with such Interest as shall be agreed upon, not exceeding five Pounds *per Centum per Annum*.

Application of Monies.

V. And be it further enacted by the Authority aforesaid, That out of the Money arising by the said Sums granted by this Act, or the Money borrowed on the Credit thereof, as aforesaid, the said Trustees, or any five or more of them, at a publick Meeting assembled, shall in the first Place pay and discharge all Expences and Charges incurred in passing this Act of Parliament; and in the next Place, shall pay and discharge the Expences of laying out, making and erecting a commodious Place for the said Market, and in finishing and keeping the same in Repair, and all other necessary Expences attending the Execution of this Act.

Trustees to appoint Officers,

VI. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall and may, at the first or any succeeding General Meeting, by Writing under their Hands and Seals, chuse and appoint one or more fit Person or Persons to be Collector or Collectors of the Sums aforesaid; and shall appoint one or more Treasurer or Treasurers, and all other necessary Officers, as to them shall appear proper for the better Execution of the Powers contained in this Act, allowing to such Person or Persons so by them appointed, such Salaries or other Rewards for their Trouble as to the said Trustees, or any five or more of them, shall appear just and reasonable; and the said Trustees, or any five or more of them, shall and they are hereby impowered to remove or displace such Treasurer or Treasurers, Collector or Collectors, or other Person or Persons whatsoever, so by them from time to time appointed, and to place others in their Stead; and the Person or Persons so appointed to collect and receive the said Sum or Sums, and also such Treasurer or Treasurers so appointed as aforesaid, shall, before the said Trustees, or any five or more of them, upon the first *Monday* in every Month, or oftener, if thereunto required by the said Trustees as aforesaid, give in a true, exact and perfect Account in Writing, under their respective Hands, of all the Monies which he or they, and every or any of them, shall to such Time have received, paid and disbursed by virtue of this Act, by reason of their respective Offices; and produce Vouchers for the same, and shall pay over such Balance to such Person or Persons, as the said Trustees, or any five or more of them, shall at such Meeting direct; and in case such Treasurer or Treasurers, Collector or Collectors, shall refuse to give in such Account as often as required by the said Trustees, or any five or more of them, at a General Meeting, such Person or Persons so refusing shall be committed to the common Gaol of the said City and Liberty, by Warrant under the Hand and Seal of any one of his Majesty's Justices of the Peace for the said City and Liberty of *Westminster*, upon Application made to him by two of the said Trustees, there to remain without Bail or Mainprize, until he or they shall make or render in a true, exact and perfect Account of their Receipts and Disbursements by virtue of this Act; and shall have produced and delivered up all Vouchers relating thereto; and shall have likewise paid over the Money due on such Account to such Person or Persons as the said Trustees, or any five or more of them, shall direct and appoint to receive the same.

and remove them.

Collector and Treasurer to account upon Oath,

and to produce Vouchers, and pay over the Balance,

and in Default, to be committed.

The Trustees to deliver yearly to the Justices, an Account of Receipts and Disbursements,

VII. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall yearly, and every Year, within six Weeks next after the twenty-fifth Day of *December*, make up, and deliver in to the Justices of the Peace acting within the said City of *Westminster*, at any Petty or Special Sessions assembled, a just, true and perfect Account in Writing, fairly entered in a Book or Books to be kept for that Purpose, and signed by the said Trustees, or any five or more of them, of all and every Sum and Sums of Money which they shall know to have been received or disbursed under the Authority of this Act, during the preceding Year, with the Balance (if any) remaining in the Hands of the said Trustees; and such Accounts shall be kept by the Clerk of the said Sessions among the Records thereof, to be inspected by any Person or Persons desiring the same, upon Payment of one Shilling to the said Clerk; and if any Surplus of the said Sums shall remain in the Hands of the said Trustees, the same is hereby appropriated to, and shall be applied yearly and every Year by them, within Twelve Months next after the delivering of such Accounts to the said Justices as aforesaid, in the Binding out Boys Apprentices to Fishermen, Masters of Ships, or some other Person or Persons employed in the Sea Service; such Boys to be chosen by a Majority of the said Trustees at a General Meeting to be held for that Purpose.

to be kept among the Records, &c.

Surplus to be applied in apprenticing Sea-Boys.

Fish bought in the Market, may be sold in any other Place.

VIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Fishmonger, or other Person or Persons whatsoever, who shall buy any Fish in the said Market, to sell the same again in any other Place or Places, within the said City of *Westminster*, or elsewhere, being sound and wholsome Fish, without any Lett or Disturbance from any Person or Persons whatsoever for so doing; any Law or Statute to the contrary thereof in any wise notwithstanding.

Contracts between Fishermen and Fishmongers before 29 Sept. 1749, declared void;

'IX. And whereas the Laws now in Being have proved insufficient to prevent the Monopolizing and Forestalling of Fish;' Be it further enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-nine, all and every Contract or Contracts, which shall, before that Time, have been made, and which are to take Effect after the said twenty-ninth Day of *September* one thousand seven hundred and forty-nine, between any Fishermen and Fishmongers, or between any other Persons whatsoever, in regard to the Sale of Fish to be afterwards sold by Retale, shall be, and are hereby declared to be absolutely void; and all such Contracts, which are or shall be made to take Effect in

in Part before the said twenty-ninth Day of *September* one thousand seven hundred and forty-nine, shall be, and are hereby declared to be void, so far as they shall relate to, or be intended to take Effect at any Time subsequent to the said twenty-ninth Day of *September* one thousand seven hundred and forty-nine; and if from and after the said twenty-ninth Day of *September* one thousand seven hundred and forty-nine, any Fisherman, Fishmonger, or any other Person or Persons whatsoever, shall enter into, or make any Contract or Contracts for buying up Fish to be sold again by Retale, before such Fish shall be brought to an open Market, and there exposed to publick Sale, such Contract or Contracts are hereby declared to be absolutely void; and each and every Party so contracting as well the Buyer as the Seller, shall forfeit and pay for every such Offence, the Sum of fifty Pounds, to be recovered and levied in Manner herein after-mentioned; one Moiety whereof shall be paid to the said Trustees appointed by this Act, or any five or more of them, or their Order, to be placed to the general Account, to be appropriated as aforesaid, and the other Moiety to such Person or Persons as shall inform, sue for, and recover the same.

Contracts to take Effect in Part before 29 Sept. to be void. Penalty on contracting for Fish to be sold by Retale, before the same shall be brought to Market. Application of the Forfeiture.

X. Provided always, That if either of the Parties so contracting as aforesaid, shall, before any Information made against him, inform against the other, such Party so informing, so as such other Party may be duly convicted of such Offence, shall not only be acquitted from the said Penalty, but shall also be intitled to sue for in his, her or their own Name, and recover the whole Forfeiture incurred by the other; one Moiety thereof to be paid to the said Trustees, and appropriated as aforesaid; and the other Moiety to such Person or Persons who shall sue for and recover the same.

Either Party informing, to be intitled to the Forfeiture. Application of the Forfeiture.

XI. Provided always, That nothing in this Act contained, shall extend, or be construed to extend, to make void any Contracts already made, or to prevent any Contracts to be made by any Fishmonger or Fishmongers, or any Person or Persons whatsoever, in regard to Fresh Salmon or Soles brought by Land Carriage, or to Oysters, or Salt or Dried Fish.

Contracts for Fresh Salmon, Soles, Oysters, Salt or Dried Fish, to subsist.

'XII. And lest Fishermen, and other Persons employed in catching, importing or vending of Fish, 'should bring Fish to *Queenborough*, *Gravesend*, or some other Place or Places in the River of *Thames*, 'and there keep it for a considerable Time, and send only small Quantities, from time to time, to Market, 'with a View to keep up the Price of the several Species of Fish, which such Person or Persons respectively 'import or trade in; which Practice will not only tend to enhance the Value of Fish, but also to render 'it unwholsome Food, to the great Prejudice of the Consumer, as well as the Fishery in general;' To prevent such Practices, Be it further enacted by the Authority aforesaid, That if any Fisherman, or other Person or Persons whatsoever, Natives or Foreigners, shall keep any Fish at *Queenborough*, *Gravesend* or other Place or Places, in any Well-boat, Store-boat, or any other Manner whatsoever, so as not to sell off their whole Cargoe of Fish, within the Space of eight Days, from their Arrival on the *British* Coast, between *North Yarmouth* and *Dover*, after their first Arrival at the respective Place or Places as aforesaid, every Person or Persons so offending, and being thereof lawfully convicted by the Confession of the Party, or the Oath of one or more credible Witness or Witnesses, shall, for every such Offence, forfeit the whole Cargoe of Fish belonging to him, and also the Vessel, with her Tackle, Apparel and Furniture, to be levied by Distress and Sale, by Warrant under the Hand and Seal of any one or more of his Majesty's Justices of the Peace for the respective County where the Offence shall be committed; which Warrant or Warrants the said Justice or Justices is and are hereby impowered and required to make, upon the Information on Oath of one or more credible Witness or Witnesses (which Oath the said Justice or Justices is and are hereby impowered and required to administer;) and the said Produce thereof shall go and be applied, one Moiety to the Use and Benefit of the Informer or Informers, and the other Moiety to the Poor of the Parish where the Offence shall be committed.

Penalty on Fishermen not selling their Fish within 8 Days from their Arrival on the Coast between Yarmouth and Dover. Application of the Forfeiture.

'XIII. And whereas the Commissioners for building a Bridge cross the River *Thames*, from the *New Pa-* 'lace Yard in the City of *Westminster*, to the opposite Shore in the County of *Surry*, are possessed of a Piece 'of Ground near *Cannon Row* in the said City of *Westminster*, which is conveniently situate for holding the 'said intended Market;' Be it therefore enacted and declared by the Authority aforesaid, That the said Commissioners are hereby authorized and impowered to make a Grant of the said Piece of Ground, to the Trustees appointed by this Act, and their Successors, to be made use of for holding the said intended Market; for the Grant of which Ground the said Trustees shall pay the said Commissioners the Sum of five Pounds, as the Consideration or Purchase-money for the same.

Commissioners for the Westminster Bridge, impowered to make a Grant of a Piece of Ground for the Market. 51. Purchase-money.

XIV. And be it further enacted by the Authority aforesaid, That the Right and Property of all the Buildings, and the Materials employed therein for making the said Market commodious, shall be vested in the said Trustees, appointed or to be appointed to put this Act in Execution, and they, or any five or more of them, are hereby authorized and impowered to bring Actions or prefer Bills of Indictment, against any Person or Persons who shall steal, take away, break down, or otherwise damage such Building or Materials employed therein.

Property of the Market vested in the Trustees.

XV. Provided always, and be it further enacted and declared, That no Person or Persons, appointed or to be appointed by this Act a Trustee or Trustees for putting the same in Execution, shall have or accept of any Place of Profit arising out of, or by reason of any Sums by this Act laid or granted; but such Person or Persons shall be incapable of acting as a Trustee or Trustees from the Time of his accepting, and during the Enjoyment of such Place of Profit as aforesaid.

No Trustee to accept of any Place of Profit.

XVI. And for continuing a sufficient Number of Trustees for putting this Act in Execution, Be it further enacted by the Authority aforesaid, That when and as often as any Trustee or Trustees shall die, or, by Writing under his or their Hand, refuse to act, it shall and may be lawful for such of the said Trustees as shall then survive or remain, or any seven or more of them, at any General Meeting, by any Writing or Writings under their Hands and Seals, to elect, nominate and appoint one or more fit Person or Persons in the Room or Place of such Trustee or Trustees so dying or refusing to act as aforesaid; and such Person or Persons so elected, nominated or appointed, shall be joined with such surviving or remaining Trustees, in Execution of all and every the Powers in them reposed by virtue of this Act.

On Death or Removal of Trustees, others to be chosen.

First Meeting of the Trustees.

XVII. And be it further enacted by the Authority aforesaid, That the first Meeting of the said Trustees shall be on the second *Monday* in *July*, at the House known by the Name of the *King's Arms* in the *New Palace Yard*, in the City of *Westminster*; and they shall have Power to adjourn their succeeding Meetings, from time to time, and to such Places, as they shall think fit.

Bonds for not suing for any Penalty, declared void.

XVIII. And be it further enacted by the Authority aforesaid, That all Bonds or other Securities whatsoever, to be entered into, or given, for not suing or recovering any Penalty or Forfeiture incurred or to be incurred by virtue of this Act, shall be, and they are hereby declared to be absolutely null and void; any Law, Statute, Custom or Usage to the contrary notwithstanding.

Forfeitures how to be recovered and applied.

XIX. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures incurred or inflicted by virtue of this Act, if not otherwise by this Act directed to be recovered, shall and may be prosecuted and recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance shall be allowed; and such Forfeitures shall go and be applied (if not otherwise directed by this Act) one Moiety thereof to the Person or Persons who shall inform, sue for, or recover the same; and the other Moiety to the Poor of the Parish where the Cause of Action shall arise.

Limitation of Actions.

XX. Provided always, and be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be brought within six Months next after the Fact committed, and not afterwards; and shall be laid or brought in the County or Place where such Offence shall be committed, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit so to be brought, shall and may plead the General Issue, Not Guilty, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, or that such Action or Suit shall be brought after the Time limited for bringing the same as aforesaid, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any Case by Law.

General Issue.

Treble Costs.

1 Geo. 1. c. 18. *See* 29 *Geo.* 2. c. 39.

'XXI. And whereas by an Act of the first Year of the Reign of his late Majesty King GEORGE the 'First, intituled, *An Act for the better preventing Fresh Fish taken by Foreigners being imported into this King-* 'dom; *and for the Preservation of the Fry of Fish*; *and for the giving Leave to import Lobsters and Turbets in* 'Foreign Bottoms; *and for the better Preservation of Salmon within several Rivers in that Part of this Kingdom* 'called England; it is enacted, That no Bret, Turbet, Bril or Pearl, Codlin, Whiting, Mullet, Bass, 'Place, Soles or Flounders, which shall not be of the several Lengths or Sizes therein described, shall be 'sold, offered or exposed to Sale, or exchanged for any other Goods, in that Part of *Great Britain* called *Eng-* 'land: And whereas several of the said Fish are taken with a Hook, and though thrown again into the 'Sea, cannot be preserved alive;' Be it enacted by the Authority aforesaid, That Fish under such Dimensions, as are prohibited by the said recited Clause, may be exposed to Sale, or exchanged for any other Goods, provided such Fish are taken with a Hook, and so not fit or capable of being preserved alive; any thing contained in the said recited Act to the contrary notwithstanding.

Fish under Size, if taken with a Hook, may be sold.

Concerning Fishery see further 23 *Geo.* 2. *c.* 24 & 26. 26 *Geo.* 2. *c.* 9. 28 *Geo.* 2. *c.* 14. 29 *Geo.* 2. *c.* 23 & 39. 30 *Geo.* 2. *c.* 21 & 30. 33 *Geo.* 2. *c.* 27.

CAP. L.

An Act for the better repairing the Highways, and cleansing the Streets, within the Parish of *Saint Leonard, Shoreditch*, in the County of *Middlesex*; and for better enlightening the open Places, Streets, Lanes, Passages and Courts there; and regulating the Nightly Watch and Bedels, within the said Parish. PR.

CAP. LI.

An Act for enlarging the Term and Powers granted by an Act passed in the twentieth Year of the Reign of his present Majesty, for repairing the High Road leading from the Town of *Stockton upon Tees* to *Darlington*, and from thence through *Winston* to *Barnard Castle* in the same County, and for the effectual amending of the same. PR.

The Act 20 Geo. 2. c. 25. continued for 15 Years.

CAP. LII.

An Act for vesting the several Estates of *James* late Earl of *Derwentwater* and *Charles Radcliffe*, deceased, comprized in several Settlements therein mentioned, in Trustees, for an absolute Estate of Inheritance, for the Benefit of the Royal Hospital at *Greenwich*; and for raising certain Sums of Money out of Part of the said Estates, for the Relief of the Children of the said *Charles Radcliffe*.

☞ *This was published in the Sessions Acts, as a private Act.*

'WHEREAS by Indentures of Lease and Release, the Lease bearing Date the Day next before the 'Day of the Date of the Release, and the Release being Quadripartite, bearing Date the twenty-'fourth Day of *March*, *Anno Domini* one thousand six hundred and ninety-one, and made between the 'Right Honourable *Francis* late Earl of *Derwentwater* of the first Part; the Right Honourable *Edward Rad-* 'cliffe, Esquire, by the Name of *Edward* Lord Viscount *Radcliffe* and *Langley*, eldest Son and Heir Ap-'parent of the said Earl, of the second Part; the Honourable *Francis Radcliffe*, *Thomas Radcliffe*, *William Radcliffe*,

'*Radcliffe* and *Arthur Radcliffe*, Esquires, younger Sons of the said *Francis* Earl of *Derwentwater*, of the third Part; and Sir *John Lawson*, Baronet, and *Francis Tunstall*, Esquire, of the fourth Part; all that the Manor and Lordship of *Alstone*, alias *Aldstone Moore*, and *Garrigill*, and all and every the Rights, Members and Appurtenances thereunto belonging, situate, lying and being in the County of *Cumberland*; and all those Messuages, Lands and Tenements situate, lying and being in *Corbridge*, in the County of *Northumberland*; and all those two Parts, the Whole in three Parts to be divided, of the Manor and Lordship of *Newton Hall* in the said County of *Northumberland*, with the Appurtenances; and all that Messuage or Tenement, with the Appurtenances, called *Shewing Sheels*, lying in the County of *Northumberland* aforesaid; and all that Tenement or Farmhold, with the Appurtenances, called *Blackaburn*, lying in the said County of *Northumberland*; and all those Messuages, Lands and Tenements, with the Appurtenances, situate, lying and being in *Alnwick* in the said County of *Northumberland*; and all that Moiety or one half Part of the Village or Townships of *Buteland*, lying and being in the Parish of *Chollerton* and County of *Northumberland* aforesaid, and all the Lands and Grounds thereunto belonging; and also the Moiety of one Tenement or Farmhold, with the Appurtenances, called *Broomeup*, lying and being in the Parish and County aforesaid, and all the Lands and Grounds thereunto belonging; and also the Moiety or one half Part of a Tenement or Farmhold, with the Appurtenances, called *The Steele*, and the Lands and Grounds thereunto belonging; and also the Moiety or one half Part of a Tenement or Farmhold, with the Appurtenances, called *Hindhaugh*, lying and being in the Parish and County aforesaid, and all the Lands and Grounds thereunto belonging; and also the Moiety or one half Part of a Tenement or Farmhold, with the Appurtenances, called *The Fellin*, lying and being in the Parish and County aforesaid, and all the Lands and Grounds thereunto belonging; and also the Moiety or one half Part of a Tenement or Farmhold, with the Appurtenances, called *The Stidley Hill*, lying and being in the Parish of *Cossensyde* in the County aforesaid, and all the Lands and Grounds thereunto belonging; and all those Messuages, Lands and Tenements, situate, lying and being in *Leehouses*, *Spittle*, *New Biggin*, *Wooley*, *East Whitleys*, *West Whitleys*, *Lesbury*, *Kirke Whelpington*; one Water Corn Mill called *Wooley Mill*; all situate, lying and being in the said County of *Northumberland*; and all those Rectories and Parsonages of *Kirke Whelpington*, *Harburne*, alias *Hartburne*, and *Midford*, lying and being in the said County of *Northumberland*; and all the Glebe Lands, Tythes, Oblations, Obventions, Profits and Hereditaments whatsoever, to the said several Rectories and Parsonages belonging, or in any wise appertaining; and also those the Corn Tythes of *Broxfield*, *Lurbittle* and *Whinnetly*, with their and every of their Appurtenances, situate, lying and being in the said County of *Northumberland*; were, for the Considerations in the said recited Indenture Quadripartite mentioned, settled, limited and assured, to the Use of the said *Francis* Earl of *Derwentwater*, for his Life, without Impeachment of Waste; and after his Death, and subject to a Trust for raising five thousand Pounds for the Right Honourable the Lady *Mary Radcliffe*, Daughter of the said Earl of *Derwentwater*, and to the several Annuities of five hundred Pounds, four hundred Pounds, two hundred Pounds, and three hundred Pounds, payable to *Francis Radcliffe*, *Thomas Radcliffe*, *William Radcliffe* and *Arthur Radcliffe*, the four younger Sons of the said Francis Earl of *Derwentwater*, for their respective Lives, to the Use of the said *Edward* Lord Viscount *Radcliffe* and *Langley*, for his Life, without Impeachment of Waste; Remainder to the Honourable *James Radcliffe*, Esquire, for his Life, without Impeachment of Waste; Remainder to his first and other Sons in Tail Male, successively; Remainder to the Honourable *Francis Radcliffe*, Esquire, second Son of the said *Edward* Lord Viscount *Radcliffe* and *Langley*, for his Life, without Impeachment of Waste; Remainder to the first and other Sons of the last named *Francis Radcliffe*, in Tail Male, successively; Remainder to the third, fourth, fifth, sixth, seventh, eighth, ninth and tenth Sons of the said *Edward* Lord Viscount *Radcliffe* and *Langley*, in Tail Male, successively; Remainder to the said *Francis Radcliffe*, second Son of the said *Francis* Earl of *Derwentwater*, for his Life, without Impeachment of Waste; Remainder to his first and other Son and Sons, in Tail Male, successively; Remainder to the said *Thomas Radcliffe*, for his Life, without Impeachment of Waste; and after his Death to his first and other Son and Sons, in Tail Male, successively; Remainder to the said *William Radcliffe*, for his Life, without Impeachment of Waste; Remainder to his first and other Sons, in Tail Male, successively; Remainder to the said *Arthur Radcliffe*, for his Life, without Impeachment of Waste; Remainder to his first and other Sons, in Tail Male, successively; Remainder to the Heirs of the Body of the said *Francis* Earl of *Derwentwater*; Remainder to the right Heirs of the same *Francis* Earl of *Derwentwater* for ever: And whereas the said *Francis* Earl of *Derwentwater* is long since dead; and upon his Death the said *Edward* called Viscount *Radcliffe* and *Langley*, his Son and Heir, became Earl of *Derwentwater*; and the said *Edward* is also long since dead; and upon his Death the said *James Radcliffe*, his Son and Heir, became Earl of *Derwentwater*: And whereas by Indentures of Lease and Release, the Lease bearing Date the Day next before the Day of the Date of the Release; and the Release being Sextipartite, bearing Date the twenty-fourth Day of *June*, *Anno Domini* one thousand seven hundred and twelve, and made between *James* late Earl of *Derwentwater*, of the first Part; Sir *John Webbe*, Baronet, and the Honourable Dame *Barbara* his Wife, and *Anna Maria Webbe*, eldest Daughter of the said Sir *John Webbe*, of the second Part; the Right Honourable *Other* Earl of *Plymouth*, and the Right Honourable *Richard* Earl of *Scarborough*, of the third Part; the Right Honuurable *Thomas* Lord Viscount *Falconberge*, and *John Radcliffe* of *London*, Doctor in Physick, of the fourth Part; the Right Honourable *William* Lord *Widdrington* (who was afterwards attainted of High Treason) and *Nevil Ridley*, Gentleman, of the fifth Part; and the Honourable *Francis Radcliffe* and *Charles Radcliffe*, Esquires, Brothers of the said *James* late Earl of *Derwentwater*, of the sixth Part; in Consideration of a Marriage then intended, and which soon after took Effect, and was solemnized between the said *James* Earl of *Derwentwater* and *Anna Maria Webbe*; and for other Considerations in the said Indenture of six Parts mentioned; all that the Barony, Manor or Lordship of *Langley*, with the Rights, Members and Appurtenances thereof, in the County of *Northumberland*; and all and singular Messuages, Farms, Lands, Tenements and Hereditaments whatsoever, Part

'and Parcel, or reputed Part and Parcel of the ſaid Barony or Lordſhip of *Langley*, or as Part, Parcel or 'Member thereof, demiſed, letten, uſed, occupied or enjoyed, and every of them, with their Appurte-'nances; and alſo all thoſe the Manors of *Witting ſtall*, alias *Quitting ſtall*, and *Newlands*, *Dilſton*, alias *De-'velſton*, *Aydon Shields*, *Warke*, *Elrington* and *Meldon*, and every of them, with their and every of their 'Rights, Members and Appurtenances, in the ſaid County of *Northumberland*; and alſo all and ſingular 'Meſſuages, Granges, Farms, Lands, Tenements and Hereditaments whatſoever, Part and Parcel, or re-'puted Part and Parcel of the ſaid Manors, every or any of them, or as Part, Parcel or Member of them, 'or any of them, demiſed, letten, uſed, occupied or enjoyed, and every of them, with their Appurte-'nances; and all thoſe the Manors, or reputed Manors of *Spindleſton* and *Utcheſter*, *Throckely*, *Coaſtley*, '*Middleton Hall*, *Eaſt Thornton*, alias *Thornton Eaſt*, *Weſtwood* and *Thornborough*, and every of them, with 'their and every of their Rights, Members and Appurtenances in the ſaid County of *Northumberland*; and 'alſo all and ſingular Meſſuages, Granges, Farms, Lands, Meadows, Paſtures, Feedings, Tenements and 'Hereditaments whatſoever, Part and Parcel, or reputed Part or Parcel of the ſaid laſt mentioned Manors, 'or reputed Manors, every or any of them, or as Part, Parcel or Member of them, or any of them, de-'miſed, letten, uſed, occupied or enjoyed, and every of them, with their Appurtenances; all and ſingular 'which ſaid Barony, Manors, or reputed Manors, Meſſuages, Granges, Farms, Lands, Tenements, Here-'ditaments and Premiſſes before mentioned, are ſituate, lying and being in *Langley*, *Whitting ſtall*, alias '*Quitting ſtall*, *Newlands*, *Dilſton*, alias *Develſton*, *Aydon Shields*, *Warke*, *Elrington*, *Meldon*, *Spindleſton*, 'Utcheſter, Throckley, Coaſtley, Middleton Hall, Thornton Eaſt, Weſtwood, Thornborough, Netherwarden, Hay-'don Bridge, Bywell Saint Andrew, Bywell Saint Peter, Corbrigge, Newton Hall, Hexham, Symonburne, Halt-'whiſtle, alias *Holtwhiſtle*, *Kirkhaugh*, *Knareſdall*, *Witfield*, *Balam*, *Balmbrough*, *Newbourn*, *Wooler*, *Ovingham* and *Staley*, ſome or one of them, or ſome other Town or Towns thereto adjoining, in the ſaid County 'of *Northumberland*; and alſo all that the Advowſon of the Church of *Symondbourne*, with the Appurtenances 'in the ſaid County of *Northumberland*; and alſo all thoſe the Manors, or reputed Manors of *Caſtlerigg* and 'Derwentwater, alias *Keſwick*, and *Thornthwaite*, with their and every of their Rights, Members and Ap-'purtenances in the County of *Cumberland*; and alſo all and ſingular Meſſuages, Granges, Farms, Lands, 'Meadows, Paſtures, Feedings, Woods, Underwoods, Tenements and Hereditaments whatſoever, Part 'and Parcel, or reputed Part and Parcel, of the ſaid laſt-mentioned Manors of *Caſtlerigg* and *Derwentwater*, 'alias *Keſwick*, and *Thornthwaite*, or any Part of them, or as Part, Parcel or Member of them, or any of 'them, demiſed, letten, uſed, occupied or enjoyed, and every of them, with their Appurtenances; which 'ſaid Manors and Premiſſes laſt-mentioned are lying and being in *Craſthwaite* and *Keſwicke*, or one of 'them, or ſome other Town or Towns thereto next adjoining, in the ſaid County of *Cumberland*; and alſo 'all that the Manor of *Scremerſton*, with the Rights, Members and Appurtenances, in the County Palatine 'of *Durham*; and all and ſingular Meſſuages, Granges, Farms, Lands, Tenements and Hereditaments 'whatſoever, to the ſaid laſt-mentioned Manor belonging or appertaining, or thereof reputed Part or Par-'cel, or therewith demiſed, uſed, letten or enjoyed, and every of them, with their Appurtenances; which 'ſaid Manor and Premiſſes laſt-mentioned are ſituate, lying and being in *Scremerſton*, *Holy Iſland*, *Auncroſt*, 'alias *Auncraft*, *Tweedmouth*, *Norham* and *Lowick*, or ſome or one of them, or ſome other Town or Towns 'thereunto next adjoining, within the ſaid County Palatine of *Durham*; and alſo all and ſingular other the 'Meſſuages, Granges, Farms, Lands, Meadows, Paſtures, Feedings, Woods, Underwoods, Tenements 'and Hereditaments whatſoever, late the Eſtate of the ſaid *James* late Earl of *Derwentwater*, or whereof 'he was ſeiſed of any Eſtate of Inheritance in Poſſeſſion, Reverſion, Remainder or Expectancy, ſituate, 'lying and being within the ſaid ſeveral Barony, Manors, Towns, Villages, Territories or Hamlets of '*Langley*, *Witting ſtall*, alias *Quitting ſtall*, *Newlands*, *Dilſton*, otherwiſe *Develſton*, *Aydon Shields*, *Warke*, '*Elrington*, *Meldon*, *Spindleſton*, *Utcheſter*, *Throckley*, *Coaſtley*, *Middleton Hall*, *Thornton Eaſt*, *Weſtwood* and '*Thornborough*, every or any of them, in the ſaid County of *Northumberland*; or of *Caſtlerigg*, *Derwent-'water*, *Thornthwaite* and *Keſwick*, *Craſthwaite* and *Keſwick*, or every or any one of them, in the ſaid County 'of *Cumberland*; or of *Scremerſton* in the ſaid County Palatine of *Durham*, and every of them, with their 'Appurtenances; were ſettled, limited and aſſured to take Effect, after the Solemnization of the ſaid in-'tended Marriage, and ſubject to a Term of ninety-nine Years, limited of Part of the Premiſſes, which is 'ſince determined, to the Uſe of the ſaid *James* Earl of *Derwentwater* for Life, without Impeachment of 'Waſte; and after his Death, and ſubject to a Rent Charge of one thouſand Pounds thereby limited to the 'ſaid *Anna Maria* for her Life, for her Jointure, and after her Death, and ſubject to a Term of two hun-'dred Years, which is ſince determined, to the Uſe of the firſt, ſecond, third, and all and every other the 'Son and Sons of the ſaid *James* late Earl of *Derwentwater*, on the Body of the ſaid *Anna Maria*, in Tail 'Male, ſucceſſively; Remainder to the ſaid *Other* Earl of *Plymouth*, and *William* Lord *Widdrington*, their 'Executors, Adminiſtrators and Aſſigns, for a Term of five hundred Years, in Truſt, for raiſing twenty 'thouſand Pounds, for the Portion and Portions of the Daughter and Daughters of the ſaid *James* late 'Earl of *Derwentwater*, by the ſaid *Anna Maria*, in caſe of Failure of Iſſue Male between them, to be 'paid at ſuch Times, and in ſuch Manner, and with ſuch Maintenance, as is therein mentioned; and after 'the Determination of the ſaid Term of five hundred Years, to the Uſe of the ſaid *James* late Earl of *Der-'wentwater*, and the Heirs Male of his Body; Remainder to *Francis Radcliffe*, Brother to the ſaid *James* 'late Earl of *Derwentwater*, for Life; and after his Death, to his firſt and other Sons in Tail Male ſuc-'ceſſively; Remainder to *Charles Radcliffe*, youngeſt Brother of the ſaid *James* late Earl of *Derwentwater*, 'for his Life; Remainder to the ſaid *Other* Earl of *Plymouth*, and *Thomas* Lord *Faulconberge*, and their Heirs, 'during the Life of the ſaid *Charles Radcliffe*, in Truſt, to preſerve the contingent Remainders; Remainder 'to the firſt and other Sons of the ſaid *Charles Radcliffe*, in Tail Male, ſucceſſively; Remainder to the ſaid '*James* late Earl of *Derwentwater*, his Heirs and Aſſigns for ever: And whereas by Deed Poll, under the 'Hand and Seal of the ſaid *Edward* Earl of *Derwentwater*, bearing Date the twenty-fourth Day of *June* 'one thouſand ſix hundred and ninety-nine, the ſaid *Edward* Earl of *Derwentwater*, in purſuance of a Power

'given

'given and reserved to him in and by a Settlement made on his Marriage with the Lady *Mary Tudor*, did 'grant, limit and appoint an Annuity or yearly Rent Charge of two hundred Pounds unto, and for the 'Benefit of his youngest Son *Charles Radcliffe*, during his Life, payable half-yearly, and charged upon, 'and issuing out of divers Manors, Lands, Tenements and Hereditaments, in the County of *Northumber-* '*land*, therein particularly described as Part of the Premisses herein before mentioned: And whereas the 'said *Edward* Earl of *Derwentwater* left Issue three Sons, *videlicet*, *James* late Earl of *Derwentwater*, the 'said *Francis Radcliffe* and *Charles Radcliffe*, who was born after the first recited Settlement; and whereas 'the said *Francis Radcliffe*, the second Son of the said *Edward* Earl of *Derwentwater*, and the said *Francis* '*Radcliffe* and *Thomas Radcliffe*, two of the younger Sons of the said *Francis* Earl of *Derwentwater*, all died 'without Issue in the Life-time of the said *James* Earl of *Derwentwater*: And whereas the said *James* late 'Earl of *Derwentwater* was attainted of High Treason, after the twenty-fourth Day of *June* one thousand 'seven hundred and fifteen, and before the twenty-fourth Day of *June* one thousand seven hundred and 'eighteen; (that is to say) on or about the ninth Day of *February* one thousand seven hundred and fifteen, 'and on the twenty-fourth of the same *February* was executed; and the said *Anna Maria* his Wife, late 'Countess of *Derwentwater*, died on or about the nineteenth Day of *August* one thousand seven hundred and 'twenty-three; and the said *James* late Earl of *Derwentwater* left Issue by the said *Anna Maria* one Son 'named *John*, and one Daughter named *Anna Maria*: And whereas the said *William Radcliffe* and *Arthur* '*Radcliffe* died without Issue since the said Attainder: And whereas the said *Charles Radcliffe* was also at- 'tainted of High Treason, after the twenty-fourth Day of *June* one thousand seven hundred and fifteen, 'and before the twenty-fourth Day of *June* one thousand seven hundred and eighteen; that is to say, on 'the eighteenth Day of *May* in the Year of our Lord one thousand seven hundred and sixteen; and the 'said *Charles Radcliffe* was, on the eighth Day of *December* one thousand seven hundred and forty-six, ex- 'ecuted for the Treason by him committed as aforesaid: And whereas by an Act made in the first Year 'of the Reign of his late Majesty King GEORGE the First (intituled, *An Act for appointing Commissioners to* 1 Geo. 1. c. 50. '*inquire of the Estates of certain Traitors, and of Popish Recusants, and of Estates given to superstitious Uses,* '*in order to raise Money out of them severally for the Use of the Publick)* it was enacted, That all and every 'the Castles, Honours, Lordships, Manors, Messuages, Lands, Tenements, Rents, Reversions, Services, 'Remainders, Possessions, Royalties, Franchises, Jurisdictions and Privileges whatsoever, and all Appur- 'tenances to them, or any of them belonging, or any wise appertaining; and all Rights of Entry, Rights 'of Action, Titles, Conditions, Uses, Trusts, Powers and Authorities; and all Leases for Life, Lives or 'Years, Pensions, Annuities, Rents, Charges and Hereditaments whatsoever, and of what Nature or Kind 'soever, in *Great Britain*, *Ireland*, or elsewhere, whereof any Person or Persons who, since the twenty- 'fourth Day of *June* in the Year of our Lord one thousand seven hundred and fifteen, had been attainted, 'or before the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and eigh- 'teen, should be attainted for High Treason committed before the first Day of *June* one thousand seven 'hundred and sixteen, within *Great Britain*, or elsewhere, was, were, or should have been seised or possessed 'of, or interested in, or intitled unto, on the twenty-fourth Day of *June* one thousand seven hundred and 'fifteen, or at any Time afterwards, in his, her or their own Right, or to his, her or their own Use, or 'whereof any other Person or Persons was, were, or should have been seised or possessed of, or interested 'in, to the Use of, or in Trust for them, or any of them, on the said twenty-fourth Day of *June* one 'thousand seven hundred and fifteen, or at any Time afterwards, should stand and be forfeited to his Ma- 'jesty, his Heirs and Successors, and should be deemed, vested and adjudged to be in the actual and real 'Possession of his Majesty, without any Office or Inquisition thereof, thereafter to be taken or found; all 'which said Castles, Honours, Manors, Lands, Tenements, Rents, Reversions, Hereditaments and other 'the Premisses, according to the several and respective Estates and Interests, which the said Persons attainted, 'or to be attainted, within such Days and Times as aforesaid, or any in Trust for them, or any of them, 'or to their or any of their Use or Uses, had, or should have had therein as aforesaid, were thereby de- 'clared and enacted to be so vested in his Majesty, his Heirs and Successors, for the Use of the Publick: 'And to the Intent that the same, and the Profits and Proceed thereof, should be disposed and applied to 'the Use and Benefit of the Publick, and in Ease of his Majesty's good Subjects, according to such Act 'and Acts of Parliament as should thereafter be made and passed in that Behalf; and that where any of the 'Person or Persons attainted, or to be attainted, within such Days and Times as aforesaid, were seised of 'an Estate Tail in Possession, in any such Castles, Honours, Manors, Messuages, Lands, Tenements, 'Rents, Hereditaments, or other the Premisses, the same were thereby enacted and declared to be vested 'in his Majesty, his Heirs and Successors, in Fee-simple, to the end the same might be absolutely sold, dis- 'posed or applied, according to such Act or Acts of Parliament as should thereafter be made in that Behalf; 'and all and every Person and Persons (other than and except all such forfeiting Persons as aforesaid, and 'the Heirs, Executors, Administrators and Assigns, of every of them; and all Persons having or claiming 'any thing in the Premisses or any Part thereof, to the Use of, or in Trust for any such forfeiting Persons, 'or their or any of their Heirs, Executors or Administrators; and such Persons who had or might claim 'any Estate which was in Reversion or Remainder, expectant on the Determination of any Estate Tail, 'whereof a forfeiting Person was seised as aforesaid, on the said twenty-fourth Day of *June* one thousand 'seven hundred and fifteen, or at any Time since, always excepted, having any Estate, Right, Title, In- 'terest, Use, Trust, Possession, Reversion, Remainder, Office, Annuity, Service, Rent, Debt, Benefit, 'Charge or Incumbrance in Law or Equity, in, to, out of, or upon any Castles, Honours, Manors, Mes- 'suages, Lands, Tenements, Rents, Hereditaments or Real Estate, or any other the Premisses in *Great* '*Britain*, *Ireland*, or elsewhere, therein before vested in his Majesty, by or under any Settlement, Convey- 'ance, Judgment, Statute, Recognizance, Extent or other Debt, Charge or Incumbrance, affecting the 'same Estate, before the respective Days and Times whereon the same were vested in his Majesty as afore- 'said, were, on or before the twenty-fourth Day of *June* one thousand seven hundred and seventeen (and

'which

'which Time, by another Act of Parliament made in the third Year of the Reign of his said late Majesty,
3 Geo. 1. c. 20. 'intituled, *An Act to inlarge the Time for making Claims before the Commissioners appointed to inquire of the forfeited Estates*, was inlarged to the first Day of *February* one thousand seven hundred and seventeen) to enter all their respective Claims and Demands thereof before certain Commissioners appointed by the said Act, or any four or more of them residing in *England* or *Scotland* respectively, in the Manner in the said Act mentioned; or in Default thereof, every such Estate, Right, Title, Interest, Use, Possession, Reversion, Remainder, Office, Annuity, Service, Rent, Debt, Benefit, Charge or Incumbrance, in, to, out of, or upon the said Premisses, or any Part thereof, was thereby declared to be null and void; and the Estate or Estates liable unto, or charged therewith, were from thenceforth to be freed, acquitted and discharged of and from the same: And whereas by another Act of Parliament made in the fourth Year of
4 Geo. 1. c. 8. 'the Reign of his said late Majesty King GEORGE the First (intituled, *An Act for vesting the forfeited Estates in* Great Britain *and* Ireland *in Trustees, to be sold for the Use of the Publick, and for giving Relief to lawful Creditors, by determining the Claims, and for the more effectual bringing into the respective Exchequers the Rents and Profits of the said Estates till sold)* it was enacted, That all and every the Castles, Honours, Lordships, Manors, Messuages, Lands, Tenements, Rents, Reversions, Services, Remainders, Possessions, Royalties, Franchises, Jurisdictions and Privileges whatsoever, and all Appurtenances to them, or any of them, belonging, or in any wise appertaining; and all Rights of Entry, Rights of Action, Titles, Conditions, Uses, Trusts, Powers and Authorities; and all Leases for Life, Lives or Years, Pensions, Annuities, Rents, Charges and Hereditaments whatsoever, and of what Nature or Kind soever, not disposed of according to the Directions of the said first-recited Act, in *Great Britain*, *Ireland*, or elsewhere, which by the said recited Act were vested, or intended to be vested, in his Majesty, his Heirs and Successors, as aforesaid, for the Use of the Publick, should be, and were thereby, vested and settled in the actual and real Possession and Seisin of *Richard Grantham* Esquire, *George Treby* Esquire, *Arthur Ingram* Esquire, *George Gregory* Esquire, Sir *Richard Steele* Knight, Sir *Henry Houghton* Baronet, *Patrick Haldane* Esquire, Sir *Thomas Hales* Baronet, *Robert Munro* Esquire, *Henry Cunningham* Esquire, *Denis Bond* Esquire, *John Birch*, Serjeant at Law, and Sir *John Eyles* Baronet, and their Heirs, Executors, Administrators and Assigns respectively, from the twenty-fifth Day of *March* one thousand seven hundred and eighteen, according to the several Estates and Interests vested or intended to be vested in his Majesty by the said former Act; to the End the same might be bargained, sold, disposed of, and applied by the said Trustees, and the Survivors of them, to and for the Uses in the said recited Act, or in the said Act of the fourth Year of his said late Majesty's Reign after-mentioned and declared: And it was by the said last recited Act further enacted, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and eighteen, the said Commissioners and Trustees, or any four or more of them, residing in *England*, *Scotland* or *Ireland* respectively, should and were thereby enabled and required, at any Time or Times, to sell all and singular the Estates and Interests vested in them as aforesaid; (that is to say) such of the said Estates and Interests, concerning which no Claims should be or had been entered within the Times limited for that Purpose, as soon as conveniently might be after the said twenty-fifth Day of *March* one thousand seven hundred and eighteen; and such of the said Estates and Interests for or concerning which any Claims had been or should be entered, as aforesaid, as soon as conveniently might be after such Claims relating to such Estates or Interests respectively should be determined; the said Sales to be made to any Person or Persons being Protestants, Bodies Politick or Corporate, their Heirs, Successors, Executors, Administrators or Assigns (other than the said Commissioners and Trustees, or their Officers respectively, or any others in Trust for them) who should become Purchaser or Purchasers thereof, for such Estate and Interest therein respectively, as was therein before vested in the said Commissioners and Trustees: And the said Commissioners and Trustees, or any four or more of them, residing in *England*, *Scotland* or *Ireland* respectively, being certified of the Payment of the Price agreed upon into the Receipt of his Majesty's Exchequers in *England* and *Scotland* respectively, were to execute an Indenture or Contract of Bargain and Sale of the Parcels bought and paid for to the Buyers thereof, for such Estate or Interest therein as the said Commissioners and Trustees, or any four or more of them, residing in *England*, *Scotland* or *Ireland* respectively, should have contracted to sell the same; and all and every Purchaser or Purchasers, his, her or their Heirs, Successors, Executors, Administrators and Assigns, were to hold and enjoy such Parts and Parcels of the Premisses as should be so purchased and conveyed for such Estate and Interest therein respectively, as should be conveyed by the said Commissioners and Trustees, or any four or more of them, in such Indenture or Contract of Bargain and Sale, freed and discharged of and from all Arrears of Quit-rents, Crown-rents, Feu Duties and Chiefries, at any Time accrued or to grow due before the Date of such respective Conveyances, and of and from all other Claims and Demands of his Majesty, his Heirs and Successors, and of the said Commissioners and Trustees, their Heirs, Executors, Administrators and Assigns, and of all and every other Person or Persons whatsoever, other than and except such Claims and Demands which should be allowed by the said Commissioners and Trustees, or any four or more of them, or the Court of Delegates (which, by the said last recited Act, his said late Majesty was impowered to appoint, for hearing and determining such Appeals as should be made by any Claimant from any Judgment, Determination or Decree of the said Commissioners and Trustees, or any four or more of them) on the Determination of such Claims as aforesaid: And whereas the aforesaid *John Radcliffe*, Son of the said *James* late Earl of *Derwentwater*, did, by his Mother and Guardian, the said *Anna Maria*, late Countess of *Derwentwater*, on or about the first Day of *March* one thousand seven hundred and sixteen, exhibit two several Claims before the Commissioners appointed by the said recited Act of the first Year of his said late Majesty's Reign; by one of which the said *John Radcliffe* claimed the Manors, Lands and Hereditaments, comprized in the said Settlement of the twenty-fourth Day of *March* one thousand six hundred and ninety-one, as the Right and Inheritance of him the said Claimant, and the Heirs Male of his Body; and by the other of the said Claims, the said *John Radcliffe* claimed the Manors, Lands and Here-

'ditaments,

'ditaments, comprized in the said Indenture of Release of the twenty-fourth Day of *June* one thousand 'seven hundred and twelve (subject to the aforesaid Rent Charge, and to the said Term of two hundred 'Years, and the Trusts thereof) as the Right and Inheritance of him the said Claimant, and the Heirs 'Male of his Body: Which Claims coming afterwards on to be heard before the said Commissioners, the 'Claim made by the said *John Radcliffe* to the Manors, Lands and Hereditaments, comprized in the said 'Settlement of the twenty-fourth Day of *March* one thousand six hundred and ninety-one, was allowed; 'and the Claim made by him to the Manors, Lands and Hereditaments, comprised in the said Settlement 'of the twenty-fourth Day of *June* one thousand seven hundred and twelve, was dismissed: But the Decree 'made by the Commissioners for dismissing the same was, upon an Appeal made to the Court of De-'legates, appointed by his said late Majesty by virtue of the said recited Act, made in the fourth Year of 'his Reign, reversed, and the said last-mentioned Claim was, by the said Court allowed: And whereas by 'an Act made in the ninth Year of the Reign of his said late Majesty King GEORGE the First (intituled, 9 Geo. 1. c. 19.
'*An Act to continue the Duties for Encouragement of the Coinage of Monies; and for Relief of* William *late 'Lord* Widdrington; *and to prevent foreign Lotteries being carried on in this Kingdom; and for ascertaining the 'Duties on Bound Books imported; and for issuing Certificates and Debentures for Arrears due to five Regiments, 'to be satisfied by Annuities therein mentioned; and for discharging the Duties of Rock Salt lost on the Rivers* Weaver *and* Mercy; *and for limiting the Times of Continuance of Commissioners for forfeited Estates in* England *and* Scotland *respectively; and for appropriating the Supplies granted to his Majesty in this Session of Par-'liament; and to rectify Misnomers and Omissions of Commissioners for the Land Tax in the Year one thousand 'seven hundred and twenty-three)* after reciting, That all the Claims entered before the Commissioners and 'Trustees in *England* were heard and determined, and the Appeals from the Decrees of the said Commis-'sioners and Trustees in *England* were also finally determined, it was enacted, That the forfeited Estates 'in *England*, by any former Act or Acts of Parliament vested in the said Commissioners and Trustees, which 'should remain unsold from and after the twenty-ninth Day of *September* one thousand seven hundred and 'twenty-three, were thereby divested out of the said Commissioners and Trustees, and vested in the King's 'Majesty, his Heirs and Successors, for the Use of the Publick: And whereas by Indenture bearing Date 'the twenty-eighth Day of *September*, *Anno Domini* one thousand seven hundred and twenty-three, and 'made or mentioned to be made between the said *George Gregory*, Sir *Thomas Hales*, *Henry Cunningham*, '*Denis Bond*, *John Birch*, and Sir *John Eyles*, Commissioners and Trustees, nominated and appointed for 'putting in Execution the Powers and Authorities relating to the forfeited Estates in *England* and *Ireland*, 'enacted by the two Acts of Parliament herein first-mentioned, of the one Part, and *William Smith* of *Bil-'liter Square*, *London*, Esquire, of the other Part, reciting the Marriage Settlement of the said *James* late 'Earl of *Derwentwater*; and that the Estate for Life so limited, as aforesaid, to the said *Charles Radcliffe*, of 'and in all and singular the said Premisses mentioned in the said recited Settlement of the twenty-fourth 'Day of *June* one thousand seven hundred and twelve, in Remainder, after the Death of the said *John 'Radcliffe* without Issue Male of his Body, was vested in the said Commissioners and Trustees for the Uses 'in the said Acts mentioned; and that the Reversion in Fee of the same Premisses, so limited to the right 'Heirs of the said *James* late Earl of *Derwentwater*, was also vested in the said Commissioners and Trustees 'for the same Uses, the said *George Gregory*, Sir *Thomas Hales*, *Henry Cuningham*, *Denis Bond*, *John Birch*, 'and Sir *John Eyles*, pursuant to the said Act of Parliament of the fourth Year of his said late Majesty, and 'in Execution of the Trust thereby in them reposed, and of the Powers and Authorities to them, or any 'four or more of them, thereby given; and for and in Consideration of one thousand and sixty Pounds, for 'which the said *William Smith* contracted with the said Commissioners and Trustees for the Purchase of all 'and singular the Premisses, during the Life of the said *Charles Radcliffe*, without Impeachment of Waste, 'and for and during so long as the said *Charles Radcliffe* should have Issue Male of his Body, in Remainder, 'expectant on the Death of the said *John Radcliffe* without Issue Male; and also the Reversion in Fee of 'and in the said Premisses limited to the said *James* late Earl of *Derwentwater*, did bargain and sell all 'and singular the said Barony, Manors, Lordships, Rectories, Parsonages, Mines, Collieries, Messuages, 'Lands, Tenements, Hereditaments, and Premisses, comprized in the said Indenture of Release, bearing 'Date the twenty-fourth Day of *June* one thousand seven hundred and twelve, and every Part and Parcel 'thereof, with their and every of their Appurtenances, unto the said *William Smith* (whom the said Com-'missioners and Trustees did declare and confirm the Purchaser thereof, he having bid most for the same on 'the publick Sale, by Cant or Auction had for that Purpose, according to the last-mentioned Act of Parlia-'ment) and his Heirs, to hold to him, his Heirs and Assigns (in case the said *John Radcliffe* should happen 'to die without Heirs Male of his Body begotten) for and during the natural Life of the said *Charles Rad-'cliffe*, without Impeachment of Waste; and for and during so long as the said *Charles Radcliffe* should 'have Heirs Male of his Body, lawfully to be begotten; and on Failure of Issue Male of the said *Charles 'Radcliffe*, to hold the same Premisses unto the said *William Smith*, his Heirs and Assigns, to the Use of 'him, his Heirs and Assigns, for ever: And whereas by another Indenture, bearing Date the said twenty-'eighth Day of *September* one thousand seven hundred and twenty-three, and made between the same Com-'missioners and Trustees, of the one Part; and the said *William Smith*, of the other Part; reciting the 'Settlement of the twenty-fourth Day of *March* one thousand six hundred and ninety-one; and that 'by the Attainder of the said *James* late Earl of *Derwentwater*, and the Act of Parliament afore-mentioned, 'the Reversion in Fee, of all the Premisses in the said Settlement comprized, was vested in the said Com-'missioners and Trustees; and by the Attainder of the said *Charles Radcliffe*, and the said Act of Parlia-'ment, the Remainder in Tail, limited to him in the same Premisses, expectant on the Death of the said '*John Radcliffe* without Issue Male of his Body, was also vested in the said Commissioners and Trustees, 'the said *George Gregory*, Sir *Thomas Hales*, *Henry Cuningham*, *Denis Bond*, *John Birch*, and Sir *John 'Eyles*, in Execution of the Powers and Authorities afore-mentioned; and for and in Consideration of one 'thousand and sixty Pounds, for which the said *William Smith* contracted with them, not only for the Pur-

‘ chaſe of the ſame Premiſſes, for the Remainder in Tail Male, ſo forfeited by the Attainder of the ſaid
‘ *Charles Radcliffe*, and the Reverſion in Fee, ſo forfeited by the Attainder of the ſaid *James* late Earl of
‘ *Derwentwater*, but alſo for the Purchaſe of a Remainder limited by another Settlement to the ſaid *Charles*
‘ *Radcliffe*, and his Iſſue Male, and the Reverſion in Fee to the ſaid *James* late Earl of *Derwentwater*, of
‘ and in the Barony of *Langley*, and divers Lands and Hereditaments, mentioned in the Indenture of Bar-
‘ gain and Sale, herein laſt before-recited, did bargain and ſell all and ſingular the Manors, Lordſhips,
‘ Hamlets, Meſſuages, Lands, Tenements, Mills, Rectories, Tythes, and other the Premiſſes, in the ſaid
‘ Settlement of the twenty-fourth Day of *March* one thouſand ſix hundred and ninety-one comprized,
‘ with their and every of their Appurtenances, unto the ſaid *William Smith* (whom the ſaid Commiſſioners
‘ and Truſtees did thereby declare and confirm the Purchaſer thereof, he having bid moſt for the ſame on the
‘ publick Sale, by Cant or Auction had for that Purpoſe, according to the laſt-mentioned Act of Parlia-
‘ ment) and his Heirs, to hold to him, his Heirs and Aſſigns (in caſe the ſaid *John Radcliffe* ſhould happen
‘ to die without Iſſue Male of his Body) for and during the natural Life of the ſaid *Charles Radcliffe*, and ſo
‘ long as he ſhould have Iſſue Male of his Body; and in caſe the ſaid *William Radcliffe*, and *Arthur Radcliffe*,
‘ ſhould both happen to die without Iſſue Male of their reſpective Bodies, then to hold the ſame Premiſſes
‘ unto the ſaid *William Smith*, his Heirs and Aſſigns, to the Uſe of him, his Heirs and Aſſigns for ever:
‘ And whereas the ſaid *John Radcliffe* departed this Life in or about the Year one thouſand ſeven hundred
‘ and thirty-one, before he attained his Age of twenty-one Years, without Iſſue, and unmarried: And
5 Geo. 2. c. 25. ‘ whereas by an Act made in the fifth Year of the Reign of his preſent Majeſty (intituled, *An Act for*
‘ *making void the ſeveral Contracts for Sale of the Eſtate of* James *late Earl of* Derwentwater *to* William
‘ Smith *Eſquire, and alſo of the Annuity of two hundred Pounds, during the Life of* Charles Radcliffe, *and the*
‘ *Arrears thereof, to* Matthew White *Eſquire, and the ſeveral Conveyances made in purſuance of the ſame*;) it
‘ was, for the Reaſons therein contained, enacted, That the ſeveral Contracts made, ſigned or entered into,
‘ or pretended to be made, ſigned or entered into, by the ſaid Commiſſioners and Truſtees, or any of them,
‘ for the Sale or Conveyance to the ſaid *William Smith*, of any Eſtate, Right, Title, or Intereſt of, in, to
‘ or out of the Barony, Manors, Lordſhips, Meſſuages, Farms, Lands, Tenements, Rectories, Tythes,
‘ Hereditaments, and Premiſſes, in the ſaid recited Settlements of the twenty-fourth of *March* one thou-
‘ ſand ſix hundred and ninety-one, and twenty-fourth of *June* one thouſand ſeven hundred and twelve,
‘ comprized, or either of them, or of, in, to or out of any Part or Parcel thereof, or any Lands, Tene-
‘ ments or Hereditaments whatſoever, contracted or pretended to be contracted for by the ſaid *William Smith*,
‘ for the Sum of one thouſand and ſixty Pounds; and alſo the Contract or Contracts, or pretended Contract
‘ or Contracts, for the Sale, Conveyance or Aſſignment to the ſaid *Matthew White*, of the ſaid Annuity of
‘ two hundred Pounds, granted to or charged for the Benefit of the ſaid *Charles Radcliffe*, as therein is men-
‘ tioned, and of the Arrears of the ſame; and alſo the ſaid ſeveral recited Indentures of Bargain and Sale
‘ reſpectively, bearing Date the twenty-eighth Day of *September* in the Year one thouſand ſeven hundred
‘ and twenty-three; and one other Indenture of Bargain and Sale therein recited, bearing Date the ſaid
‘ twenty-eighth Day of *September* one thouſand ſeven hundred and twenty-three, being the Indenture of
‘ Bargain and Sale therein recited to have been made to the ſaid *Matthew White*, of the ſaid Annuity or
‘ yearly Rent of two hundred Pounds, ſo granted to the ſaid *Charles Radcliffe* for his Life as aforeſaid, to-
‘ gether with the Arrears thereof incurred and grown due, from the Time of the Attainder of the ſaid *Charles*
‘ *Radcliffe*, to the Day of the Date of the ſaid Indenture; and all and every the Bargains, Sales, Con-
‘ veyances, Deeds and Inſtruments ſigned, ſealed, made or executed, or pretended ſo to be, for the convey-
‘ ing, transferring, veſting, paſſing and aſſuring the ſaid ſeveral Eſtates, Intereſts, Annuity, Arrears, and
‘ other the Premiſſes, or any Part or Parcel thereof, unto the ſaid *William Smith* and *Matthew White*, or
‘ either of them, their or either of their Heirs, Executors, Adminiſtrators or Aſſigns, ſhould be, and were
‘ thereby ſet aſide and annulled, and were thereby adjudged and declared to be, and to have been abſolutely
‘ null and void to all Intents, Conſtructions and Purpoſes, as if the ſame had never been made; and the At-
‘ torney General of his Majeſty, his Heirs and Succeſſors, by his or their Direction, was thereby impower-
‘ ed to apply to the Court of *Exchequer* for Sale, and the ſaid Court was thereby impowered to order Sale
‘ of the ſaid Barony, Manors, Lands, Hereditaments, and Premiſſes (ſubject to ſuch Claims and Demands,
‘ as had been allowed by the ſaid Commiſſioners and Truſtees, according to the ſaid recited Act of the
‘ fourth Year of his ſaid late Majeſty's Reign) for ſuch Eſtate and Intereſt as was veſted in his Majeſty, his
‘ Heirs and Succeſſors, as aforeſaid; and the Purchaſe-money was to be paid into the Receipt of his Ma-
‘ jeſty's Exchequer, to be applied and diſpoſed of according to any Act or Acts of Parliament then after to
‘ be made for that Purpoſe; and it was thereby further enacted, That until ſuch Sale ſhould be made, as by
‘ the ſaid Act is directed, it ſhould be lawful for the Lords Commiſſioners of his Majeſty's Treaſury, or any
‘ three or more of them, or the Lord High Treaſurer for the Time being, to cauſe to be collected and le-
‘ vied all the Rents, Iſſues and Profits of the ſaid Barony, Manors, Lands, Hereditaments and Premiſſes,
‘ and all Arrearages thereof ſince the Death of the ſaid *John Radcliffe*; and to ſue for and recover the ſame
‘ in the Name of his Majeſty, his Heirs and Succeſſors, and to cauſe all the Monies ariſing thereby (the ne-
‘ ceſſary Charges of levying, collecting, ſuing for and recovering the ſame, and the incident Charges relat-
‘ ing thereunto only excepted) to be brought and paid into the Receipt of the Exchequer, to be applied and
‘ diſpoſed of, according to any Act or Acts of Parliament thereafter to be made for that Purpoſe; but in the
‘ ſaid laſt-recited Act, a Saving is made to his Majeſty, his Heirs and Succeſſors, of all ſuch Right, Title,
‘ Eſtate, Intereſt, Claim and Demand of, in, unto, or out of the ſaid Premiſſes, as his Majeſty, his Heirs
‘ or Succeſſors, might have had or been intitled unto, in caſe that Act had never been made, other than
‘ and except ſuch Right, Title, Eſtate, Intereſt, Claim and Demand, as was veſted in his Majeſty, his
‘ Heirs and Succeſſors, by virtue of the ſeveral Attainders before-mentioned, or of the Acts of Parliament
‘ therein recited; and a Saving is alſo in the ſaid laſt-recited Act made to all other Perſons, other than and
‘ except the ſaid Commiſſioners and Truſtees, and the ſaid *Matthew White* and *William Smith*, and any

'Persons concerned with them in the said Contracts or Purchases, their respective Heirs, Executors, Administrators and Assigns, and all Persons claiming or to claim any Estate, Right, Title, Interest or Demand, either in Law or Equity, in, unto, or out of the said Premisses, by, from or under them, of all such Right, Title, Estate, Interest, Claim or Demand, of, in, unto, or out of the said Premisses, as they might have had, or been intitled unto, in case that Act had never been made: And whereas by another Act of Parliament made in the eighth Year of the Reign of his present Majesty, (intituled, *An Act for the Application of the Rents and Profits of the Estates forfeited by the Attainders of* James *late Earl of* Derwentwater *and* Charles Radcliffe) reciting, amongst other Things, That there then remained in the Receipt of his Majesty's Exchequer the Sum of seven thousand one hundred and eighty-two Pounds, thirteen Shillings, which had arisen out of the Rents and Profits of the said Premisses so vested in his Majesty as aforesaid; and that there were also several Sums of Money in the Hands of the Collectors and Receivers, and due and in Arrear from the Tenants and Farmers of the said Premisses; and farther reciting, That the Annuity of Rent Charge, and also the several Mortgages and Incumbrances of and upon the said Estate of the said late Earl of *Derwentwater*, or some Part thereof, therein and herein after particularly mentioned, had been regularly claimed and allowed, according to the Direction of the said Act of the fourth Year of his said late Majesty's Reign; and that there was then due, owing, issuing and payable out of the said Estate, or some Part thereof, to the several Persons therein and herein after-named, the several Sums of Money and Annuity therein and herein after-mentioned; that is to say, to the Right Honourable *Robert James* Lord *Petre* the Sum of twenty thousand Pounds Principal Money, with the Interest thereof; to *Cuthbert Constable*, alias *Tunstall*, of *Burton Constable* in *Holderness*, in the County of *York*, Esquire, upon Mortgage, the Sum of five thousand nine hundred Pounds, Principal Money, besides Interest; to *Mary Chamberlain* Spinster, *Edward Hopkins* of the City of *Coventry* Esquire, and *Anna Maria* his Wife, *Richard Luther* Esquire, and *Charlotte* his Wife, upon Mortgage, the Sum of three thousand Pounds Principal Money, besides Interest; to the Lady *Catherine Radcliffe*, Second Daughter of *Francis* late Earl of *Derwentwater*, one Annuity or yearly Rent Charge of one hundred Pounds, clear of all Taxes, for the Term of her natural Life, with the Arrears thereof; it was enacted, That the said Sum of seven thousand one hundred and eighty-two Pounds thirteen Shillings, so arising and produced of the Rents and Profits of the said Premisses, and remaining in the Receipt of the Exchequer as aforesaid, should be issued, appropriated and applied, in the first Place, for the paying and clearing of all Interest and Arrears of the said Annuity of one hundred Pounds a Year, and Incumbrances therein and herein before-mentioned, to the twenty-fifth Day of *March* one thousand seven hundred and thirty-five; and after Payment thereof, the Surplus and Residue of the said Sum of seven thousand one hundred and eighty-two Pounds thirteen Shillings should (except as therein after is excepted) be appropriated and applied, and was thereby appropriated and applied, towards the building and finishing of the Royal Hospital for Seamen at *Greenwich*: And it was thereby further enacted, That all Sums of Money collected and received by the respective Receivers of the Rents and Profits of the said Premisses, so forfeited and vested in his Majesty as aforesaid, which were not paid into the Receipt of the Exchequer on or before the twenty-fifth Day of *March* one thousand seven hundred and thirty-five, and all Arrears of Rents and Profits of the same Premisses, due and owing from the several Farmers, Tenants and Occupiers of any Part or Parts thereof at or on the said twenty-fifth Day of *March* one thousand seven hundred and thirty-five; and all the Rents, Issues and Profits of the said Premisses, which should, from and after the said twenty-fifth Day of *March* one thousand seven hundred and thirty-five, grow, accrue or become due and payable for and during his Majesty's said Estate and Interest in the said Premisses, subject in the first Place to the Payment of the said Annuity of one hundred Pounds a Year, as the same shall grow due, and of all Principal and Interest due and to grow due upon the several Incumbrances therein, and herein before-mentioned, should be issued and applied, and were thereby appropriated and applied in the first Place for and towards the finishing and completing the Building of the said Royal Hospital for Seamen at *Greenwich*; and after the Building of the same Royal Hospital should be completed and finished, for and towards the Support of the said Royal Hospital for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country: And it was thereby further enacted and declared, That the said Premisses so forfeited and vested in his Majesty as aforesaid, should not be sold (except as in the said Act is excepted) but should remain and continue vested in his Majesty, his Heirs and Successors (subject to, and charged and chargeable with, the said Annuity of one hundred Pounds, and Incumbrances aforesaid, and the Payment thereof, in the first Place) for such Estate and Interest as aforesaid, for the Purposes of the said last-recited Act: And his Majesty, his Heirs and Successors, were, by the said last-recited Act, impowered to authorize the Commissioners or Governors of the said Royal Hospital for the Time being, or any seven or more of them, to appoint Stewards, Receivers or Bailiffs of the said Premisses, so forfeited and vested in his Majesty as aforesaid, for and during the said Estate and Interest of his Majesty, his Heirs and Successors, in the same Premisses; and to invest them with full Power to receive the Rents, Issues and Profits thereof; and to give Receipts, Discharges and Acquittances for the same; and to hold Courts, and to do and perform all Acts, Matters and Things, necessary for the managing the said Premisses, usually done and performed by Stewards, Receivers and Bailiffs: And his Majesty, his Heirs and Successors, were, by the said last-recited Act, also impowered, during the Continuance of the said Estate and Interest of his Majesty, his Heirs and Successors, in the said Premisses, to authorize the Commissioners and Governors of the said Royal Hospital, for the Time being, to grant Leases of the Premisses so forfeited, and vested in his Majesty as aforesaid, for any Term not exceeding twenty-one Years in Possession, at the best and most improved yearly Rent: And it was thereby further enacted, That the Commissioners or Governors of the said Royal Hospital should, and were thereby required, to contract and agree with able and sufficient Tradesmen, Artificers or other Persons, for finishing and completing the said Royal Hospital in a workman-like and substantial Manner, on the easiest and most reasonable

8 Geo. 2. c. 29.

'Terms, according to the Plan laid before the Houſe of Commons in that Seſſion of Parliament; and that 'they ſhould lay their Proceedings therein, with their annual Accounts, before his Majeſty and both Houſes 'of Parliament, reſpectively: And it was by the ſaid Act, for the Reaſons therein contained, provided and 'enacted, That out of the Rents and Profits of the ſaid Eſtate, then remaining in the Receipt of his Ma'jeſty's Exchequer, there ſhould and might be iſſued and paid to the Lord Viſcount *Gage* in the Kingdom of '*Ireland*, the Sum of two thouſand Pounds without Account, and clear of all Fees and Deductions; in 'which ſaid laſt-recited Act is contained a Saving to his Majeſty, his Heirs and Succeſſors, of all ſuch Right, 'Title, Eſtate, Intereſt, Claim and Demand, of, in, unto, or out of the ſaid Premiſſes, as his Majeſty, his 'Heirs and Succeſſors, might have had, or been intitled unto, in caſe that Act had never been made; other 'than and except ſuch Right, Title, Eſtate, Intereſt, Claim and Demand, as was veſted in his Majeſty, 'his Heirs and Succeſſors, by virtue of the ſeveral Attainders before-mentioned, or of the therein recited 'Acts of Parliament; and other than and except ſuch Right, Title, Eſtate, Intereſt, Claim and Demand, 'which his Majeſty, his Heirs and Succeſſors, had or might have in or to ſuch Part or Parts of the ſaid Pre'miſſes, which ſhould be ſold purſuant to the Directions of that Act: And therein alſo is contained a Sa'ving to the ſeveral Mortgagees and Incumbrancers before-named (till they ſhould be paid off as afore'ſaid) and to all other Perſons, of all ſuch Right, Title, Eſtate, Intereſt, Claim and Demand, of, in, unto, 'or out of the ſaid Premiſſes (except ſuch Part or Parts thereof, which ſhould be ſold purſuant to the Di'rections of that Act) as they might have had, or been intitled unto, in caſe that Act had never been made:
21 Geo. 2. c. 30. 'And whereas by an Act made in the eleventh Year of the Reign of his preſent Majeſty (intituled, *An Act 'for explaining and amending an Act of the eighth Year of his preſent Majeſty's Reign, intituled*, An Act for the 'Application of the Rents and Profits of the Eſtates forfeited by the Attainders of *James* late Earl of *Der'wentwater*, and *Charles Radcliffe*) it was enacted, That upon the Death of his preſent Majeſty, and alſo 'upon the Death of every ſucceſſive King and Queen of this Realm, all ſuch Acts and Services ſhould be 'done and performed, and all ſuch Fines and Sums of Money ſhould be paid by the reſpective Tenants of 'the Eſtates to every Succeſſor of his Majeſty, or (in caſe any of the ſaid Eſtates ſhould be ſold) to ſuch 'other Perſon who ſhall be the Owner thereof, as by the antient Tenure thereof, or by any Contract, 'Law, Uſage or Cuſtom, ought to be done, performed and paid by them, in caſe ſuch King or Queen ſo 'dying, was conſidered as a private Perſon only, and not in his or her Politick Capacity; and that for De'fault of Performance of ſuch Acts and Services, which ought to be ſo done and performed, and for Default 'of Payment of any ſuch Fines and Sums of Money, which ought ſo to be paid, ſuch Forfeitures and Pe'nalties ſhould accrue and become due, and it ſhould be lawful for his Majeſty, his Heirs and Succeſſors, 'and for all Perſons by him or them appointed, or who ſhould be then Owners of the ſaid Eſtates, to uſe 'and take all ſuch Ways and Means for recovering and taking Advantage of the ſaid Forfeitures and Penal'ties, as might be lawfully uſed or taken by any Lord of the ſaid Eſtates, in caſe ſuch King or Queen ſo 'dying was conſidered as a private Perſon only, and not in his or her politick Capacity; and that all the 'ſaid Fines, Sums of Money, Penalties and Forfeitures, which ſhould accrue and become due to his Ma'jeſty, his Heirs and Succeſſors, during his and their Intereſt therein, ſhould be applied to and for the Uſe 'and Benefit of the Royal Hoſpital for Seamen at *Greenwich*; and the Attorney General of his Majeſty, 'his Heirs and Succeſſors, by his or their Direction, was impowered by the ſaid Act to apply to his Ma'jeſty's Court of *Exchequer* at *Weſtminſter*, by Motion, in a ſummary Way, for the Sale of all, or of ſuch 'Part or Parts of the Timber on the ſaid Eſtates, while the ſame ſhould remain unſold, from time to time, 'and at all Times, as ſhould be thought fit; and the Money ariſing by ſuch Sale or Sales, was to be applied 'by the Direction of the ſaid Court, to the Diſcharge of the Incumbrances with which the ſaid Eſtates then 'ſtood charged; and in the mean time was to be paid by the Purchaſers into the Court of *Exchequer*, or to 'the Treaſurer of the ſaid Hoſpital for the Time being, or to be placed out in ſuch Government or other 'Securities, and in the Names of ſuch Perſons, as the ſaid Court ſhould direct; and in caſe there ſhould 'happen to be any Surplus of the ſaid Money, the ſame was to be applied, in the firſt Place, for and towards 'the finiſhing and completing the Building of the ſaid Royal Hoſpital; and after the Building of the ſame 'Royal Hoſpital ſhould be completed and finiſhed, for and towards the Support of the ſaid Royal Hoſpital, 'for the better Maintenance of the Seamen of the ſaid Royal Hoſpital worn out and become decrepit in the 'Service of their Country; and after the ſaid Incumbrances ſhould be totally diſcharged, then all the Pro'duce of, or Money ariſing by the Sale or Sales of any Timber on the ſaid Eſtates, was to be, from time to 'time, and at all Times, wholly appropriated and applied to the Uſe of the ſaid Hoſpital: And it was by 'the ſaid Act enacted, That for or towards the Diſcharge of the aforeſaid Mortgages and Incumbrances '(except the ſaid Annuity of one hundred Pounds a Year) and not otherwiſe, it ſhould and might be law'ful to and for the Attorney General of his Majeſty, his Heirs and Succeſſors, by his and their Direction, 'to apply to his Majeſty's ſaid Court of *Exchequer*, by Motion, in a ſummary Way, for the Sale or Sales to 'any Perſon or Perſons, being Proteſtants, of the Fee-ſimple and Inheritance of any of the ſaid Premiſſes 'ſo forfeited, and veſted in his Majeſty as aforeſaid, which were not charged with the ſaid Mortgages and 'Incumbrances, as ſhould be thought moſt convenient to be ſold and diſpoſed of, and the Money ariſing by 'ſuch Sale or Sales was to be applied, by the Direction of the ſaid Court, for or towards the Diſcharge of 'the ſaid Incumbrances, or ſome of them, and in the mean time was to be paid by the Purchaſers into 'the Court of *Exchequer*, or to the Treaſurer of the ſaid Hoſpital for the time being, or to be placed out in 'ſuch Government or other Securities, and in the Names of ſuch Perſons, as the ſaid Court ſhould direct; 'and in caſe there ſhould happen to be any Surplus of the ſaid Purchaſe-money, the ſame was to be applied 'for the Benefit of the ſaid Hoſpital: And it was by the ſaid laſt-recited Act alſo enacted, That it ſhould 'and might be lawful for his Majeſty, his Heirs and Succeſſors, during the Continuance of his or their 'Eſtate in the Premiſſes, by Sign Manual, to authorize the Commiſſioners and Governors of the ſaid Hoſ'pital, or any ſeven or more of them, to demiſe and grant all the Mines of Lead, Coal, and other Mine'rals, as well unopened as opened, within and under the ſaid Lands and Premiſſes, for any Number of

'Years,

'Years, not exceeding twenty-one Years, in Poſſeſſion and not in Reverſion, reſerving the beſt Rents or 'Dues that could be reaſonably got for the ſame: And after reciting, That the Intereſt of the Principal 'Money due on the Mortgages and Incumbrances in the ſaid Act mentioned, was partly at the Rate of five 'Pounds for one hundred Pounds, and partly at the Rate of ſix Pounds for one hundred Pounds, for a 'Year, it was enacted, That it ſhould and might be lawful for his Majeſty, his Heirs and Succeſſors, by 'Sign Manual, to authorize the Commiſſioners or Governors of the ſaid Hoſpital for the Time being, or any 'ſeven or more of them, to agree with the reſpective Mortgagees and Incumbrancers of the ſaid Premiſſes in 'the ſaid Act of the eighth Year of his preſent Majeſty's Reign named, their Executors, Adminiſtrators 'or Aſſigns, for any leſs Rate or Intereſt for the Principal Money due on their Securities reſpectively, than 'the ſame was then at; and in caſe the ſaid Mortgagees and Incumbrancers ſhould not ſo agree, then to 'agree with any other Perſon or Perſons for the advancing Money at any leſs Rate or Intereſt than aforeſaid, 'for paying off the Principal Money due on the ſaid Mortgages and Incumbrances, upon the ſame being 'aſſigned unto ſuch Perſon or Perſons reſpectively ſo advancing ſuch Money; provided that ſuch Aſſign-'ments ſhould be made for the reſpective Principal Money only of the ſaid Mortgages and Incumbrances, 'and for the Intereſt of ſuch Principal Money to grow due, from and after the making of ſuch Aſſignments 'reſpectively; and that the ſaid Principal Money, and Intereſt thereof, in all ſuch Aſſignments, ſhould be 'made payable at the End of ſix Months at the fartheſt, from the Day of the making ſuch Aſſignments re-'ſpectively: In which ſaid laſt-recited Act there is contained the like Saving to his Majeſty, and to all other 'Perſons, as in the ſaid Act of the eighth Year of his ſaid preſent Majeſty's Reign is contained; as by the 'ſaid ſeveral recited Acts of Parliament may (amongſt other Things therein contained) more fully appear: 'And whereas the ſaid Sum of ſeven thouſand one hundred and eighty-two Pounds thirteen Shillings, ſo 'remaining in his Majeſty's Exchequer as aforeſaid, was applied according to the Directions of the ſaid re-'cited Act of the eighth Year of his preſent Majeſty's Reign; and the ſeveral Sums of Money which had 'been collected and received by the reſpective Receivers of the Rents and Profits of the aforeſaid Premiſſes, 'which were not paid into the Receipt of the Exchequer on or before the twenty-fifth Day of *March* one 'thouſand ſeven hundred and thirty-five; and the Arrears of Rents and Profits of the ſame Premiſſes, due and 'owing from the ſeveral Farmers, Tenants and Occupiers thereof, at or on the ſaid twenty-fifth Day of '*March* one thouſand ſeven hundred and thirty-five; and alſo the Rents, Iſſues and Profits of the ſaid Pre-'miſſes, which from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and thirty-'five, to the Time of making this Act, have accrued, or become due or payable, or ſo much thereof as 'could be got in and received, have, from time to time, been applied for ſuch Purpoſes as the ſame were di-'rected to be applied by the ſaid Acts of the eighth and eleventh Years of his preſent Majeſty's Reign, as 'by the Account of the Proceedings of the Commiſſioners or Governors of the ſaid Royal Hoſpital at *Green-'wich*, with reſpect to their contracting and agreeing with Tradeſmen, Artificers, or other Perſons, for 'finiſhing and completing the ſaid Royal Hoſpital, in the Manner mentioned in the ſaid Act of the eighth 'Year of his preſent Majeſty's Reign, and alſo the annual Accounts of the ſaid Commiſſioners or Gover-'nors, with reſpect to the Rents, Iſſues and Profits of the ſaid Premiſſes that have been received by them, 'which the ſaid Commiſſioners or Governors have, from time to time, according to the Directions of the 'ſaid Act of the eighth Year of his preſent Majeſty's Reign, laid before his Majeſty and both Houſes of Par-'liament, may appear: And whereas the ſaid Lady *Catherine Raddiffe*, ſecond Daughter of the ſaid *Francis* 'Earl of *Derwentwater*, is reputed to be dead, and all Arrears of the ſaid Annuity or yearly Rent Charge 'of one hundred Pounds, payable to her as aforeſaid, are ſuppoſed to have been paid and ſatisfied: And 'whereas the ſaid *Robert James* Lord *Petre* (who intermarried with the ſaid *Anna Maria*, Daughter of the 'ſaid *James* late Earl of *Derwentwater*, by the ſaid *Anna Maria* his Wife) having refuſed to accept of 'any leſs Intereſt for the ſaid Principal Sum of twenty thouſand Pounds, due for the Portion of the ſaid '*Anna Maria* Lady *Petre* his Wife, than the ſame was then at; and the Right Honourable Sir *Charles Wa-'ger* Knight, Sir *Thomas Littleton*, Sir *Thomas Frankland*, Baronets, Sir *Jacob Ackworth* Knight, *Thomas 'Pearſe*, *George Purvis*, *Joſiah Burchett*, *Tudor Trevor*, Lieutenant Governor *Nicholas Clarke*, and *Wil-'liam Baxter*, Eſquires; ten of the Commiſſioners or Governors of the ſaid Royal Hoſpital, authorized 'and impowered by his Majeſty's Sign Manual, bearing Date the twenty-ſeventh Day of *June* one thou-'ſand ſeven hundred and thirty-eight, purſuant to the ſaid Act of Parliament made in the eleventh Year of 'his preſent Majeſty's Reign, having agreed with the Governor and Company of the Bank of *England*, for 'advancing Money at the Rate of four Pounds *per Centum per Annum*, for paying off the ſaid Principal 'Sum of twenty thouſand Pounds; and the Term of five hundred Years, limited by the ſaid Settlement of 'the twenty-fourth Day of *June* one thouſand ſeven hundred and twelve, to the ſaid *Other* Earl of *Plymouth*, 'and *William* Lord *Widdrington*, having by the Attainder of the ſaid Lord *Widdrington*, who ſurvived the 'ſaid Earl of *Plymouth*, been veſted in his Majeſty, the ſaid *Robert James* Lord *Petre*, and *Anna Maria* 'Lady *Petre* his Wife, in Conſideration of the Sum of twenty thouſand Pounds to the ſaid Lord *Petre* paid 'by the Governor and Company of the Bank of *England*, did by a certain Indenture Tripartite, bearing 'Date the eleventh Day of *May* one thouſand ſeven hundred and thirty-nine, by the Appointment and Di-'rection of the ſaid Sir *Charles Wager*, Sir *Thomas Littleton*, Sir *Thomas Frankland*, Sir *Jacob Ackworth*, *Tho-'mas Pearſe*, *George Purvis*, *Joſiah Burchett*, *Tudor Trevor*, *Nicholas Clarke*, and *William Baxter*, bargain, 'ſell, and aſſign, unto the ſaid Governor and Company of the Bank of *England*, their Succeſſors and Aſ-'ſigns, the Barony, Manors, Lands and Hereditaments, by the ſaid Indenture of Releaſe of the twenty-'fourth Day of *June* one thouſand ſeven hundred and twelve, limited to the ſaid Earl of *Plymouth*, and Lord '*Widdrington*, for the Term of five hundred Years as aforeſaid; and all the Eſtate, Right, Title and In-'tereſt, of the ſaid *Robert James* Lord *Petre*, and *Anna Maria* Lady *Petre* his Wife, of, in and to the ſaid 'Barony, Manors, Lands, Tenements and Hereditaments, and in and to the ſaid Term of five hundred 'Years, and of, in and to the ſaid twenty thouſand Pounds, to hold the ſame to the ſaid Governor and Com-'pany of the Bank of *England*, their Succeſſors and Aſſigns, for the Reſidue then to come of the ſaid Term

of five hundred Years, subject to a Proviso for Redemption, on Payment of the said Sum of twenty thousand Pounds, with Interest for the same, at the Rate of four Pounds *per Centum per Annum*, on the eleventh Day of *November* then next; and the said Commissioners or Governors of the said Hospital having, since the Time limited by the said Proviso, paid out of the Monies belonging to the said Hospital, the said Sum of twenty thousand Pounds, with all Interest due for the same, the said Governor and Company of the Bank of *England* did, by Indenture bearing Date the sixteenth Day of *February* one thousand seven hundred and forty-eight, bargain, sell and assign, unto the Right Honourable *Archibald Hamilton* Esquire, commonly called Lord *Archibald Hamilton*, Governor of the said Royal Hospital, *Charles Smith* Esquire, Lieutenant Governor of the said Hospital, *James Gunman* Esquire, Treasurer of the said Hospital, Sir *Edward Bellamy* Knight (since deceased) Sir *John Thompson* Knight, *William Fawkener* Esquire, and *William Baxter* Esquire, seven of the Commissioners or Governors of the said Hospital, the Barony, Manors, Lands and Hereditaments, so limited to the said Earl of *Plymouth* and Lord *Widdrington*, for the Term of five hundred Years, as aforesaid, and all the Estate, Right, Title and Interest of the said Governor and Company of the Bank of *England*, of, in and to the said Barony, Manors, Lands, Tenements and Hereditaments, and in and to the said Term of five hundred Years, to hold the same unto the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *Edward Bellamy*, Sir *John Thompson*, *William Fawkener* and *William Baxter*, their Executors, Administrators and Assigns, for the Remainder then to come of the said Term of five hundred Years, in Trust, and to the Intent that the Rents, Issues and Profits of the said Premisses, should and might be appropriated, applied and disposed of, to the Uses, and for the Purposes directed in and by the said Act of Parliament made in the said eighth Year of the Reign of his said present Majesty, and for that Purpose that the said Term and Estate might attend and wait upon the Freehold and Inheritance thereof, as the same was then vested in his Majesty, his Heirs and Successors: And whereas the said *Cuthbert Constable*, alias *Tunstall*, having refused to accept of any less Rate or Interest for the said Principal Sum of five thousand and nine hundred Pounds, mentioned in the said recited Act of the eighth Year of his present Majesty's Reign to be due to him upon Mortgage, than the same was then at (and which Sum of five thousand and nine hundred Pounds, and the Interest thereof, was heretofore secured to the said Lady *Mary Radcliffe*, by a Mortgage made to her by the said *Edward* Earl of *Derwentwater* of the said Manors of *Spindleston* and *Utchester*, for the Term of five hundred Years, by Indenture bearing Date the twenty-second Day of *April* one thousand six hundred and ninety-nine, pursuant to a Power given him for that Purpose by a certain Act of Parliament therein mentioned, in full Satisfaction of the said Sum of five thousand Pounds, directed by the said recited Indenture of Release of the twenty-fourth of *March* one thousand six hundred and ninety-one, to be raised for her, and the Interest thereof to that Time, and to which Sum of five thousand nine hundred Pounds the said *Cuthbert Constable*, alias *Tunstall*, became intitled by virtue of the Will of the said Lady *Mary Radcliffe*, of which Will he was then the surviving Executor); and the said Sir *Charles Wager*, Sir *Thomas Littleton*, Sir *Thomas Frankland* and Sir *Jacob Ackworth*, *Thomas Pearse*, *George Purvis*, *Josiah Burchett*, *Tudor Trevor*, *Nicholas Clarke* and *William Baxter*, having agreed with the Governor and Company of the Bank of *England*, for advancing Money at the Rate of four Pounds *per Centum per Annum*, for paying off the said Sum of five thousand nine hundred Pounds, the said *Cuthbert Constable*, alias *Tunstall*, in Consideration of the said Sum of five thousand nine hundred Pounds paid to him by the said Governor and Company of the Bank of *England*, did, by the Appointment and Direction of the said Sir *Charles Wager*, Sir *Thomas Littleton*, Sir *Thomas Frankland*, Sir *Jacob Ackworth*, *Thomas Pearse*, *George Purvis*, *Josiah Burchett*, *Tudor Trevor*, *Nicholas Clarke* and *William Baxter*, grant, bargain, sell and assign to the said Governor and Company of the Bank of *England*, and their Successors and Assigns, the said Manors of *Spindleston* and *Utchester*, to hold the same unto the said Governor and Company of the Bank of *England*, and their Successors and Assigns, for the Remainder then to come of the said Term of five hundred Years, by the said Indenture of the twenty-second Day of *April* one thousand six hundred and ninety-nine, granted, subject to a Proviso for the surrendering and assigning the said Premisses to the said Sir *Charles Wager*, Sir *Thomas Littleton*, Sir *Thomas Frankland*, Sir *Jacob Ackworth*, *Thomas Pearse*, *George Purvis*, *Josiah Burchett*, *Tudor Trevor*, *Nicholas Clarke* and *William Baxter*, their Executors, Administrators or Assigns, or to such Person or Persons as they should appoint and direct, on Payment of the said Sum of five thousand nine hundred Pounds, with Interest for the same, at the Rate of four Pounds *per Centum per Annum*, at the Time therein mentioned; and the Commissioners or Governors of the said Hospital, or some of them, having since paid out of the Monies and Revenues belonging to the said Hospital, the said Sum of five thousand nine hundred Pounds, with all Interest due for the same, the said Governor and Company of the Bank of *England* did, by another Indenture bearing Date the said sixteenth Day of *February* one thousand seven hundred and forty-eight, bargain, sell and assign unto the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *Edward Bellamy*, Sir *John Thompson*, *William Fawkener* and *William Baxter*, their Executors, Administrators and Assigns, the said Manors of *Spindleston* and *Utchester*, to hold the same unto the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *Edward Bellamy*, Sir *John Thompson*, *William Fawkener* and *William Baxter*, their Executors, Administrators and Assigns, for the Remainder then to come of the said last mentioned Term of five hundred Years, in Trust, and to the Intent that the Rents, Issues and Profits of the said Manors and Premisses, should and might be appropriated, applied and disposed, to the Uses, and for the Purposes, directed in and by the said Act of Parliament made in the said eighth Year of the Reign of his present Majesty; and for that Purpose, that the said Term and Estate might attend and wait upon the Freehold and Inheritance thereof as the same was then vested in his Majesty, his Heirs and Successors: And whereas the said *Mary Chamberlain*, *Edward Hopkins* and *Anna Maria* his Wife, and *Richard Luther* and *Charlotte* his Wife, did, immediately after the passing the said recited Act, made in the eleventh Year of his Majesty's Reign, agree with the Commissioners or Governors of the said Hospital to accept of four Pounds *per Centum per Annum*, for the Interest of the said Principal Sum of three

thousand

'thousand Pounds, mentioned in the said recited Act of the eighth Year of his present Majesty's Reign to 'be due to them upon Mortgage (which Sum of three thousand Pounds was, by the said *Edward* Earl of 'Derwentwater, by a certain Deed Poll, bearing Date the twenty-fourth Day of *June* one thousand six 'hundred and ninety-nine, pursuant to a Power to him given by a certain Indenture of Release, bearing 'Date the twentieth Day of *May* in the third Year of the Reign of his Majesty King JAMES the Second, 'charged upon the said Barony, Manor or Lordship of *Langley*, and several other of the Manors, Lands 'and Hereditaments before-mentioned, and other the Lands in the said Deed Poll mentioned, for the Por-'tion of his Daughter Lady *Tudor Radcliffe*, and which Sum of three thousand Pounds was afterwards as-'signed to *Hugh Chamberlain* Doctor in Physick, by *William Petre* junior Esquire, who intermarried with 'the said *Lady Tudor Radcliffe*; and the said Lady *Tudor* his Wife, by Indenture Tripartite, bearing Date 'the first Day of *July* one thousand seven hundred and twenty-two, in the Manner in the said Indenture 'mentioned; and which said *Hugh Chamberlain* afterwards died, having first made his last Will and Testa-'ment in Writing, and two Codicils thereunto, and appointed his three Daughters, the said *Mary Cham-'berlain*, *Anna Maria Hopkins* and *Charlotte Luther*, Executrixes of his Will); but the said *Edward Hop-'kins*, having afterwards died, and the said *Mary Chamberlain*, *Anna Maria Hopkins*, *Richard Luther* and 'Charlotte his Wife, having thought fit to call in the said Principal Sum of three thousand Pounds, the 'Commissioners or Governors of the said Hospital did, out of the Monies and Revenues belonging to the 'said Hospital pay the said Sum of three thousand Pounds, and all Interest due for the same; and thereupon 'the said *Mary Chamberlain*, *Anna Maria Hopkins*, *Richard Luther* and *Charlotte* his Wife, did by Inden-'ture, bearing Date the sixteenth Day of *May* one thousand seven hundred and forty-eight, assign unto the 'said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *Edward Bellamy*, Sir *John Thompson*, *William 'Fawkener* and *William Baxter*, their Executors, Administrators and Assigns, the said Sum of three thou-'sand Pounds, and all Interest thereafter to grow due for the same, and all their Estate and Interest in and 'to the said Manor or Lordship of *Langley*, and other the Manors, Lands and Hereditaments, by the said 'last-mentioned Deed Poll charged with the said Sum of three thousand Pounds and Interest (except as 'therein is mentioned) to hold the said Barony, Manors, Lands and Hereditaments (except as therein is 'mentioned) and the said Sum of three thousand Pounds charged thereon, unto the said *Archibald Hamil-'ton*, *Charles Smith*, *James Gunman*, Sir *Edward Bellamy*, Sir *John Thompson*, *William Fawkener* and *Wil-'liam Baxter*, their Heirs, Executors, Administrators and Assigns, upon Trust, to and for the Use and Be-'nefit of the said Royal Hospital at *Greenwich*: And whereas the aforesaid *Charles Radcliffe* did, after his 'having been so attainted as aforesaid, inter-marry with the Right Honourable *Charlotte* Countess of *New-'burgh*, by whom he had Issue two Sons, namely *James Bartholomew Radcliffe*, commonly called Lord *Ke-'naird*, his eldest Son, who was born in *France*, out of his Majesty's Allegiance, on the twenty-fifth Day 'of *August* one thousand seven hundred and twenty-five, and *James Clement Radcliffe* his youngest Son, and 'three Daughters, to wit, the Lady *Charlotte Radcliffe*, Lady *Barbara Radcliffe* and Lady *Mary Radcliffe*, 'who were all also born out of his Majesty's Allegiance in Parts beyond the Seas, and all of them (except 'the said Lary *Mary Radcliffe*) have attained their respective Ages of twenty-one Years: And whereas by 'a Clause in an Act made in the seventh Year of the Reign of her late Majesty Queen ANNE (intituled, '*An Act for the naturalizing Foreign Protestants*) it was enacted, That the Children of all natural-born 7 Annæ, c. 5. 'Subjects, born out of the Legiance of her Majesty, her Heirs and Successors, should be deemed, adjudg-'ed and taken to be natural-born Subjects of this Kingdom, to all Intents, Constructions and Purposes 'whatsoever: And whereas by an Act of Parliament made in the fourth Year of his present Majesty's 'Reign (intituled, *An Act to explain a Clause in an Act made in the seventh Year of the Reign of her late Ma-* 4 Geo. 2. c. 21. '*jesty Queen* ANNE, For naturalizing Foreign Protestants, *which relates to the Children of the natural-born 'Subjects of the Crown of* England, *or of* Great Britain) it was enacted, That all Children, born out of the 'Legiance of the Crown of *England*, or of *Great Britain*, or which should thereafter be born out of such 'Legiance, whose Fathers were or should be natural-born Subjects of the Crown of *England*, or of *Great 'Britain*, at the Time of the Birth of such Children respectively, should and might, by virtue of the said 'recited Clause in the said Act of the seventh Year of the Reign of her late Majesty, and of that Act, be 'adjudged and taken to be, and all such Children were thereby declared to be natural-born Subjects of the 'Crown of *Great Britain*, to all Intents, Constructions and Purposes whatsoever; but it was by the said Act 'provided, and further declared and enacted, That nothing in the said recited Act of the seventh Year of 'her said late Majesty's Reign, or in that Act contained, did or should extend, or ought to be construed, 'adjudged, or taken to extend, to make any Children, born or to be born out of the Legiance of the Crown 'of *England*, or of the Crown of *Great Britain*, to be natural-born Subjects of the Crown of *England* or 'of *Great Britain*, whose Fathers, at the Birth of such Children respectively, were or should be attainted 'of High Treason, by Judgment, Outlawry or otherwise, either in this Kingdom or in *Ireland*; or whose 'Fathers, at the Time of the Birth of such Children respectively, by any Law or Laws made in this King-'dom, or in *Ireland*, were or should be liable to the Penalties of High Treason or Felony, in case of their 'returning into this Kingdom, or into *Ireland*, without the Licence of his Majesty, his Heirs or Succes-'sors, or of any of his Majesty's Royal Predecessors; or whose Fathers, at the Time of the Birth of such 'Children respectively, were or should be in the actual Service of any foreign Prince or State then in En-'mity with the Crown of *England*, or of *Great Britain*; but that all such Children were, and should be 'and remain in the same State, Plight and Condition, to all Intents, Constructions and Purposes whatso-'ever, as they would have been in, if the said Act of the seventh Year of her said late Majesty's Reign, or 'that Act, had never been made, as by the said two last-mentioned Acts of Parliament may more fully ap-'pear: And whereas the said *James Bartholomew Radcliffe*, commonly called Lord *Kenaird*, hath made a 'most dutiful Representation to your Majesty; wherein, after having set forth the several Limitations con-'tained in the said Settlement of the twenty-fourth of *June* one thousand seven hundred and twelve, and the 'several Attainders of the said *James* Earl of *Derwentwater*, and *Charles Radcliffe* his Father, and his being

'the firſt Son of the Body of the ſaid *Charles Radcliffe*, and the ſeveral Acts of Parliament herein before-
'recited, relating to the ſaid forfeited Eſtates, and that, by virtue thereof, the ſaid Manors, Lands and
'Hereditaments, comprized in the ſaid laſt-mentioned Settlement, became veſted in your Majeſty, your
'Heirs and Succeſſors, according to ſuch Eſtates and Intereſt as the ſaid attainted Perſons had therein at
'the Times mentioned in the ſaid firſt recited Act, he the ſaid *James Bartholomew Radcliffe* did, in all Hu-
'mility, ſhew to your Majeſty, that being adviſed that your Majeſty's Eſtate and Intereſt in the Manors,
'Lands and Hereditaments, comprized in the ſaid Settlement, under the ſaid Acts, did determine on the
'Death of the ſaid *Charles Radcliffe*, he the ſaid *James Bartholomew Radcliffe* did well hope, that the Com-
'miſſioners and Governors of *Greenwich Hoſpital* would have admitted him to be intitled, from the Time of
'the Death of the ſaid *Charles Radcliffe*, to the Poſſeſſion of the ſaid laſt-mentioned Manors, Lands, and
'Hereditaments, under the Limitations contained in the ſaid Settlement of the twenty-fourth of *June* one
'thouſand ſeven hundred and twelve, to the firſt and other Sons of the ſaid *Charles Radcliffe* in Tail
'Male; but that he found the ſaid Commiſſioners and Governors did not look on your Majeſty's Eſtates and
'Intereſts in the ſaid Premiſſes to be determined, but did conſider the ſaid Right, Title, Claim and In-
'tereſt, which the ſaid *James Bartholomew Radcliffe* pretended to under the ſaid Settlement of the twenty-
'fourth Day of *June* one thouſand ſeven hundred and twelve, to be null and void, inaſmuch as neither the
'Truſtees for preſerving the contingent Remainders under the ſaid Settlement, nor any other Perſon for or
'on the Behalf of the firſt and other Sons of the ſaid *Charles Radcliffe*, had made any Claim before the
'Commiſſioners appointed by the ſaid recited Acts of the firſt and fourth Years of his late Majeſty, for the
'determining Claims as aforeſaid: And the ſaid *James Bartholomew Radcliffe* did alſo ſhew to your Maje-
'ſty, that he found it might be objected to him, that, as he was born within the Dominions of the *French*
'King, in the Year one thouſand ſeven hundred and twenty-five, and out of your Majeſty's Legiance, he
'was to be conſidered as an Alien, and was to be excluded from all Right and Title to the ſaid Eſtates,
'although he was born of natural-born Subjects, as before is mentioned; and thereupon the ſaid *James*
'*Bartholomew Radcliffe* did moſt humbly repreſent it to your Majeſty, that if he ſhould be found to be an
'Alien under the ſaid Act of the fourth Year of your Majeſty's Reign, it could not be of any Avail to
'him to litigate the Queſtion touching the Neceſſity there was, under the Act of his late Majeſty, to enter
'a Claim in Behalf of an unborn Perſon; and as the ſaid *James Bartholomew Radcliffe* was abſolutely un-
'able to bear the Expence of ſuch a Litigation, he did therefore ſubmit to your Majeſty's Conſideration
'ſeveral Reaſons and Arguments in Support of his Right and Title to the ſaid Eſtates, and whether he
'was to be conſidered as an Alien or not; and although he was to be conſidered as an Alien, in which
'Caſe he would be incapable to hold any Eſtate againſt the Crown, yet nevertheleſs he did contend, that
'he was capable for the Benefit of the Crown, to take ſuch Eſtate and Intereſt as was limited to him by the
'ſaid Settlement; in regard whereof, and of the many ſingular Hardſhips attending his Caſe, he did hum-
'bly beſeech your Majeſty to extend your Grace and Favour to him, and to grant him ſuch Relief for his
'Support, as the Circumſtances of his Caſe ſhould require: And whereas your Majeſty, out of your
'Princely Clemency, and from thoſe Motives of Goodneſs and Compaſſion, which are inherent in your
'Royal Nature, hath been pleaſed to ſignify to your Parliament, That your Majeſty was graciouſly incli-
'ed, that ſome Relief ſhould be granted to the ſaid *James Bartholomew Radcliffe*, ſo as the ſame ſhould be
'conſiſtent with the juſt Rights of *Greenwich Hoſpital*: And whereas the ſaid Commiſſioners and Governors
'of the ſaid Hoſpital are adviſed, That great Doubts may ariſe, whether upon the Conſtruction of the
'true Intent of the ſaid Act of the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt,
'and of the ſaid other Act of the fourth Year of his Reign, the Uſe and Eſtate in Remainder limited by
'the ſaid Settlement of the twenty-fourth Day of *June* one thouſand ſeven hundred and twelve, to the firſt
'and other Sons of the ſaid *Charles Radcliffe*, was loſt and deſtroyed, by reaſon that the ſame was not
'claimed before the Commiſſioners and Truſtees appointed by the ſaid Act, for and on the Behalf of ſuch
'firſt and other Sons, within the Time preſcribed by the ſaid Acts; and it may alſo be doubted, whether
'the Claim made in Behalf of the ſaid *John Radcliffe* of the precedent Uſe and Eſtate limited to him, and
'the Allowance thereof by the Court of Delegates, in ſuch Manner as before is mentioned, did not reveſt
'all the Manors and Hereditaments comprized in the ſaid Settlement of one thouſand ſeven hundred and
'twelve, to the ſeveral Uſes limited in and by the ſaid Settlement, with ſuch Remainders as therein are
'expreſſed: And the ſaid Commiſſioners and Governors are alſo adviſed, That in caſe the ſaid Act ſhould
'not extend to make the ſaid Uſe and Eſtate in Remainder, limited by the ſaid Settlement to the firſt and
'other Sons of the ſaid *Charles Radcliffe* (they not being born or in being at the Time of the ſaid Acts,
'and therefore not being Perſons actually having any Eſtate and Intereſt at that Time) abſolutely null and
'void, then the Eſtate and Intereſt of your Majeſty, and conſequently the Right and Title of the ſaid Ho-
'ſpital, which depends on the Continuance thereof, may be conſidered as having determined on the Death
'of the ſaid *Charles Radcliffe*; and if the ſaid *James Bartholomew Radcliffe* ſhould be conſidered as an Alien,
'then a new Right might accrue to your Majeſty, in virtue of your Prerogative Royal, ſo ſoon as an In-
'quiſition ſhould be taken, finding the ſaid *James Bartholomew Radcliffe* to be an Alien accordingly: In
'regard of all which, and many other Doubts and Difficulties, the ſaid Commiſſioners and Governors are
'adviſed, That it will be for the Intereſt and Advantage of the ſaid Hoſpital to conſent that the ſaid Ma-
'nors, Lands and Hereditaments, ſhall ſtand charged with the raiſing ſuch Sum of Money as herein after is
'mentioned; ſo as that the Right and Title of the ſaid Hoſpital to the ſaid Manors, Lands and Heredita-
'ments, may be fully eſtabliſhed, and that the Fee and Inheritance thereof may be abſolutely veſted in
'Truſtees for the Uſe and Benefit of the ſaid Hoſpital for ever, free and diſcharged from all the Right, Ti-
'tle, Claim and Demand of the ſaid *James Bartholomew Radcliffe*, and of his Majeſty in his Right, and of
'all others claiming by or under any of the Limitations contained in the ſaid Settlement, ſo dated the ſaid
'twenty-fourth Day of *June* one thouſand ſeven hundred and twelve, as aforeſaid; and ſo that the ſaid
'Commiſſioners and Governors of the ſaid Hoſpital may have and exerciſe full Power to cut down and

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'make Sale of the Timber on the Premisses for the Benefit of the said Hospital, as they shall think fit, and 'to make such Leases of the same, and of the Mines open or unopen, as they shall think proper: And 'whereas the said *Charlotte* Countess of *Newburgh*, for and on the Behalf of the said *James Clement Rad-*'*cliffe*, her second Son, and the said Lady *Charlotte Radcliffe*, Lady *Barbara Radcliffe*, and Lady *Mary* '*Radcliffe*, hath most humbly implored your Majesty to extend your Royal Grace and Favour to them, 'humbly representing, That if no Relief should be granted to them, they will be destitute of all manner 'of Provision after the Death of the said Countess of *Newburgh*; and the said *James Bartholomew Radcliffe* 'is consenting, That all the Right, Title and Interest, which he or his Issue Male hath or can have, to the 'Manors, Lands, Tenements and Hereditaments, comprized in the said Settlement of the twenty-fourth 'Day of *June* one thousand seven hundred and twelve, shall be extinguished by Authority of Parliament, 'and that the absolute Fee-simple, and Inheritance of the said Premisses, shall be so vested in the said Royal 'Hospital at *Greenwich*, and their Successors for ever: And whereas your Majesty has been graciously pleas-'ed to signify to your Parliament, That your Majesty was willing and desirous, and gave your Consent, 'that the Parliament might make whatever Disposition and Settlement they should think fit of the Interest 'your Majesty hath or may have in the said Estates, so as the same be for the Use and Benefit of the Royal 'Hospital at *Greenwich*, with the Allowance which shall be thought proper to be made thereout for the Re-'lief of the Children of the said *Charles Radcliffe*:' Wherefore your Majesty's faithful Commons in Parlia-ment assembled, do humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the said Barony, Manor or Lordship of *Langley*, with the Rights, Members and Appurtenances thereof, in the County of *Northumberland*; and also all those the said Manors of *Whitting stall* alias *Quitting stall*, and *Newlands*, *Dilston* alias *Develston*, *Aydon Shields*, *Warke*, *Elrington* and *Meldon*, and every of them, with their and every of their Rights, Members and Appurtenances in the said County of *Northumberland*; and all those the said Manors or reputed Manors of *Spindleston*, *Utchester*, *Throckley*, *Coastley*, *Middleton Hall*, *East Thornton*, alias *Thornton East*, *Westwood* and *Thornborough*, and every of them, with their and every of their Rights, Members and Appurtenances in the said County of *Northumberland*; and also all that the Advowson of the said Church of *Symonburne*, with the Appurtenances in the said County of *Northumberland*; and also all those the said Manors or reputed Manors of *Castlerigg* and *Derwentwater*, alias *Keswick* and *Thornthwaite*, with their and every of their Rights, Members and Appurtenances in the County of *Cumberland*; and also all that the said Manor of *Scremerston*, with the Rights, Members and Appurtenances in the County Palatine of *Durham*; and also all and singular the Messuages, Granges, Farms, Lands, Meadows, Pastures, Feedings, Woods, Underwoods, Tenements and Hereditaments whatsoever, late the Estate of the said *James* late Earl of *Derwentwater*, or whereof he was seized of any Estate of Inheritance in Possession, Reversion, Remainder or Expectancy, situate, lying and being in the said Counties of *Northumberland* and *Cumberland*, County Palatine of *Durham*, and every of them, with their Appurtenances, which, by the said recited Indentures of Lease and Release of the twenty-third and twenty-fourth Days of *June* one thousand seven hundred and twelve, were settled, limited and assured to the Uses in the said Indenture of Release of the twenty-fourth Day of *June* one thousand seven hundred and twelve, mentioned; and the Reversion and Reversions, Remainder and Remainders, Rents, Issues and Profits of all and singular the same Premisses, shall, from and immediately after the Death of the said *Charles Radcliffe*, be and be deemed to be, and to have been divested out of his Majesty, his Heirs and Successors, and settled upon and vested in, and the same are hereby from thenceforth settled upon and vested in the most Noble *Charles* Duke of *Richmond* and *Lenox*, and the Right Honourable *Henry Fox* Esquire, their Heirs and Assigns, freed, acquitted, and absolutely discharged of, from and against all and every the Uses, Estates and Limitations, in and by the said Indenture of Release or Settlement, bearing Date the said twenty-fourth Day of *June* one thousand seven hundred and twelve, limited and created of and concerning the same, to and for the first and other Sons of the said *Charles Radcliffe*, and the Issue Male of such first and other Sons, and freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim and Demand, as was vested in his Majesty, his Heirs and Successors, by virtue of the several Attainders herein before-mentioned, or of the said several Acts of Parliament herein before recited, or any of them, and also freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim and Demand, as is vested, or that might or could accrue or belong to his Majesty, his Heirs or Successors, by Reason or Means of the said *James Bartholomew Radcliffe*, and *James Clement Radcliffe*, or either of them, having been born out of the Dominions of the Crown of *Great Britain*, or otherwise howsoever, save as herein after is saved; to the Use of them the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, their Executors, Administrators and Assigns, for and during, and unto the full End and Term of five hundred Years, to be computed from the Day of the Death of the said *Charles Radcliffe*, and from thence next ensuing, and fully to be compleat and ended, without Impeachment of Waste; and from and after the End, Expiration or other Determination of the said Term, then to and for the only proper Use and Behoof of the Right Honourable *Archibald Hamilton* Esquire, commonly called Lord *Archibald Hamilton*, *Charles Smith* Esquire, *James Gunman* Esquire, Sir *John Thompson* Knight, Sir *James Creed* Knight, *Peter Burrell* Esquire, *William Fawkener* Esquire, *William Baxter* Esquire, *Edward Vernon* Esquire, *Thomas Ripley* Esquire, Doctor *David Cockburn*, *James Spilman* Esquire, *William Allix* Esquire, *Fitzwilliam Plumtre* Esquire, *William Young* Esquire, and Captain *Francis Dansays*, being sixteen of the Commissioners or Governors and Directors of the said Royal Hospital for Seamen at *Greenwich*, their Heirs and Assigns for ever; in Trust nevertheless for themselves and the rest of the Commissioners or Governors and Directors for the time being of the said Royal Hospital, for the Uses and Purposes following; (that is to say) In the first Place, for and towards the finishing and completing the Building of the said Royal Hospital; and after the Building of the same shall be completed and finished, for and

The Barony and Manors herein described, divested out of his Majesty from the Death of Charles Radcliffe,

and vested in the Duke of Richmond and the Right Honourable Henry Fox Esquire, for the Term of 500 Years;

and after the Expiration of the said Term, in the Commissioners for Greenwich Hospital.

and towards the Support of the said Royal Hospital, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

Certain Lands divested out of his Majesty,

II. And it is further enacted by the Authority aforesaid, That all that the said Manor and Lordship of *Alstone* alias *Aldston Moore*, and *Garrigill*, and all and every the Rights, Members and Appurtenances thereunto belonging, in the said County of *Cumberland*; and all those the said two Parts (the Whole into three Parts to be divided) of the said Manor and Lordship of *Newton-Hall*, in the said County of *Northumberland*; and all that the said Moiety or one Half Part of the said Village or Township of *Buteland*, in the said Parish of *Chollerton* and County of *Northumberland*; and all those the said Rectories and Parsonages of *Kirke Whelpington*, *Harburne* alias *Hartburne*, and *Midford*, in the said County of *Northumberland*; and all and singular the Messuages, Tythes, Farms, Lands, Tenements and Hereditaments whatsoever, situate, lying and being in the said County of *Northumberland*, which by the said recited Indentures of Lease and Release of the twenty-third and twenty-fourth Days of *March* one thousand six hundred and ninety-one, were settled, limited and assured to the Uses in the said Indenture of Release of the twenty-fourth Day of *March* one thousand six hundred and ninety-one mentioned, and which, by virtue of the several Attainders herein before-mentioned, and of the said recited Acts of Parliament, or some of them, do now remain vested in his Majesty, his Heirs and Successors, subject to such Appropriation for the Rents and Profits thereof for the Use and Benefit of the said Royal Hospital at *Greenwich*, as aforesaid; and the Reversion and Reversions, Remainder and Remainders, Rents, Issues and Profits of all and singular the said last-mentioned Premisses, shall from henceforth be divested out of his Majesty, his Heirs and Successors, and the same shall be, and shall be deemed to be, and they are accordingly, from henceforth, settled upon and vested in the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompson*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young* and *Francis Dansays*, their Heirs and Assigns, to the Use of them, their Heirs and Assigns for ever, in Trust nevertheless for themselves and the rest of the Commissioners, or Governors and Directors for the time being of the said Royal Hospital, for and towards finishing and completing the Building of the said Royal Hospital; and after the Building of the same shall be completed and finished, for and towards the Support of the said Royal Hospital for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country, freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim and Demand, as was vested in his Majesty, his Heirs and Successors, by virtue of the several Attainders herein before-mentioned, or of the said several Acts of Parliament herein before recited, or any of them, or otherwise howsoever, and freed and absolutely discharged of and from all such Right, Title, Estate, Interest, Claim or Demand, as any other Person or Persons whatsoever hath or have, or may or can have, in or to the said last mentioned Manors, Messuages, Lands, Tenements and Hereditaments, or in or to any Part or Parcel thereof, upon any Account howsoever, save as herein after is mentioned.

and vested in certain of the Commissioners for Greenwich Hospital, in Trust.

The Trustees to hold the said Manors, &c. in Trust,

III. And it is hereby enacted, That the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompson*, Sir *James Creed*, *Peter Burrel*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young* and *Francis Dansays*, their Heirs and Assigns, shall, in Trust as aforesaid, but subject to the said Term of five hundred Years (as to the Premisses comprized in the said Settlement of the twenty-fourth Day of *June* one thousand seven hundred and twelve, and as the same is herein before created and limited) hold and enjoy all and singular the Manors, Lands, Tenements and Hereditaments, comprized in the said Settlements of the twenty-fourth Day of *March* one thousand six hundred and ninety-one, and the twenty-fourth Day of *June* one thousand seven hundred and twelve, and which are herein before vested or mentioned to be vested in them the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompson*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young* and *Francis Dansays*; and the same shall be and be deemed to be held of the King's Majesty, his Heirs and Successors, as of his Majesty's Manor of *East Greenwich* in the County of *Kent*, by free and common Soccage Tenure; but nevertheless the said Manors, Lands, Tenements and Hereditaments, shall be and shall be deemed to be subject to such Quit-Rents, Crown-Rents and Dutchy-Rents issuing thereout respectively, as the same were respectively liable to on the twenty-third of *June* one thousand seven hundred and fifteen.

subject to Quit-Rents, &c.

to be accountable to the Hospital,

IV. And it is also hereby enacted and declared, That the present or future Commissioners, or Governors and Directors of the said Royal Hospital at *Greenwich*, or any of them, shall not be answerable or accountable to any Person or Persons, other than to the said Royal Hospital, for or in respect of all or any Part of the Rents, Issues and Profits of the Manors, Lands, Tenements and Hereditaments, comprized in the said recited Indentures of Lease and Release of the twenty-third and twenty-fourth Days of *June* one thousand seven hundred and twelve, which accrued or became due from the Death of the said *Charles Radcliffe*, and which have already been, or shall hereafter be received by them, or any of them, except by laying such Accounts before his Majesty, and both Houses of Parliament, as by the said recited Act of the eighth Year of his present Majesty's Reign is directed; but that all such Rents, Issues and Profits, and all Fines and Sums of Money which accrued or became due or payable from the Death of the said *Charles Radcliffe*, shall be appropriated and applied to the Uses, and for the Purposes, in the said Act of the eighth Year of his present Majesty's Reign mentioned, and herein before recited; nevertheless they the said Commissioners, or Governors and Directors for the time being, shall, from time to time, lay the Accounts of their Receipts, Payments and Disbursements, before his Majesty, and both Houses of Parliament, as by the said recited Act of the eighth of his present Majesty is directed, as well with respect to the Manors, Lands and Hereditaments, comprized in the said Settlement of the twenty-fourth Day of *June* one thousand seven hundred and twelve, as with respect to the Manors, Lands and Hereditaments, comprized in the said Settlement of the twenty-fourth Day of *March* one thousand six hundred and ninety-one.

and to lay their Accounts before the King and Parliament.

V. And

'V. And whereas by reason of the Limitation herein before made to the said *Archibald Hamilton*, *Charles* 'Smith, *James Gunman*, Sir *John Thompson*, Sir *James Creed*, *Peter Burrel*, *William Fawkener*, *William* 'Baxter, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam* 'Plumptre, *William Young* and *Francis Dansays*, of the said Manors, Lands, Tenements and Hereditaments, in Manner as aforesaid, a Doubt may be made, whether the Tenants of the said Estates ought 'from henceforth to do such Acts and Services, and pay such Fines and Sums, as by the Nature and Tenure of their Estates, founded upon immemorial Usage and Custom, or otherwise, they would be to have 'done and performed, and paid on the Death of any Lord thereof, in case the Limitation of the said Manors, Lands, Tenements and Hereditaments was made to a particular Person only, and his Heirs:' Now in order to make the like Provisions as were made by the said Act of the eleventh Year of his present Majesty's Reign, for obliging the Tenants of the said Estates to do such Acts and Services, and to pay such Fines and Sums of Money as aforesaid, it is further enacted by the Authority aforesaid, That upon the Death of his present Majesty (whom God long preserve for the Benefit of his People) and also upon the Death of every successive King and Queen of this Realm, all such Acts and Services shall be done and performed, and all such Fines and Sums of Money shall be paid by the respective Tenants of the said Estates, to the said Commissioners, or Governors and Directors for the Time being, of the said Royal Hospital at *Greenwich*, as by the ancient Tenure thereof, or by any Contract, Law, Usage or Custom ought to be done, performed and paid by them, in case the said Manors, Lands, Tenements and Hereditaments had continued to be, or were actually vested in his Majesty, his Heirs and Successors, and that he and they were to be considered as private Persons only, and not in their Politick Capacity; and for Default of Performance of such Acts and Services which ought to be done and performed, and for Default of Payment of any such Fines and Sums of Money which ought so to be paid, such Forfeitures and Penalties shall accrue and become due, and it shall be lawful for the said Commissioners, or Governors and Directors for the time being of the said Royal Hospital, in the Name of any one of them, to use and take all such Ways and Means for recovering and taking Advantage of the said Forfeitures and Penalties, as might be lawfully used or taken by his Majesty, his Heirs and Successors, in case the said Manors, Lands, Tenements and Hereditaments had continued to be, or were actually vested in his Majesty, his Heirs and Successors, and that he and they were to be considered as private Persons only, and not in their Politick Capacity; any Law, Usage or Custom to the contrary notwithstanding.

Fines and Services to be performed and paid by the Tenants, upon the Death of the King.

The Commissioners impowered to sue for Forfeitures.

VI. And it is hereby further enacted, That the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompson*, *William Fawkener* and *William Baxter*, and the Survivors and Survivor of them, and the Executors and Administrators of such Survivor, shall stand possessed of, and interested in the Barony, Manors, Lands and Hereditaments by the said two several Indentures, both bearing Date the sixteenth Day of *February* one thousand seven hundred and forty-eight respectively, bargained, sold and assigned unto the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *Edward Bellamy*, Sir *John Thompson*, *William Fawkener* and *William Baxter*, their Executors, Administrators and Assigns, for and during all the Rest, Residue and Remainder, now to come, and unexpired, of the several Terms of five hundred Years, and five hundred Years in the same Indentures mentioned; and that they the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompson*, *William Fawkener* and *William Baxter*, and the Survivors and Survivor of them, and the respective Heirs, Executors and Administrators of such Survivor, shall stand seised and possessed of, and interested in the aforesaid Sum of three thousand Pounds, and the Barony, Manors, Lands and Hereditaments, charged with the Payment thereof, in Trust for the Commissioners, or Governors and Directors for the time being, of the said Royal Hospital at *Greenwich*; and to the Intent that the said last-mentioned Terms of five hundred Years, and five hundred Years, may attend and wait upon the Freehold and Inheritance of the Premisses therein respectively comprized, and herein before limited to the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompson*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young* and *Francis Dansays*, and to protect the same from all mesne Incumbrances, if any should happen to be; but subject nevertheless, and without Prejudice to the said Term of five hundred Years, herein before limited to the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, their Executors, Administrators and Assigns, as aforesaid.

Trustees to stand possessed of the Lands assigned to them by two Indentures bearing Date 16 Feb. 1748, for the several Terms of 500 Years;

and in the Sum of 3000 l. in Trust for the Hospital at Greenwich, &c.

subject to the Term of 500 Years, limited to the Duke of Richmond, and Henry Fox Esquire.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners, or Governors and Directors for the Time being, of the said Royal Hospital at *Greenwich*, or any seven or more of them, from time to time, and at all Times hereafter, to appoint Stewards, Receivers or Bailiffs of the said Manors, Lands, Tenements and Hereditaments, and to invest them with full Power to receive and get in the Rents, Issues and Profits thereof, and to give Receipts, Discharges and Acquittances for the same, and to hold Courts, and to do and perform all Acts, Matters and Things necessary for the managing the said Premisses, usually done and performed by Stewards, Receivers and Bailiffs, and also to assign and allow such Salaries and Rewards to the said Stewards, Receivers and Bailiffs, as the said Commissioners or Governors and Directors of the said Royal Hospital for the time being, or any seven or more of them, shall think requisite and necessary in that Behalf; and also that it shall and may be lawful to and for the said Commissioners, or Governors and Directors of the said Hospital for the time being, or any seven or more of them, from time to time, and at all Times hereafter, to contract for the Sale of, and accordingly to make Sale and dispose of all or any such Part or Parts of the Timber or Timber Trees on the said Estates, as they the said Commissioners, or Governors and Directors, or any seven or more of them, shall think fit, and to authorize and appoint any Person or Persons to make any Contract or Contracts for the Sale of all or any Part or Parts of such Timber and Timber Trees, and to receive the Purchase-money for the same, without being obliged to make any Application for all or any of those Purposes to his Majesty's Court of *Exchequer*, or to any Person or Persons whatsoever.

The Commissioners for Greenwich Hospital impowered to appoint Officers to receive the Rents, &c.

and to allow Salaries.

and to make Sale of Timber,

without Application to the Exchequer.

VIII. And

The Money arising by Sale of Timber, to be applied to the Hoſpital.

VIII. And it is hereby enacted, That the Money to ariſe by the Sale of the ſaid Timber ſhall be applied to the Uſe of the ſaid Hoſpital, but ſo nevertheleſs, as that no Perſon or Perſons who ſhall purchaſe any Part of ſuch Timber, ſhall be anſwerable for the Application of ſuch Purchaſe-money; and that it ſhall and may be lawful to and for the ſaid Commiſſioners, or Governors and Directors of the ſaid Hoſpital, or any ſeven or more of them, to direct the cutting down, from time to time, ſuch Timber and Timber Trees from off the ſaid Eſtates, as they ſhall at any Time adjudge neceſſary or fitting to be uſed in the repairing any Houſes, Tenements, Buildings or Erections on the ſaid Eſtates, or to be uſed in the Building any new Houſes, Tenements, Edifices, Buildings or Structures, as they ſhall judge fitting to be erected on the ſaid Eſtates, or ſhall think it neceſſary or reaſonable to build or erect for any Tenants of the ſaid Eſtates, or for the Benefit or Improvement of the Premiſſes, or any Part thereof.

Commiſſioners impowered to cut down Timber neceſſary for Repairs,

and to demiſe the Mines for 21 Years,

IX. And be it further enacted, That it ſhall and may be lawful to and for the Commiſſioners, or Governors and Directors for the time being of the ſaid Royal Hoſpital at *Greenwich*, or any ſeven or more of them, from time to time, and at all Times hereafter, to demiſe and grant all and every, or any of the Mines of Lead, Coal and other Minerals, as well opened as not opened, within and under any of the aforeſaid Lands and Premiſſes, to any Perſon or Perſons, for any Term or Number of Years, not exceeding twenty-one Years, and to grant Leaſes of all or any of the aforeſaid Manors, Lands, Tenements and Hereditaments, unto any Perſon or Perſons, for any Term or Number of Years, not exceeding twenty-one Years, to take Effect in Poſſeſſion and not in Reverſion, reſerving on every Leaſe, Demiſe or Grant of Mines, ſuch Dues, Rent or Rents, and Profits, as they ſhall judge moſt reaſonable, and reſerving, on every other Leaſe and Demiſe, the beſt yearly or other Rents or Dues which can be reaſonably gotten for the ſame, without taking any Fine, *Præmium* or Foregift; and that it ſhall be lawful for the ſaid Commiſſioners, or Governors and Directors of the ſaid Hoſpital, or any ſeven or more of them, to grant in every ſuch Leaſe, Demiſe or Grant of Mines and Minerals, to the reſpective Adventurers, Leſſee or Leſſees of ſuch Mines and Minerals, full Power and Liberty to win and work the ſame Mines and Minerals, and to do every other reaſonable Act and Thing requiſite and neceſſary for that Purpoſe.

and to grant Leaſes for 21 Years,

without Fine; and to grant Power to work Mines, &c.

Condition for Re-entry on Non-payment of Rent, &c.

X. But it is hereby enacted, That in every ſuch Demiſe and Leaſe, there ſhall be contained a Condition of Re-entry for Non-payment of the Rent and Rents thereby reſpectively to be reſerved; and it ſhall be requiſite for the reſpective Leſſees to execute Counterparts of all ſuch Demiſes and Leaſes, and no Clauſe ſhall be contained in any of the ſaid Demiſes or Leaſes, other than in Demiſes or Leaſes of the ſaid Mines or Minerals, whereby to give Power to any Leſſee to commit Waſte, or to exempt him, her or them from Puniſhment for committing the ſame.

'XI. And whereas the Fines, Cuſtoms and Services, by and under which ſeveral of the Tenants hold 'their Farms, Lands, Tenements and Eſtates, lying and being within ſeveral of the aforeſaid Manors, are 'agreed, aſcertained or expreſſed in ſome Articles, Indenture, Deed or Writing, now or late in the Cu'ſtody or Power of ſome of the ſaid Tenants, which, if produced, might be a Means to prevent Diſputes, 'Differences and Suits, concerning the ſaid Fines, Cuſtoms and Services, and for the Quiet and Benefit 'both of the Lord and Tenants; and it may happen, that ſuch Tenants may refuſe to produce or ſhew 'ſuch Articles, Indenture, Deed or Writing;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any ſeven or more of the Commiſſioners, or Governors and Directors of the ſaid Hoſpital for the time being, to apply to his Majeſty's Court of *Exchequer* at *Weſtminſter*, by Motion in a ſummary Way, againſt any Tenant or Tenants holding any Farms, Lands, Tenements or Eſtates, lying and being within the ſaid Manors, or any of them, of whoſe having in his, her or their Cuſtody or Power any ſuch Articles, Indenture, Deed or Writing, probable Evidence ſhall be ſhewed to the Satisfaction of the ſaid Court, for ſuch Tenant or Tenants to produce and ſhew forth the ſame; upon which Motion, it ſhall and may be lawful to and for the ſaid Court of *Exchequer*, to examine and enquire into the ſaid Matter, and to make ſuch Order or Orders with reſpect to the producing and ſhewing forth any ſuch Articles, Indenture, Deed or Writing, by any ſuch Tenant or Tenants appearing to the ſaid Court to have the ſame in his, her or their Cuſtody or Power, and with reſpect to any Copy or Copies to be had and made thereof, and ſuch other Order and Orders concerning the ſame, as the ſaid Court ſhall think proper and juſt.

The Commiſſioners may apply to the Exchequer for Tenants to produce Writings.

Exchequer to make Order thereon.

Power given of electing Truſtees in the Room of thoſe who ſhall die.

XII. And it is hereby further enacted, That ſo ſoon as it ſhall happen that ſo many of them the ſaid *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompſon*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young* and *Francis Danſays*, the Truſtees nominated and appointed in and by this Act, for and on the Behalf of the ſaid Commiſſioners, or Governors and Directors of the ſaid Royal Hoſpital at *Greenwich*, ſhall happen to die, ſo as that the Number of ſuch Truſtees ſhall be reduced to Eleven, or any leſſer Number; that then and in that Caſe, it ſhall and may be lawful to and for the Commiſſioners, or Governors and Directors of the ſaid Hoſpital for the time being, or any ſeven or more of them, and they are hereby authorized and impowered at any Time thereafter, by any Deed or Inſtrument in Writing under their reſpective Hands and Seals, and to be enrolled in his Majeſty's High Court of *Chancery*, to nominate ſuch other Perſons as they the ſaid Commiſſioners, or Governors and Directors of the ſaid Hoſpital, or any ſeven or more of them, ſhall think fit, in the Place of ſuch of the ſaid Truſtees as ſhall ſo happen to die; and that it alſo ſhall and may be lawful to and for the ſaid Commiſſioners, or Governors and Directors of the ſaid Hoſpital for the Time being, or any ſeven or more of them, and they are hereby authorized and impowered, from time to time, and at all Times afterwards, when and ſo often as any other of the ſaid Truſtees, or when and ſo often as any of ſuch other Perſons as ſhall be ſo nominated as aforeſaid, or any other Perſons to be afterwards nominated in purſuance of this Act (which they are hereby authorized and impowered to nominate accordingly) ſhall happen to die, by any ſuch Deed or Inſtrument in Writing as aforeſaid, to nominate ſuch other Perſons as they the ſaid Commiſſioners, or Governors and

Directors, or any seven or more of them shall think fit, in the Place of all and every the Person and Persons so dying.

XIII. And it is hereby enacted and declared, That from and immediately after every such Nomination, all and singular the Manors, Lands, Tenements, and Hereditaments and Powers herein before limited and given to the said *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompson*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburne*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young* and *Francis Dansays*, and their Heirs as aforesaid, shall be well vested in the Persons who, from time to time, shall be so nominated as aforesaid, jointly with the Survivors of the said Trustees, or such other Persons as aforesaid, and in their Heirs, in Trust for the said Commissioners, or Governors and Directors of the said Hospital, as fully and effectually, to all Intents and Purposes, as if the Persons to be so nominated as aforesaid, had been actually named in this Act, and the said Manors, Lands, Tenements, and Hereditaments and Powers had been hereby limited and given to them and the Survivors of the said Trustees, or such other Persons as aforesaid, and their Heirs.

The Lands to vest in the joint Trustees.

XIV. And it is hereby declared, That the said Term of five hundred Years is so limited to the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, their Executors, Administrators and Assigns, upon Trust, that they the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, and the Survivor of them, and the Executors, Administrators and Assigns of such Survivor, do and shall by Demise or Mortgage of the Manors, Messuages, Lands, Tenements and Hereditaments, comprized in the said Term, or of a competent Part thereof, for all or any Part of the said Term, levy and raise the full Sum of thirty thousand Pounds of lawful Money of *Great Britain*, and do and shall by and out of the Rents, Issues and Profits of the said Manors, Lands, Tenements and Hereditaments, levy and raise Interest for the same, from the twenty-ninth Day of *September* one thousand seven hundred and forty-eight, at the Rate of four Pounds *per Centum per Annum*, until the said Principal Sum shall be levied and raised; and do and shall pay the Sum of six thousand Pounds, Part of the said Principal Sum of thirty thousand Pounds, and Interest for the same at the Rate aforesaid, from the twenty-fifth Day of *March* one thousand seven hundred and forty-nine, unto the said Lady *Charlotte Radcliffe*, Lady *Barbara Radcliffe*, and Lady *Mary Radcliffe*, equally to be divided among them Share and Share alike, the Parts and Shares of the said Lady *Charlotte Radcliffe*, and Lady *Barbara Radcliffe*, to be paid as soon as may be after the said thirty thousand Pounds shall have been so levied and raised, and in the mean Time to be considered as vested Interests respectively, and to go to their several Executors, Administrators and Assigns respectively; and the Part or Share of the said Lady *Mary Radcliffe*, to be paid at her Age of eighteen Years, or Day of Marriage, which shall first happen: But if the said Lady *Mary Radcliffe* shall happen to die before she shall attain her Age of eighteen Years, or be married, then the Part and Share of her the said Lady *Mary Radcliffe*, of and in the said Sum of six thousand Pounds, and the Interest thereof, shall be paid unto the said Lady *Charlotte Radcliffe*, and Lady *Barbara Radcliffe*, equally to be divided between them Share and Share alike, and their respective Shares therein to be considered as vested Interests, in like manner; and as to the Principal Sum of twenty-four thousand Pounds, Residue of the said Principal Sum of thirty thousand Pounds, upon Trust, that they the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, and the Survivor of them, and the Executors, Administrators and Assigns of such Survivor do and shall, from time to time, lay out and invest the said Principal Sum of twenty-four thousand Pounds, either in the publick Funds, or in the Purchase of Parliamentary Stocks, or do and shall place out the same at Interest upon Government Securities; and upon further Trust, that they the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, and the Survivor of them, and the Executors and Administrators of such Survivor do and shall pay the Interest of the said Principal Sum of twenty-four thousand Pounds from the said twenty-fifth Day of *March* one thousand seven hundred and forty-nine, until the same shall be levied and raised by them, and the Interest of the said whole Principal Sum of thirty thousand Pounds, from the said twenty-ninth Day of *September* one thousand seven hundred and forty-eight, to the said twenty-fifth Day of *March* one thousand seven hundred and forty-nine; and also from time to time pay the Interest, Dividends, annual Profits and Proceed, which shall at any Time or Times arise by or in respect of the said Principal Sum of twenty-four thousand Pounds, after the same shall be levied and raised by them, and of the Stocks, Funds and Securities, in which the same shall or may be invested unto the said *James Bartholomew Radcliffe* and his Assigns, during his natural Life, for his and their own sole Use and Benefit, and from and after the Decease of the said *James Bartholomew Radcliffe*, then do and shall pay the Interests, Dividends, annual Profits and Proceed, which shall at any Time or Times thereafter arise by or in respect of the said Principal Sum, Stocks, Funds and Securities, unto the first Son of the said *James Bartholomew Radcliffe*, lawfully to be begotten, to and for his own Use and Benefit, until he shall attain the Age of twenty-one Years, or shall die under that Age without Issue of his Body; and in case such first Son of the said *James Bartholomew Radcliffe* shall attain his Age of twenty-one Years, then that the said Trustees shall pay, assign, transfer and make over the said Principal Sum, and the Stocks, Funds and Securities, in which the same shall or may be invested, to such first Son of the said *James Bartholomew Radcliffe*, his Executors and Administrators, for his and their own sole Use and Benefit; but in case such first Son shall happen to die under the Age of twenty-one Years without Issue of his Body, that then they the said Trustees do and shall pay the Interest, Dividends, annual Profits and Proceed of the said Principal Sum, Stocks, Funds and Securities unto the second Son of the said *James Bartholomew Radcliffe*, lawfully to be begotten, to and for his own Use and Benefit, until he shall attain the Age of twenty-one Years, or shall die under that Age without Issue of his Body; and in case such second Son of the said *James Bartholomew Radcliffe* shall attain his Age of twenty-one Years, then that the said Trustees shall pay, assign, transfer and make over the said Principal Sum, and the Stocks, Funds and Securities, in which the same shall or may be invested, to such second Son of the said *James Bartholomew Radcliffe*, his Executors and Administrators, for his and their own sole Use and Benefit; but in case such second Son shall happen to die under the Age of twenty-one Years without Issue of his Body, that then they the said *Charles* Duke of *Richmond* and *Lenox*, and

The Term of 500 Years limited to the Duke of Richmond and Henry Fox Esquire in Trust, to raise 30,000l. with Interest, at 4 l. per Cent.

6,000 l. thereof to be paid to the Ladies Charlotte Radcliffe, Barbara Radcliffe, and Mary Radcliffe, &c.

Disposition of Lady Mary Radcliffe's Portion in case she die before 18 Years of Age, or Marriage.

Trustees to invest 24,000l. in the publick Funds or Stocks, &c.

and to pay Interest for the same, and for the whole Principal of 30,000l. Interest of 24,000 l. to be paid to James Bartholomew Radcliffe, and his Issue Male;

and *Henry Fox*, their Executors, Adminiſtrators and Aſſigns, ſhall ſtand and be poſſeſſed of and intereſted in the ſaid Principal Sum of twenty-four thouſand Pounds, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, in Truſt for the third, fourth, fifth, and all and every other the Son and Sons of the ſaid *James Bartholomew Radcliffe*, lawfully to be begotten, in like Manner, and for ſuch Intereſts, as are herein before reſpectively limited to the ſaid firſt and ſecond Sons of the ſaid *James Bartholomew Radcliffe*, every ſuch Son and Sons to be intitled to, and to take the ſaid Principal Sum, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, and the Intereſt, Dividends, annual Profits and Proceed thereof, ſeverally and ſucceſſively one after the other, according to his and their Priority of Birth, the elder of ſuch Son and Sons being always preferred, and to be intitled to and to take the ſame before the younger of ſuch Son and Sons; and in caſe there ſhall not be any Son of the ſaid *James Bartholomew Radcliffe*, lawfully begotten, or all ſuch Sons ſhall die before any of them ſhall attain his Age of twenty-one Years, and without leaving Iſſue of their Bodies, then that they the ſaid Truſtees do and ſhall pay the Intereſt, Dividends, annual Profits and Proceed of the ſaid Principal Sum, Stocks, Funds and Securities, unto the firſt Daughter of the ſaid *James Bartholomew Radcliffe*, lawfully to be begotten, to and for her own Uſe and Benefit, until ſhe ſhall attain the Age of eighteen Years, or ſhall die under that Age, without Iſſue of her Body; and in caſe ſuch firſt Daughter of the ſaid *James Bartholomew Radcliffe* ſhall attain her Age of eighteen Years, then that the ſaid Truſtees ſhall pay, aſſign, transfer and make over the ſaid Principal Sum, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, to ſuch firſt Daughter of the ſaid *James Bartholomew Radcliffe*, her Executors and Adminiſtrators, for her and their own ſole Uſe and Benefit; but in caſe ſuch firſt Daughter ſhall happen to die under the Age of eighteen Years without Iſſue of her Body, that then they the ſaid Truſtees do and ſhall pay the Intereſt, Dividends, annual Profits and Proceed of the ſaid Principal Sum, Stocks, Funds and Securities, unto the ſecond Daughter of the ſaid *James Bartholomew Radcliffe*, lawfully to be begotten, to and for her own Uſe and Benefit, until ſhe ſhall attain the Age of eighteen Years, or ſhall die under that Age, without Iſſue of her Body; and in caſe ſuch ſecond Daughter of the ſaid *James Bartholomew Radcliffe* ſhall attain her Age of eighteen Years, then that the ſaid Truſtees ſhall pay, aſſign, transfer and make over the ſaid Principal Sum, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, to ſuch ſecond Daughter of the ſaid *James Bartholomew Radcliffe*, her Executors and Adminiſtrators, for her and their own ſole Uſe and Benefit; but in caſe ſuch ſecond Daughter ſhall happen to die under the Age of eighteen Years, without Iſſue of her Body, then that they the ſaid *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, their Executors, Adminiſtrators and Aſſigns, ſhall ſtand and be poſſeſſed of and intereſted in the ſaid Principal Sum of twenty-four thouſand Pounds, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, in Truſt for the third, fourth, fifth, and all and every other the Daughter and Daughters of the ſaid *James Bartholomew Radcliffe*, lawfully to be begotten, in like Manner, and for ſuch Intereſts, as are herein before reſpectively limited to the ſaid firſt and ſecond Daughters of the ſaid *James Bartholomew Radcliffe*; every ſuch Daughter and Daughters to be intitled to, and to take the ſaid Principal Sum, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, and the Intereſt, Dividends, annual Profits and Proceed thereof, ſeverally and ſucceſſively, one after the other, according to her and their Priority of Birth, the elder of ſuch Daughter and Daughters being always preferred, and to be intitled to, and to take the ſame before the younger of ſuch Daughter and Daughters; and in caſe there ſhall not be any Daughter of the ſaid *James Bartholomew Radcliffe*, lawfully begotten, or all ſuch Daughters ſhall die before any of them ſhall attain her Age of eighteen Years, and without leaving Iſſue of their Bodies, then that they the ſaid Truſtees do and ſhall pay the Intereſt, Dividends, annual Profits and Proceed of the ſaid Principal Sum, Stocks, Funds and Securities, unto the ſaid *James Clement Radcliffe*, and his Aſſigns, during his natural Life, for his and their own ſole Uſe and Benefit; and from and after the Deceaſe of the ſaid *James Clement Radcliffe*, then do and ſhall pay the Intereſt, Dividends, annual Profits and Proceed, which ſhall at any Time or Times thereafter ariſe by or in reſpect of the ſaid Principal Sum, Stocks, Funds and Securities, unto the firſt Son of the ſaid *James Clement Radcliffe*, lawfully to be begotten, to and for his own Uſe and Benefit, until he ſhall attain the Age of twenty-one Years, or ſhall die under that Age, without Iſſue of his Body; and in caſe ſuch firſt Son of the ſaid *James Clement Radcliffe* ſhall attain his Age of twenty-one Years, then that the ſaid Truſtees ſhall pay, aſſign, transfer and make over the ſaid Principal Sum, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, to ſuch firſt Son of the ſaid *James Clement Radcliffe*, his Executors and Adminiſtrators, for his and their own ſole Uſe and Benefit; but in caſe ſuch firſt Son ſhall happen to die under the Age of twenty-one Years, without Iſſue of his Body, that then they the ſaid Truſtees do and ſhall pay the Intereſt, Dividends, annual Profits and Proceed of the ſaid Principal Sum, Stocks, Funds and Securities, unto the ſecond Son of the ſaid *James Clement Radcliffe*, lawfully to be begotten, to and for his own Uſe and Benefit, until he ſhall attain his Age of twenty-one Years, or ſhall die under that Age, without Iſſue of his Body; and in caſe ſuch ſecond Son of the ſaid *James Clement Radcliffe* ſhall attain his Age of twenty-one Years, then that the ſaid Truſtees ſhall pay, aſſign, transfer and make over the ſaid Principal Sum, and the Stocks, Funds and Securities in which the ſame ſhall or may be inveſted, to ſuch ſecond Son of the ſaid *James Clement Radcliffe*, his Executors and Adminiſtrators, for his and their own ſole Uſe and Benefit; but in caſe ſuch ſecond Son ſhall happen to die under the Age of twenty-one Years, without Iſſue of his Body, then that they the ſaid *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, their Executors, Adminiſtrators and Aſſigns, ſhall ſtand and be poſſeſſed of, and intereſted in, the ſaid Principal Sum of twenty-four thouſand Pounds, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, in Truſt for the third, fourth, fifth, and all and every other the Son and Sons of the ſaid *James Clement Radcliffe*, lawfully to be begotten, in like Manner, and for ſuch Intereſts, as are herein before reſpectively limited to the ſaid firſt and ſecond Sons of the ſaid *James Clement Radcliffe*; every ſuch Son and Sons to be intitled to, and to take the ſaid Principal Sum, and the Stocks,

and in caſe of Failure of Male Iſſue, then to his Iſſue Female;

On Failure of Iſſue of James Bartholomew Radcliffe, then to be paid to James Clement Radcliffe, and his Iſſue.

Stocks, Funds and Securities in which the ſame ſhall or may be inveſted, and the Intereſt, Dividends, annual Profits and Proceed thereof, ſeverally and ſucceſſively one after the other, according to his and their Priority of Birth, the eldeſt of ſuch Son and Sons being always preferred, and to be intitled to, and to take the ſame before the younger of ſuch Son and Sons; and in caſe there ſhall not be any Son of the ſaid *James Clement Radcliffe*, lawfully begotten, or all ſuch Sons ſhall die before any of them ſhall attain his Age of twenty-one Years, and without leaving Iſſue of their Bodies, then that they the ſaid Truſtees do and ſhall pay the Intereſt, Dividends, annual Profits and Proceed of the ſaid Principal Sum, Stocks, Funds and Securities, unto the firſt Daughter of the ſaid *James Clement Radcliffe*, lawfully to be begotten, to and for her own Uſe and Benefit, until ſhe ſhall attain the Age of eighteen Years, or ſhall die under that Age, without Iſſue of her Body; and in caſe ſuch firſt Daughter of the ſaid *James Clement Radcliffe* ſhall attain her Age of eighteen Years, then that the ſaid Truſtees ſhall pay, aſſign, transfer and make over the ſaid Principal Sum, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, to ſuch firſt Daughter of the ſaid *James Clement Radcliffe*, her Executors and Adminiſtrators, for her and their own ſole Uſe and Benefit; but in caſe ſuch firſt Daughter ſhall happen to die under the Age of eighteen Years, without Iſſue of her Body, that then they the ſaid Truſtees do and ſhall pay the Intereſt, Dividends, annual Profits and Proceed of the ſaid Principal Sum, Stocks, Funds and Securities, unto the ſecond Daughter of the ſaid *James Clement Radcliffe*, lawfully to be begotten, to and for her own Uſe and Benefit, until ſhe ſhall attain the Age of eighteen Years, or ſhall die under that Age, without Iſſue of her Body; and in caſe ſuch ſecond Daughter of the ſaid *James Clement Radcliffe* ſhall attain her Age of eighteen Years, then that the ſaid Truſtees ſhall pay, aſſign, transfer and make over the ſaid Principal Sum, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, to ſuch ſecond Daughter of the ſaid *James Clement Radcliffe*, her Executors and Adminiſtrators, for her and their own ſole Uſe and Benefit; but in caſe ſuch ſecond Daughter ſhall happen to die under the Age of eighteen Years, without Iſſue of her Body, then that they the ſaid *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, their Executors, Adminiſtrators and Aſſigns, ſhall ſtand and be poſſeſſed of, and intereſted in, the ſaid Principal Sum of twenty-four thouſand Pounds, and the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, in Truſt for the third, fourth, fifth, and all and every other the Daughter and Daughters of the ſaid *James Clement Radcliffe*, lawfully to be begotten, in like Manner, and for ſuch Intereſts, as are herein before reſpectively limited to the ſaid firſt and ſecond Daughters of the ſaid *James Clement Radcliffe*; every ſuch Daughter and Daughters to be intitled to, and to take the ſaid Principal Sum, and the Stocks, Funds and Securities in which the ſame ſhall or may be inveſted, and the Intereſt, Dividends, annual Profits and Proceed thereof, ſeverally and ſucceſſively, one after the other, according to her and their Priority of Birth, the elder of ſuch Daughter and Daughters being always preferred, and to be intitled to, and to take the ſame before the younger of ſuch Daughter and Daughters; and in caſe there ſhall not be any Daughter of the ſaid *James Clement Radcliffe*, lawfully begotten, or all ſuch Daughters ſhall die before any of them ſhall attain to the Age of eighteen Years, and without leaving Iſſue of their Bodies, then that they the ſaid *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, their Executors, Adminiſtrators and Aſſigns, ſhall ſtand and be poſſeſſed of, and intereſted in, the ſaid principal Sum of twenty-four thouſand Pounds, and the Stocks, Funds and Securities in which the ſame ſhall or may be inveſted, in Truſt for the Executors, Adminiſtrators and Aſſigns of the ſaid *James Bartholomew Radcliffe*, to and for their own proper Uſe and Benefit.

On Failure of Iſſue of James Clement Radcliffe, then to be paid to the Executors and Aſſigns of James Bartholomew Radcliffe.

XV. Provided always, and it is hereby enacted and declared, That it ſhall and may be lawful to and for the ſaid *James Bartholomew Radcliffe* and *James Clement Radcliffe*, from time to time, and at any Time during their reſpective natural Lives, as and when they ſhall by virtue of this Act be reſpectively intitled to receive the yearly Intereſt, Dividends, Profits and Proceed of the ſaid Principal Sum of twenty-four thouſand Pounds, and of the Stocks, Funds and Securities in which the ſame ſhall or may be inveſted, or any Part or Parcel thereof, by any Deed or Deeds, or other Inſtrument in Writing, under their reſpective Hands and Seals, atteſted by two or more credible Witneſſes, to limit, appoint or ſettle any Part or Parts of the yearly Intereſt, Dividends, Profits and Proceed of the ſaid Principal Sum, Stocks, Funds and Securities, not exceeding one third Part of the yearly Intereſt, Dividends, Profits and Proceed of ſo much of the ſaid Principal Sum, Stocks, Funds and Securities, as they ſhall reſpectively by virtue of this Act be then intitled actually to receive, to and upon, and for the Uſe and Benefit of any Woman or Women with whom the ſaid *James Bartholomew Radcliffe* and *James Clement Radcliffe* ſhall hereafter happen to inter-marry, for the Life of ſuch Woman or Women, in Nature of a Jointure for ſuch Woman or Women, and to take Effect immediately after the Deceaſe of the Perſon or Perſons making ſuch Limitation, Appointment or Settlement, and ſuch Limitation, Appointment or Settlement, to be before or after ſuch Marriage, as to them the ſaid *James Bartholomew Radcliffe* and *James Clement Radcliffe*, ſhall reſpectively ſeem meet.

James Bartholomew Radcliffe, and James Clement Radcliffe, impowered to make Settlements in caſe of Marriage;

XVI. Provided alſo, and it is hereby further enacted and declared, That it ſhall and may be lawful to and for the ſaid *James Bartholomew Radcliffe* and *James Clement Radcliffe*, as and when they ſhall by virtue of this Act be reſpectively intitled to receive the yearly Intereſt, Dividends, Profit and Proceed of the ſaid Principal Sum of twenty-four thouſand Pounds, and of the Stocks, Funds and Securities, in which the ſame ſhall or may be inveſted, or any Part or Parcel thereof, by any Deed or Deeds, or other Inſtrument in Writing, under their reſpective Hands and Seals, with or without Power of Revocation, and to be atteſted by two or more credible Witneſſes, or by his or their laſt Will or Wills in Writing, ſigned by him or them, and atteſted by three or more credible Witneſſes, to aſſign, limit or appoint unto any ſuch Perſon or Perſons, as ſhall by him or them be thought proper to be Truſtees in that Behalf, any Part or Parts of the yearly Intereſt, Dividends, Profits and Proceed of the ſaid Principal Sum, Stocks, Funds and Securities, not exceeding one third Part of the yearly Intereſt, Dividends, Profits and Proceed of ſo much of the ſaid Principal Sum, Stocks, Funds and Securities, as they ſhall reſpectively by virtue of this Act be then intitled actually to receive, to hold unto ſuch Truſtees, their Executors, Adminiſtrators and Aſſigns, for any Term or Number of Years, not exceeding twenty-one Years, to commence either in Poſſeſſion, or at any future Day,

and to aſſign to Truſtees one third of the Proceed of 24,000 l. for 21 Years,

Day, during the Life of the Person and Persons so respectively assigning, limiting or appointing the same, or from his or their Decease, as in and by such Deed, Instrument or Will shall be expressed.

In order to raise Portions for Daughters and younger Sons.

XVII. And it is hereby enacted, That such respective Assignments and Appointments, to be made in pursuance of this Act as last is mentioned, shall be respectively in order to and for the Purpose of raising Portions for the Daughters and younger Sons of the Person and Persons so assigning, limiting or appointing such Part or Parts of the yearly Interest, Dividends, Profits, and Proceed of the said Principal Sum, Stocks, Funds and Securities as aforesaid; and they the said Trustees, to whom such Assignments or Appointments shall be respectively made, and their Executors and Administrators, shall respectively stand possessed of, and interested in the Part and Parts of the yearly Interest, Dividends, Profits, and Proceed of the said Principal Sum, Stocks, Funds and Securities, so to be to them respectively assigned, limited or appointed as aforesaid, in Trust, by the Ways and Means in such respective Deeds, Instruments or last Wills to be mentioned to levy and raise for the Portion and Portions of the respective Daughter or Daughters, younger Son or younger Sons of the respective Person and Persons so assigning, limiting or appointing the said Part and Parts of the yearly Interest, Dividends, Profits, and Proceed of the said Principal Sum, Stocks, Funds and Securities, such Sum and Sums of Money so to be paid to and among such Daughter or Daughters, younger Son or Sons, in such Shares and Proportions, and at such Days and Times, and with or without such Maintenance or Interest in the mean Time, until the same shall be paid, not exceeding the Interest of such respective Portions, and also with such Benefit of Survivorship, and subject to and under such Conditions, Provisoes, Limitations, Declarations and Agreements, and with such Powers for lessening, increasing, changing and altering all and every such Portion or Portions, as in and by such respective Deeds, Instruments or last Wills, shall, from time to time, by the respective Person and Persons so assigning, limiting or appointing such respective Part and Parts of the yearly Interest, Dividends, Profits, and Proceed of the said Principal Sum, Stocks, Funds and Securities, be directed and declared, and to and for no other Intent or Purpose whatsoever; and from and immediately after such Portion or Portions, Maintenance and Interest shall be raised and paid, or upon Payment thereof by the Person intitled to the Reversion expectant on the Determination of the said Term, all and every such Term, so to be created and vested in Trustees as aforesaid, shall cease, determine, and be void, to all Intents and Purposes whatsoever.

On Payment of such Portions, the Term to cease.

James Bartholomew Radcliffe to become bound in 50,000 l. not to enter into any Foreign Service without Licence from the King.

XVIII. Provided always, and it is hereby enacted and declared, That if the said *James Bartholomew Radcliffe* shall not, within the Space of twelve Calendar Months next after the passing of this Act, in case he shall be living at the End of the said twelve Months, enter into a Recognizance before the Chief Justice of his Majesty's Court of *King's Bench*, or before the Chief Justice of his Majesty's Court of *Common Pleas*, at *Westminster*, wherein he shall be bound to his Majesty, his Heirs and Successors, in the Sum of fifty thousand Pounds, not to enter into the Service of any Foreign Prince, State or Potentate, in any Capacity whatsoever, nor to depart this Realm, without the Licence of his Majesty, his Heirs or Successors, under his or their Sign Manual for that Purpose first had and obtained; that then, and in that Case, all such Right, Title and Interest, as is herein before vested in, or limited to, the said *James Bartholomew Radcliffe*, and his Issue, in and to the said Principal Sum of twenty-four thousand Pounds, and the Stocks, Funds and Securities in which the same shall or may be invested, and in and to the Interests, Dividends, annual Profits, and Proceed thereof, shall, from thenceforth, cease and determine, in the same Manner, to all Intents and Purposes, as if the said *James Bartholomew Radcliffe* was then actually dead without Issue of his Body.

James Clement Radcliffe to become bound in 50,000 l. not to enter into Foreign Service, without Licence.

XIX. Provided also, and it is hereby likewise enacted and declared, That if the said *James Clement Radcliffe* shall not, within twelve Calendar Months next after he shall have had Notice that any Right, Title or Interest, in or to the Interest, Dividends, annual Profits, and Proceed of the said Principal Sum, Stocks, Funds and Securities, or any Part thereof, hath actually come to, or is vested in him in Possession, by virtue of the Trusts aforesaid, appear before the Chief Justice of his Majesty's Court of *King's Bench*, or before the Chief Justice of his Majesty's Court of *Common Pleas*, at *Westminster*, and enter into a Recognizance, wherein he shall be bound to his Majesty, his Heirs and Successors, in the like Sum of fifty thousand Pounds, not to enter into, nor continue, or be in the Service of any Foreign Prince, State or Potentate, in any Capacity whatsoever, nor to depart this Realm, without the Licence of his Majesty, his Heirs or Successors, under his or their Sign Manual for that Purpose first had and obtained; that then, and in that Case, all such Right, Title and Interest, as is herein before vested in, or limited to, the said *James Clement Radcliffe*, and his Issue, in and to the said Principal Sum of twenty-four thousand Pounds, and the Stocks, Funds and Securities, in which the same shall or may be invested, and in and to the Interest, Dividends, annual Profits, and Proceed thereof, shall, from thenceforth cease and determine, in the same Manner, to all Intents and Purposes, as if the said *James Clement Radcliffe* was then actually dead, without Issue of his Body.

None of the Parties benefited to be naturalized by this Act.

XX. And it is hereby enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to give to the said *James Bartholomew Radcliffe*, *James Clement Radcliffe*, Lady *Charlotte Radcliffe*, Lady *Barbara Radcliffe*, and Lady *Mary Radcliffe*, or to any of them, any Right or Privilege of claiming to be naturalized by virtue of this Act, or of being deemed or taken, or of claiming, by virtue hereof, to be natural born Subjects; but they and every of them shall be and remain, in respect thereof, in the same State, Plight and Condition, to all Intents and Purposes, as they and every of them would have been in case this Act had not been made, save that they and every of them shall and may maintain any Action or Actions, and commence and prosecute any Suit or Suits, and use and exercise all such other Remedies and Privileges as shall be necessary for the enabling them, or any of them, to have the Benefit of this Act, and of the several Provisions hereby made, and of the several Trusts and Interests beforementioned; any thing herein before contained to the contrary notwithstanding.

Penalty of any of the said Parties being guilty of High Trea-

XXI. Provided always, and it is hereby further enacted, That if the said *James Bartholomew Radcliffe*, and *James Clement Radcliffe*, or either of them, or their or either of their Issue, either Male or Female, for whom any Provision is made, or intended to be made, by this Act, or to or for whom any Trust or Interest is hereby limited

limited or declared, shall at any Time hereafter be guilty of or commit any Crime or Offence which would be High Treason, or Misprision of Treason, or shall do or perform any Act, Matter or Thing which would have amounted to High Treason, or Misprision of Treason, in case the Person or Persons so being guilty of or committing any such Crime or Offence, or so doing or performing such Act, Matter or Thing as aforesaid, had been a natural born subject of this Realm; that then, and in that Case, the Person or Persons who shall be so guilty of, or commit such Crime or Offence, or who shall so do or perform any such Act, Matter or Thing, as aforesaid, shall for him and herself, and for themselves respectively, and for his, her and their Issue and Descendants, forfeit to his Majesty, his Heirs and Successors, all such Right, Title and Interest, as shall be then vested in him, her or them, either in Possession or Reversion, in and to the said Principal Sum of twenty-four thousand Pounds, and the Stocks, Funds and Securities, in which the same shall or may be invested, and in and to the Interest, Dividends, annual Profits, and Proceed thereof, in the same Manner, and to all Intents and Purposes, as if such Person or Persons had been natural born Subjects of this Realm. son, or Misprision of Treason.

XXII. And it is hereby enacted, That it shall and may be lawful to and for the said Commissioners, or Governors and Directors of the said Hospital, or any seven or more of them, at any Time or Times hereafter, to agree with any Person or Persons who shall be intitled to all or any Part of the Principal Money to be levied and raised by virtue of this Act, or the Interest thereof, for any less Rate or Interest for such Principal Money, than is hereby made payable for the same, or than the same shall or may be levied and raised at; and in case the Person or Persons who shall be intitled thereto shall not so agree, then to agree with any other Person or Persons for the advancing Money at any less Rate or Interest than aforesaid, for paying off all or any Part of the Principal Money hereby directed to be levied and raised; and then and in that Case, the Principal Money which shall be so paid off, and the Securities for the same, shall be assigned to the Person or Persons who shall advance such Money, provided that such Assignment shall be made for the respective Principal Money only that shall be so paid off, and for the Interest of such Principal Money to grow due from and after the making of such Assignments respectively; and that the said Principal Money, and the Interest thereof in all such Assignments, shall be made payable at the End of six Months at the farthest, from the Day of the making such Assignments respectively. The Commissioners impowered to agree with the Parties, or others, for less Interest.

XXIII. And it is hereby further enacted, That the Receipt or Receipts of the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, or the Survivor of them, or the Executors or Administrators of such Survivor, under his or their Hands respectively, shall be a good and effectual Discharge to the Person and Persons to whom any Devise or Mortgage shall be made in pursuance of this Act, for such Sum and Sums of Money for which such Receipt or Receipts shall be given: and after such Receipt or Receipts shall be so given, such Person and Persons shall be, and are hereby absolutely acquitted and discharged of and from the same; and they, or any of them, after such Receipt or Receipts given, shall not be answerable or accountable for any Loss, Misapplication, or Non-application of the said Money, or any Part thereof. Trustees to give Receipts.

XXIV. Provided always, and it is hereby further enacted and declared, That the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, or the Survivor of them, or the Executors or Administrators of either of them, shall not be answerable nor accountable for any Sum or Sums of Money to be received by them, or any of them, under the Trusts hereby created and declared, any otherwise than each Person for such Sum or Sums of Money as he shall respectively actually receive; and that no one of them shall be answerable or accountable for the Acts, Receipts, Neglects or Defaults of the other of them, nor for any Loss or Damage that shall or may happen by or in placing out the said Principal Sum of twenty-four thousand Pounds, or any Part thereof, at Interest, or by or in depositing the same with any Person or Persons, or in any Place or Places, for safe Custody, until the same shall, from time to time, be placed out as aforesaid, unless such Loss or Damage shall happen by or through their voluntary or wilful Default. No Trustee to be accountable for more than what he shall separately do.

XXV. And it is hereby also enacted, That they the said *Charles* Duke of *Richmond* and *Lenox*, and *Henry Fox*, and each of them, and their and each of their Executors and Administrators, out of the Principal Money which shall come to their or any of their Hands, or the Interest, Dividends and Proceed thereof, shall be allowed, and retain to and reimburse themselves all such Costs, Charges, Damages and Expences, as they shall or may respectively sustain, be at, or put unto, in or about the Execution of all or any of the Trusts hereby in them reposed. Trustees to reimburse themselves.

XXVI. And be it further enacted by the Authority aforesaid, That this Act, and every Clause, Matter and Thing herein contained, shall by all and every Judge and Judges, and other Person and Persons, be construed and adjudged as largely and beneficially in all Courts of Law and Equity, and all other Places, as can be for the Ends and Purposes herein expressed, and the same is hereby declared to be a publick Act of Parliament, and all Judges and Justices are hereby required to take Notice thereof as such, without special Pleading the same. Publick Act.

XXVII. Saving to the King's most Excellent Majesty, his Heirs and Successors, all his and their Right to such Quit-Rents, Crown-Rents, and Dutchy-Rents, only issuing out of the said several Estates intended to be hereby settled to and for the Use and Benefit of the said Royal Hospital at *Greenwich*, as the same Estates were respectively liable to on the twenty-third Day of *June* in the Year of our Lord one thousand seven hundred and fifteen; and saving to the Lady *Catherine Radcliffe*, if living, and to all and every other Person and Persons (other than and except the said King's Majesty, his Heirs and Successors, save as aforesaid, and other than and except the said *James Bartholomew Radcliffe*, commonly called Lord *Kenaird*, and *James Clement Radcliffe*, and the Heirs Male of their respective Bodies; and all and every other Person and Persons whatsoever, who is, are or shall be the Descendant or Descendants of or from the said *Francis* late Earl of *Derwentwater*, or the said *James* late Earl of *Derwentwater*, or the said late *Charles Radcliffe*, or any of them, except the said Lady *Catherine Radcliffe*, if living, and all and every other Person and Persons, who may or shall at any Time hereafter claim any Right, Title, Estate or Interest in, to, or out of the said several Rights of the Crown and others saved.

ſeveral laſt-mentioned Eſtates, by means of the ſaid recited Settlements of the twenty-third and twenty-fourth Day of *March* one thouſand ſix hundred and ninety-one, and the twenty-third and twenty-fourth Days of *June* one thouſand ſeven hundred and twelve, or either of them) all their Right, Title, Intereſt, Claim or Demand to the ſaid ſeveral Eſtates intended to be hereby ſettled to and for the Uſe and Benefit of the ſaid Royal Hoſpital at *Greenwich*, or any Part or Parts thereof.

Anno viceſimo tertio GEORGII II. Regis.

'AT the Parliament begun and holden at *Weſtminſter*, the tenth Day of *November*, *Anno Dom.* 1747, in the twenty-firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the ſixteenth Day of *November* 1749, being the third Seſſion of this preſent Parliament.'

CAP. I.

An Act for reducing the ſeveral Annuities, which now carry an Intereſt after the Rate of four Pounds *per Centum per Annum*, to the ſeveral Rates of Intereſt therein mentioned.

Moſt Gracious Sovereign,

'WHEREAS there is now due and owing from the Publick, to the Proprietors of certain Annuities payable at the Receipt of his Majeſty's Exchequer, the Sum of three hundred and twelve thouſand Pounds, and to the Corporation of the Governor and Company of the Bank of *England*, in their own Right, the Sum of eight millions four hundred eighty-ſix thouſand eight hundred Pounds; and to the Proprietors of certain Annuities transferable there, the Sum of eighteen millions four hundred two thouſand four hundred ſeventy-two Pounds and ten Pence; and to the Corporation of the United Company of Merchants of *England* trading to the *Eaſt Indies*, the Sum of three millions two hundred thouſand Pounds; and alſo to the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, and other Parts of *America*, and for encouraging the Fiſhery, commonly called the *South Sea Company*, in their own Right, and for the Uſe and Benefit of the Proprietors of the Annuities, commonly called the *Old South Sea Annuities*, and *New South Sea Annuities*, the Sum of twenty-ſeven millions three hundred two thouſand two hundred three Pounds five Shillings and ſix Pence Halfpenny: All which ſaid ſeveral and reſpective Principal Sums do amount in the Whole to the Sum of fifty-ſeven millions ſeven hundred three thouſand four hundred ſeventy-five Pounds ſix Shillings and four Pence Halfpenny, and are attended with Annuities, or an Intereſt, after the Rate of four Pounds *per Centum per Annum*, redeemable by Parliament: And whereas your Majeſty hath been pleaſed, by your moſt gracious Speech to both Houſes aſſembled in Parliament, to recommend to your dutiful and faithful Commons of *Great Britain*, to be watchful to improve any Opportunity of putting the National Debt in a Method of being reduced, with a ſtrict Regard to public Faith and private Property; and your ſaid dutiful and loyal Commons being truly ſenſible, that nothing can ſo effectually contribute to make the Trade of this Kingdom flouriſh, and render your Majeſty's Reign glorious to Poſterity, as the leſſening the publick Debts and Incumbrances, conſiſtent with Juſtice and public Faith, have reſolved, that any Perſon or Perſons, Bodies Politick or Corporate, who now are, or hereafter may be, intereſted in, or intitled unto, any Part of the National Debt redeemable by Law, incurred before *Michaelmas* one thouſand ſeven hundred and forty-nine, which now carries an Intereſt after the Rate of four Pounds *per Centum per Annum*, and who ſhall, on or before the twenty-eighth Day of *February* one thouſand ſeven hundred and forty-nine, ſubſcribe their Names, or ſignify their Conſent to accept of an Intereſt of three Pounds *per Centum per Annum*, to commence from the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-ſeven, ſubject to the ſame Proviſoes, Notices, and Clauſes of Redemption, which their reſpective Four *per Cents* are now liable to, ſhall in lieu of their preſent Intereſt be intitled unto, and receive an Intereſt of four Pounds *per Centum per Annum* till the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty; and from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and fifty, an Intereſt of three Pounds ten Shillings *per Centum per Annum*, until the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-ſeven; and no Part of the ſame, except what is due to the *Eaſt India* Company, ſhall be liable to be redeemed till after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-ſeven; and that all Executors, Adminiſtrators, Guardians and Truſtees, may ſubſcribe and ſignify ſuch Conſent for the ſeveral Parts of the ſaid Debt, for the holding of which their Names are made uſe of reſpectively; and that all Duties, Revenues and Incomes which now ſtand appropriated to the Payment of the ſaid Intereſt of four Pounds *per Centum per Annum* reſpectively, ſhall continue, and be appropriated and applied to the Payment of the reſpective Intereſt of four Pounds *per Centum per Annum*, three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, in the ſame Manner as the ſame now ſtand appropriated to the Payment of the ſaid four Pounds *per Centum per Annum*; and that the Surpluſſes of the ſaid Funds, after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and fifty, ſhall be made Part of the *Sinking Fund*, and applied in the ſame Manner as the Surpluſſes of the ſaid Funds are now applicable; and alſo that Books be opened at the Receipt of his Majeſty's Exchequer, at the Bank of *England*, and *South Sea* Houſe, for receiving the ſaid Subſcriptions or Conſent:' They therefore do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the

the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Person or Persons, Bodies Politick or Corporate, who now or hereafter may be interested in, or intitled unto, any Part of the said National Debt redeemable by Law, incurred before *Michaelmas* one thousand seven hundred and forty-nine, amounting in the Whole to the Sum of fifty-seven millions seven hundred three thousand four hundred seventy-five Pounds six Shillings and four Pence Halfpenny, which now carries an Interest after the Rate of four Pounds *per Centum per Annum*, and who have or shall, on or before the said twenty-eighth Day of *February* one thousand seven hundred and forty-nine, subscribe their Names, or signify their Consent, to accept of an Interest of three Pounds *per Centum per Annum*, to commence from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, subject to the same Provisoes, Notices, and Clauses of Redemption, which their respective Four *per Cents* are now liable to, shall, in lieu of their present Interest, be intitled unto, and receive an Interest of four Pounds *per Centum per Annum*, until the said twenty-fifth Day of *December* one thousand seven hundred and fifty; and from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty, an Interest of three Pounds ten Shillings *per Centum per Annum*, until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven; and no Part of the same, except what is due to the *East India* Company, shall be liable to be redeemed till after the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven.

Persons interested in the National Debt, amounting to 57,703,475 l. 6 s. 4 d. 2 q. which now carries an Interest of 4 l. per Cent. who shall consent to accept of 3 l. per Cent. from 25 Dec. 1757, shall receive 4 l. per Cent. until 25 Dec. 1750, and 3 l. 10 s. per Cent. until 25 Dec. 1757. 23 Geo. 2. c. 22.

II. And be it further enacted by the Authority aforesaid, That the several Annuities of four Pounds *per Centum per Annum*, now payable in respect of the said Principal Sum of fifty-seven millions seven hundred three thousand four hundred seventy-five Pounds six Shillings and four Pence Halfpenny, to the Proprietors thereof, and by this Act continued to them until the said twenty-fifth Day of *December* one thousand seven hundred and fifty, as also the several and respective reduced Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, by this Act made payable in lieu thereof, from the respective Days therein mentioned, shall, during the respective Continuances thereof, be paid and payable to the respective Persons and Corporations intitled thereunto, their Executors, Administrators and Assigns, at the same respective Offices and Places, and out of the same Duties, Revenues and Incomes, and at such Time or Times, and shall be assignable, transferrable and disposeable, in the same Manner and Form, as the said Annuities of four Pounds *per Centum per Annum* are now payable, assignable, transferrable and disposeable, by the respective Acts or Statutes now in Force, for or concerning the same, and as if this present Act had never been made, subject nevertheless to Redemption by Parliament, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, in Manner herein after-mentioned; any thing herein contained to the contrary thereof, in any wise notwithstanding.

The said Annuities made payable and transferrable in the same Manner as the present Annuities,

subject to Redemption after 25 Dec. 1757.

'III. And whereas Books have been already opened in Pursuance of a Resolution of the Commons of 'Great Britain, in this Session of Parliament, in the Office of the Auditor of the Receipt of his Majesty's 'Exchequer at *Westminster*, and also at the respective Offices of the Governor and Company of the Bank 'of *England*, and of the said Governor and Company of Merchants of *Great Britain* trading to the *South* 'Seas, and for encouraging the Fishery, commonly called the *South Sea Company*, for taking in the Sub-'scriptions, or receiving the Consents of such Persons or Corporations, as now are, or shall be, interested 'in, or intitled unto, any Part of the said Annuities or Interests, after the said Rate of four Pounds *per* 'Centum per Annum, who are willing to accept of an Annuity of three Pounds ten Shillings *per Centum per* 'Annum, in lieu thereof, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty, 'until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and of an Annuity 'of three Pounds *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven 'hundred and fifty-seven, in such Manner as hath already been, or hereafter shall be directed in that Be-'half: And whereas in Pursuance of the said Resolution, Notices have already been affixed in the Office of 'the Auditor of the said Receipt of Exchequer, and in other the publick Offices aforesaid, and at the *Royal* 'Exchange of *London*, and also published in the *London Gazette*, that the Book or Books for taking in the said 'Subscriptions, or receiving the said Consents, were laid open at the said Receipt of Exchequer, and in 'other the publick Offices aforesaid, to the End the Proprietors of the said Annuities, after the said Rate of 'four Pounds *per Centum per Annum*, might be apprized thereof, and make their Subscriptions, or give their 'Consents, in the said respective Book or Books, under a proper Preface to be prepared for that Purpose, 'by subscribing their respective Sums, Names, and Places of Abode, with his, her or their respective pro-'per Additions: And whereas it may so happen, that notwithstanding the said several Notices, many of 'the Persons or Corporations intitled to the said Annuities or Interests, after the said Rate of four Pounds 'per Centum per Annum, may hitherto have omitted to make such Subscriptions, or give their Consents in 'the said Books, in the Manner before-mentioned;' Be it therefore enacted by the Authority aforesaid, That the said several and respective Books shall constantly be opened at the said Receipt of Exchequer, and other the Publick Offices aforesaid, for that Purpose every Day, *Sundays* only excepted, until the said twenty-eighth Day of *February* one thousand seven hundred and forty-nine, inclusive, and no longer; subject nevertheless to such further Directions, with respect to the taking in or receiving such Subscriptions or Consents from the Proprietors of the said Annuities of four Pounds *per Centum per Annum*, as shall or may be given by the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, for the Benefit and Advantage of the Publick; and it shall and may be lawful to and for the Proprietors of the said Annuities of four Pounds *per Centum per Annum*, or such Person or Persons, as he, she or they shall respectively authorize and impower by Writing in that Behalf, to subscribe or consent for them, in Manner aforesaid, to have free Access to the said several Books, at all seasonable Hours, and they have hereby Power to make their Subscriptions, or give their Consents therein, for the Whole Sum or Sums due to them, or any of them,

Books to be open at the Exchequer, &c. until 28 Feb. 1749, for Subscriptions of the 4 l. per Cent. See 23 Geo. 2. c. 22.

them, according to this Act, without any Fee or Charge whatsoever; and the several and respective Officers of the said Receipt of Exchequer, and of other the publick Offices aforesaid, appointed or to be appointed to take in such Subscriptions, or receive such Consents, as aforesaid, shall, during the Time aforesaid, constantly attend at the said respective Offices for that Purpose, at such Hours as Business is usually transacted at the said several and respective Publick Offices.

Annuities secured to the Subscribers;

IV. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Bodies Politick or Corporate, who have or shall, on or before the said twenty-eighth Day of *February* one thousand seven hundred and forty-nine, have subscribed, or given their Consent in the Book or Books aforesaid, to accept of an Interest or Annuity after the Rate of three Pounds ten Shillings *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty, until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven; and of an Annuity of three Pounds *per Centum per Annum*, to commence from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, in lieu of their present Annuities of four Pounds *per Centum per Annum*, shall have, receive and enjoy, and they are hereby declared to be intitled to an Annuity of three Pounds ten Shillings *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty, until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven; and to an Annuity of three Pounds *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, redeemable by Parliament, in Manner herein after-mentioned; and the said Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, and the Principal or Capital for which the same shall be payable, are hereby declared, and shall be adjudged, taken and accepted in Construction of Law, and in all Courts of Law and Equity whatsoever, to all Intents and Purposes whatsoever, to be a Personal and not a Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or intitled thereunto, and not to the Heirs of such Person or Persons; any Law, Statute, Custom or Usage to the contrary notwithstanding; and that the said Annuities shall be free from all Taxes, Charges and Impositions whatsoever, in the same Manner as they now are.

Personal Estate,

free from Taxes.

Executors, &c. impowered to subscribe.

V. And it is hereby enacted and declared, That it shall and may be lawful for all Executors, Administrators, Guardians, Trustees, Committees of the Estates of Ideots or Lunaticks, and the Accomptant General of the Court of Chancery, and the Deputy Remembrancer of his Majesty's Court of Exchequer, to make, or cause to be made, Subscriptions in the said Book or Books, signifying their Consent to accept an Interest or Annuity of three Pounds ten Shillings *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty, until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and of an Annuity of three Pounds *per Centum per Annum*, to commence from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, for and on the Behalf of their respective Testators, Infants, Minors, Femes Covert, Ideots or Lunaticks, and the Suitors of the Court of Chancery, and of the said Court of Exchequer and others, for whom they are or shall be respectively entrusted; and such Executors, Administrators, Guardians, Trustees, Committees, and Accomptant General, and Deputy Remembrancer, are and shall be, by virtue of this Act, indemnified in and for doing the same.

Treasury to defray the Charges.

VI. Provided always, and be it further enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall have Power, and they are hereby authorized, out of any Money remaining in the Receipt of the Exchequer, of or for the Duties, Revenues and Incomes appropriated for the Payment of the said Annuities of four Pounds *per Centum per Annum*, to reward all such Persons as shall be any ways employed in the Execution of this Act, in relation to the taking in such Subscriptions, or receiving such Consents as aforesaid, and to defray all such incident Charges, as shall necessarily attend the Execution of the said Act, in such Manner as to them shall seem just and reasonable.

The Funds made subject to the reduced Interest,

VII. And it is hereby also enacted by the Authority aforesaid, That all the Duties, Revenues and Incomes which are now appropriated, subject or applicable to the Payment of the said Annuities of four Pounds *per Centum per Annum*, shall, from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty, be subject and liable to the Payment of such of the said Annuities of four Pounds *per Centum per Annum*, as shall not be subscribed, in case any shall be unsubscribed, and also of the said reduced Annuities of three Pounds ten Shillings, and three Pounds *per Centum per Annum*, in the same Manner, to all Intents and Purposes, as the same were liable and subject to the Payment of the said Annuities of four Pounds *per Centum per Annum*; and all the Monies coming into the Exchequer, of or for the several Duties, Revenues and Incomes, appropriated, subject or liable to the Payment of the said unsubscribed Annuities and of the said reduced Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, which shall be more than sufficient to answer and pay the said respective Annuities, shall, from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty, be applied to the same Uses, Intents and Purposes, and in the same Manner, as the several Surpluses, Excesses, or Overplus Monies of the said Duties, Revenues and Incomes are now applicable.

and the Surplus as before.

Clause of Redemption.

VIII. Provided always, and it is hereby enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, the said reduced Annuities of three Pounds *per Centum per Annum*, shall and may be reduced by Parliament, upon giving the same Notices, and making the same Payments of Principal Money at a Time to such Persons or Corporations as now are, or hereafter shall be, intitled to the said Annuities, and of all Arrearages of the said Annuities, as are directed to be given and made by the several and respective Acts, by which the said several Annuities, after the Rate of four Pounds *per Centum per Annum*, were made payable, and from and after Payment of any such Principal Money, to the said Persons or Corporations, as are or shall be intitled to the same, a proportional

portional Part of the said Annuities shall cease and determine, and be understood to be redeemed; any thing in this or any former Act or Acts of Parliament to the contrary in any wise notwithstanding.

CAP. II.

An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty. EXP. At 3 s. in the Pound.

CAP. III.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty. EXP.

CAP. IV.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. V.

An Act for enlarging the Term and Powers granted by an Act passed in the fifth Year of the Reign of his present Majesty, for repairing and amending the Roads leading from the Town of *Manchester* in the County of *Lancaster*, through the Town of *Ashton under Line*, and Parish of *Mottram Longendale*, and from thence to *Salters Brook* in the County Palatine of *Chester*. PR.

The Act 5 Geo. 2. c. 10. continued for 21 Years.

CAP. VI.

An Act for repairing, improving and maintaining the Haven and Piers of *Great Yarmouth*; and for depthening, and making more navigable the several Rivers emptying themselves into the said Haven; and also for preserving Ships, wintering therein, from Accidents by Fire. PR.

'WHEREAS by an Act made in the twentieth Year of his present Majesty's Reign, intituled, *An Act to revive, continue, and amend an Act made in the ninth Year of the Reign of his late Majesty King* GEORGE *the First, intituled*, (An Act for clearing, depthening, repairing, extending, maintaining and improving the Haven and Piers of *Great Yarmouth*; and for depthening and making more navigable the several Rivers emptying themselves at the said Town; and also for preserving Ships, wintering in the said Haven, from Accidents by Fire) the several Duties, granted by the said Act made in the ninth Year of his said late Majesty's Reign, for the Purposes therein mentioned, were revived and made payable, from the twenty-fourth Day of *June* one thousand seven hundred and forty-seven, for and during the Term of two Years, and from thence to the End of the then next Session of Parliament: And whereas the said Duties, revived and made payable as aforesaid, have not been sufficient for the effectual Reparation and Improvement of the said Haven and Piers, which (notwithstanding very great Sums of Money have already been expended in and about the same) have of late been, and still continue in so bad a Condition, that the same will, unless some further and more effectual Provision be made by Parliament for the Preservation thereof, in a short Time fall into irreparable Decay, and the Harbour, so beneficial to the Trade and Navigation of this Kingdom, become inaccessible: Therefore, for preserving to the Inhabitants of the said Borough, and of the adjacent Counties, the Benefit of the said Haven and Piers; and to the End that the said Haven, which is of so great Importance to the Trade of these Kingdoms in general, may be cleared and depthened, and the said Piers repaired, extended, altered, improved and maintained; and that the Jettee on the North Side of the said Haven may be repaired and preserved, and Timber, and other Materials for those Purposes, provided from time to time, as Occasion shall require; and that the Channel of that Part of the River *Yare* called *Braidon*, leading from *Great Yarmouth* to the City of *Norwich*, and so much of the River *Wenson*, commonly called *Yare*, as lies between the New Mills in *Norwich* and *Hardly Cross* in *Hardly*, in the County of *Norfolk*, and also the River *Waveney*, and also the River *Bure*, commonly called the *North River* (which said Rivers empty themselves into the said Haven) may be depthened and made more navigable for Boats and Keels usually passing upon the same, and that the Bridge and publick Keys belonging to the said Town, may be repaired;' May it please your Majesty that it may be enacted, *&c.* 20 Geo. 2. c. 40.

" From the 25th of *March* 1750, the Duties payable by the said Act shall cease; and there shall be paid for " 21 Years, and to the End of the next Session, by every Master of a Ship, which shall unlade within the Ha- " ven, or in *Yarmouth Road*, from the South Part of *Scratby*, to the North Part of *Corton*, for every Chal- " dron of Coals, Last of Wheat, or other Grain, and Weigh of Salt, and for every Ton of other Goods " (Fish excepted) *viz.* for 7 Years, 1 *s.* 6 *d.* and for the Remainder of the 21 Years, *&c.* 10 *d.* or such " greater Sum, as the Commissioners shall order, not exceeding 12 *d.* Collectors to pay over the Monies " to the Chamberlain. Salary allowed them of 6 *d.* in the Pound. Corporation to be answerable for all " Monies received; and impowered to call the Collectors and Chamberlains to Account; and to levy the " same by Distress and Sale; and where no Distress can be had, to commit the Party. Twelve Commis- " sioners

" sioners to be nominated annually; three by the Corporation of *Yarmouth*, three by the Corporation of " *Norwich*, three by the Justices of *Norfolk*, and three by the Justices of *Suffolk*. Proportion in which the " Duties are to be applied. 1 *d.* 2 *q.* towards cleansing the River *Yare*, *&c.* and the Expence of a Commis- " sion of Sewers. 2 *q.* towards cleansing the *North River*, *&c.* and the Expences of a Commission of Sew- " ers. 2 *q.* towards clearing the River *Waveny*, and the Expences of a Commission of Sewers. 2 *q.* to- " wards repairing the Bridge, and publick Keys. Other 3 *d.* in the following Proportions: 2 *q.* towards " clearing the River *Bure*; 2 *d.* 2 *q.* towards clearing the River *Yare*. The last mentioned 3 *d.* not to be raised " unless necessary, and Notice be given by the Commissioners to the Mayor. 4 *d.* to be applied for 7 Years " in clearing the Haven, *&c.* If the said Sum shall not be sufficient, the Commissioners impowered to or- " der a further Part of the Residue of the Duties to be applied towards clearing the Haven. Not to be ap- " plied in erecting new Works, *&c.* 8 *d.* to be applied for 7 Years in extending the Haven, and erecting " new Works. Commissioners to appoint a Committee of 12 Inhabitants, who are to inspect the Works, " *&c.* The Duty of 8 *d.* to cease upon Certificate of the Works being compleated. Upon Determination " of the Duty of 8 *d.* 4 *d.* is to be applied towards clearing the Haven, *&c.* If 4 *d.* shall not be found suffi- " cient, the Commissioners to direct a further Sum of 2 *d.* to be raised. If the Commissioners shall not au- " dit the Accounts yearly, the Corporation is impowered to examine the same. No Ship to be cleared at " the Custom-house till Payment of the Duties. Fish Oil, *&c.* exempted from Payment of the Duties. " On Re-exportation of Goods, the Duties to be repaid. Penalty on throwing Ballast, *&c.* into the Ha- " ven. The Mayor to appoint a Nightly Watch. Vessels wintering to pay 2 *q.* *per* Ton, towards the " Watch. Penalty of 10 *s.* on suffering Fire or lighted Candle in Ships wintering in the Haven. Watch " impowered to go on Board to extinguish Lights. No Vessel to be moored with her Side towards the Key " for longer than one Tide, *&c.*"

CAP. VII.

An Act for enlarging the Term and Powers granted and continued by two former Acts of Parliament for repairing, widening and amending the Roads from *Wigan* to *Preston* in the County Palatine of *Lancaster*; and for making the said Acts more effectual. PR.

The Acts 13 Geo. 1. c. 10. and 20 Geo. 2. c. 8. continued for 21 Years.

CAP. VIII.

An Act for enlarging the Term and Powers granted and continued by two Acts of Parliament, for amending the Highways leading from *Brampton Bridge* to *Welford Bridge*, in the County of *Northampton*, and the great Post Road from *Morter Pitt Hill* to *Chain Bridge*, leading into *Market Harborough* in the County of *Leicester*; and for explaining and making more effectual the said Acts; and also for repairing the Roads leading from *Morter Pitt Hill* and *Brampton Bridge* to the Town of *Northampton*.

The Acts 8 Geo. 1. c. 13. and 12 Geo. 2. c. 35. continued for 21 Years.

CAP. IX.

For former Laws concerning Silk, &c. see 19 *H.* 7. *c.* 21. 13 & 14 *Car.* 2. *c.* 13 & 15. 20 *Car.* 2. *c.* 6. 2 *W. & M. stat.* 1. *c.* 9. 5 & 6 *W. & M. c.* 20. 6 & 7 *W.* 3. *c.* 18. 8 & 9 *W.* 3. *c.* 36. 9 & 10 *W.* 3. *c.* 30 & 43. 5 *Ann. c.* 20. 6 *Ann. c.* 19. 8 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 8. 1 *Geo.* 2. *c.* 17.

An Act for repealing the Duties now payable upon *China* Raw Silk, and for granting other Duties in lieu thereof.

' WHEREAS the Duties now payable upon Raw Silk imported from *China* are a great Discourage- ' ment to the Importation thereof: And whereas a constant and plentiful Supply of that valuable ' Commodity to be manufactured in this Kingdom will be a publick Benefit, and greatly contribute to the ' Increase and Improvement of the Silk Manufactures:' Therefore we, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, being desirous to promote and encourage the Manufactures of this Kingdom, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, the several Rates, Duties, Subsidies and Impositions, now payable upon the Importation of Raw Silk of the Growth or Produce of *China*, by virtue of several Acts of Parliament now in Force, shall cease, determine, and be no longer paid.

The present Duties payable on Importation of Raw Silk from China, to cease.

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, all Raw Silk imported from *China* into this Kingdom by the United Company of *Merchants* of *England* trading to the *East Indies*, or by any Licence from the said Company, shall, in lieu of the said Rates, Duties, Subsidies and Impositions, by this Act repealed as aforesaid, be charged with and pay the same Rates, Duties, Subsidies and Impositions, as are now charged upon, and payable for, Raw Silk of the Growth or Produce of *Italy*; which said Rates, Duties, Subsidies and Impositions, by this Act granted, shall be paid by the said United *East India* Company, at the same Times, and in the same Manner, as the several Rates, Duties, Subsidies and Impositions, by this Act repealed, as aforesaid, have been paid.

Raw Silk from China to pay the same Duties as Raw Silk of Italy.

III. And be it further enacted by the Authority aforesaid, That the several Rates, Duties, Subsidies and Impositions, by this Act granted, shall be raised, levied, collected, paid and applied, in such Manner, and for the same Purposes, as the said several Rates, Duties, Subsidies and Impositions by this Act repealed as aforesaid, are now respectively raised, levied, collected, paid and applied; and all the Provisions of or in any Act or Law now in Force for raising, levying, collecting, paying and applying the Rates, Duties, Subsidies and Impositions hereby repealed, as aforesaid, shall be in full Force, and shall be put in Execution for raising,

The Manner of levying and Application of the Duties.

raising, levying, collecting, paying and applying the Rates, Duties, Subsidies and Impositions, by this Act granted, as fully and effectually, to all Intents and Purposes, as if the said Provisions were particularly repeated and re-enacted in the Body of this present Act.

IV. And be it further enacted and declared by the Authority aforesaid, That all Raw Silk of the Growth or Produce of *China*, imported after the twenty-fourth Day of *June*, shall, upon the Exportation thereof from this Kingdom, be intitled to and receive the same Drawbacks and Allowances only, as are now by Law directed to be paid upon the Exportation of Raw Silk of the Growth or Produce of *Italy*; any Law or Usage to the contrary notwithstanding.

Raw Silk from China, to be allowed the same Drawback. *Concerning Silk, see farther* 23 *Geo.* 2. *c.* 20. 26 *Geo.* 2. *c.* 21.

CAP. X.

An Act for enlarging the Term and Powers granted by an Act passed in the fourth Year of the Reign of his present Majesty, *For repairing the Road leading from the Town of* Fulham *in the County of* Middlesex, *through* Fulham *Fields, to the great Road near the Pound at* Hammersmith *in the said County.* PR.

The Act 4 Geo. 2. c. 34. continued for 21 Years.

CAP. XI.

An Act to render Prosecutions for Perjury and Subornation of Perjury, more easy and effectual.

'WHEREAS by reason of Difficulties attending Prosecutions for Perjury and Subornation of Perjury, those heinous Crimes have frequently gone unpunished, whereby wicked and evil-disposed 'Persons are daily more and more emboldened to commit the same, to the great Dishonour of God, and 'manifest Let and Hindrance of Justice;' For Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every Information or Indictment to be prosecuted against any Person for wilful and corrupt Perjury, it shall be sufficient to set forth the Substance of the Offence charged upon the Defendant, and by what Court, or before whom the Oath was taken (averring such Court, or Person or Persons, to have a competent Authority to administer the same) together with the proper Averment or Averments to falsify the Matter or Matters wherein the Perjury or Perjuries is or are assigned; without setting forth the Bill, Answer, Information, Indictment, Declaration, or any Part of any Record or Proceeding either in Law or Equity, other than as aforesaid; and without setting forth the Commission or Authority of the Court, or Person or Persons before whom the Perjury was committed; any Law, Usage or Custom to the contrary notwithstanding.

For former Laws concerning Perjury, refer to 5 *Eliz. c* 9. 2 *Geo.* 2. *c.* 25.

What shall be sufficient in Indictments of Perjury.

II. And be it further enacted by the Authority aforesaid, That in every Information or Indictment for Subornation of Perjury, or for corrupt bargaining or contracting with others to commit wilful and corrupt Perjury, it shall be sufficient to set forth the Substance of the Offence charged upon the Defendant, without setting forth the Bill, Answer, Information, Indictment, Declaration, or any Part of any Record or Proceeding either in Law or Equity, and without setting forth the Commission or Authority of the Court, or Person or Persons before whom the Perjury was committed, or was agreed or promised to be committed; any Law, Usage or Custom to the contrary notwithstanding.

Informations, &c. for Subornation of Perjury.

III. And the better to prevent great Offenders from escaping Punishment by reason of the Expence attending such Prosecutions; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any of his Majesty's Justices of Assize, or *Nisi Prius*, or General Gaol Delivery, or of any of the Great Sessions of the Principality of *Wales*, or of the Counties Palatine; and they are hereby authorized (sitting the Court, or within twenty-four Hours after) to direct any Person examined as a Witness upon any Trial before him or them, to be prosecuted for the said Offence of Perjury, in case there shall appear to him or them a reasonable Cause for such Prosecution, and that it shall appear to him or them proper so to do; and to assign the Party injured, or other Person undertaking such Prosecution, Council, who shall and are hereby required to do their Duty without any Fee, Gratuity or Reward, for the same: And every such Prosecution, so directed as aforesaid, shall be carried on without Payment of any Tax or Duty, and without Payment of any Fees in Court, or to any Officer of the Court, who might otherwise claim or demand the same: And the Clerk of Assize, or his Associate or Prothonotary, or other proper Officer of the Court (who shall be attending when such Prosecution is directed) shall, and is hereby required, without any Fee or Reward, to give the Party injured, or other Person undertaking such Prosecution, a Certificate of the same being directed, together with the Names of the Council assigned him by the Court; which Certificate shall in all Cases be deemed sufficient Proof of such Prosecution having been directed as aforesaid, provided that no such Direction or Certificate shall be given in Evidence upon any Trial to be had against any Person upon a Prosecution so directed as aforesaid.

Justices of Assize, &c. may direct Prosecutions against Persons examined before them, being guilty of Perjury, and assign the Prosecutor Council.

The Prosecution to be carried on without Fees.

The Clerk of Assize to give the Prosecutor a Certificate.

CAP. XII.

An Act for improving the Navigation of the River *Loyne*, otherwise called *Lune*; and for building a Quay or Wharf near the Town of *Lancaster* in the County Palatine of *Lancaster*. PR.

'WHEREAS the Town of *Lancaster*, in the County Palatine of *Lancaster*, from its great and extensive Commerce to the *West Indies*, and other foreign Parts, is now become a very considerable 'Port; and has for some Time past employed and maintained great Numbers of Ships, Mariners and Sea-

'men, to the great Advancement of the Revenue, and the Improvement of the Trade and Navigation of this Kingdom: And whereas the Navigation of the River *Loyne*, otherwise called *Lune*, is become very difficult and dangerous; and the only Place near the said Town where Ships can be moored and discharged, is by reason of the Shoals, and other Obstructions in the Soil of the said River, become very unfit and unsafe for that Purpose; insomuch that many Ships and Vessels stationed there, have been overset and damaged, to the great Loss of the Owners and Freighters thereof respectively: And whereas it is conceived to be highly necessary for the Benefit and Improvement of the said Navigation, that a Quay or Wharf, with other Conveniencies, should be built and erected on the South West Side of the said River, and that Buoys should be placed at the Entrance into the said River, and other Parts thereof, and Land Marks erected, for guiding and directing Ships and Vessels to and from the said Town; and that a Place of Safety should be made for the Harbouring and Protection of the Shipping at or near the Mouth of the said River; which would tend not only to the Preservation and Security of Ships trading to and from the said Town, but also of his Majesty's Ships of War, and other Vessels, that should put in there by Stress of Weather, or otherwise: And whereas the Reverend *James Fenton* Doctor of Laws, Vicar of the Parish Church of *Lancaster*, and in the Diocese of *Chester*, is in Right of the said Church seised of and in divers Parcels of Land and Ground herein after-mentioned and described, which are very commodiously and conveniently situated for the Purposes afore-mentioned; and the Right Reverend *Samuel* Lord Bishop of *Chester*, the Ordinary, *Edward Marton* Esquire, the Patron or Owner of the Advowson of the Vicarage of the said Church, and the said *James Fenton*, the present Incumbent thereof, have respectively consented and agreed, that the said Pieces or Parcels of Ground shall be converted, applied and disposed of, for the Purposes herein after-mentioned; but under and subject to the Rents, Reservations, Provisions and Restrictions herein after expressed, provided and declared:' Wherefore for the promoting, carrying on, and effecting a Design so beneficial for the Town of *Lancaster*, and so conducive to the Increase of Trade and Navigation, and the Good of the Publick; May it please your most Excellent Majesty, that it may be enacted, *&c.*

" Certain Parcels of Lands vested in Trustees, for the Purposes of this Act. The Vicar of the Parish to " be paid thereout an annual Rent of 14 *l.* 14 *s.* by Quarterly Payments. The Lands to be employed as a " Wharf, *&c.* Upon the Death of any Trustee, another to be chosen, *&c.* Conveyance of the Premis- " ses to be made to the new Trustee. The Trustees to separate the Lands vested in them from the other " Parts of the Vicarage Lands by a Stone Wall; and to make a Reservoir of Water, *&c.* and in case of " any Overflow, to divert the Waters into the *Loyne*, *&c.* Occupiers of the Vicarage Lands impowered to " take Sand along the *Summer Pasture*, and to drive their Cattle to and from Water. The Ways to be ap- " pointed by the Trustees, or, on their Neglect, by the Vicar. The Vicar to have the Herbage until the " Division Wall be built. No Way, *&c.* to be made through the Wall, without Consent of the Vicar. " Commissioners appointed to execute this Act to *May* 1755. Upon the Death of any Commissioner, ano- " ther to be elected. Merchants, *&c.* to meet every third Year, and nominate 16 Inhabitants to be joint " Commissioners, who are impowered to build a Quay, *&c.* and to let the same; and to erect Piers at the " Mouth of the River, *&c.* Duties granted on Vessels coming into or going out of Port for the Term of 21 " Years. No Vessel to pay inwards and outwards for the same Voyage. One Moiety of the Duties only " to cease after 21 Years. No Vessel to be cleared at the Custom-house without a Certificate of Payment " of the Duties. Commissioners impowered to make By-laws, *&c.* and to contract for the Works; and to " borrow 2000 *l.* on the Duties. Collectors Books of Receipts and Payments, to be produced at the Quar- " ter-Sessions. Commissioners to appoint Collectors, and to allow them not exceeding 1 *s.* in the Pound. " Commissioners to meet twice in the Year, and audite all Accounts, and may remove Collectors, *&c.* " Commissioners to appoint a Person who shall order the Mooring, *&c.* of Ships. Twenty Shillings Pe- " nalty on throwing Rubbish, *&c.* into the River."

SCHEDULE of the Duties.

'FOR every Ship coming in or going out of the Port of *Lancaster*, and trading to or from any Place in *Europe* within the *Streights*; or in *Africa*, *America* or *Greenland*, 1 *s. per* Ton.

'For every Ship trading to or from any Foreign Port in *Europe*, 8 *d. per* Ton.

'For every Ship trading to or from any Place in *Great Britain* South of *Holly Head*, or North of the *Mull* of *Galloway*, 6 *d. per* Ton.

'For every Ship trading to or from any Place in *Ireland*, or the *Isle of Man*, 4 *d. per* Ton.

'For every Ship trading to or from any Place in *Great Britain* North of *Holly Head*, or South of the *Mull* of *Galloway*, 2 *d. per* Ton.

'And for every Ship coming in Ballast into the River *Loyne*, and not lading or unlading, for every Ton one fourth Part of the Duties.'

CAP.

CAP. XIII.

An Act for the effectual punishing of Persons convicted of seducing Artificers in the Manufactures of *Great Britain* or *Ireland*, out of the Dominions of the Crown of *Great Britain*; and to prevent the Exportation of Utensils made use of in the Woollen and Silk Manufactures from *Great Britain* or *Ireland*, into foreign Parts; and for the more easy and speedy Determination of Appeals, allowed in certain Cases, by an Act made in the last Session of Parliament, relating to Persons employed in the several Manufactures therein mentioned.

5 Geo. 1. c. 27.

'WHEREAS by an Act made in the fifth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act to prevent the Inconveniencies arising from seducing Artificers in the Manufactures of* Great Britain, *into foreign Parts*; it is amongst other Things enacted, That if any Person or Persons shall contract with, entice, endeavour to persuade or solicit any Manufacturer or Artificer of or in Wooll, Iron, Steel, Brass or any other Metal, Clock-maker, Watch-maker, or any other Artificer or Manufacturer of *Great Britain*, to go out of this Kingdom, into any foreign Country out of his Majesty's Dominions, and shall be lawfully convicted thereof, in the Manner prescribed by the said Act; the Person and Persons so convict shall be fined any Sum not exceeding one hundred Pounds for such first Offence, according to the Discretion of the Court, in which such Conviction shall be, and shall be imprisoned for the Space of three Months, and until such Fine shall be paid; and if any Person or Persons having been once convict as aforesaid, shall offend again, and be so convict a second Time of the like Offence, then, and in such Case, the Person so convict a second Time, shall be fined at the Discretion of the Court, where such Conviction shall be, and shall be imprisoned for twelve Months, and until such Fine shall be paid: And whereas, notwithstanding the Penalties to which Offenders against the said Act are thereby subjected, divers wicked and evil-disposed Persons have of late seduced into foreign Parts several Artificers in the Woollen and other Manufactures; and it is therefore become necessary to make some further and more effectual Provision, to deter such Persons from committing the said Offences, so destructive to the Trade of this Kingdom:' Therefore, for preventing the said pernicious Practices for the future, and for explaining, amending and rendering more effectual the said Act, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if at any Time after the twenty-fourth Day of *June* one thousand seven hundred and fifty, any Person or Persons shall contract with, entice, persuade or endeavour to persuade, solicit or seduce any Manufacturer, Workman or Artificer of or in Wooll, Mohair, Cotton or Silk, or of or in any Manufactures made up of Wooll, Mohair, Cotton or Silk, or any of the said Materials mixed one with another, or of or in Iron, Steel, Brass or any other Metal, or any Clock-maker, Watch-maker, or any other Manufacturer, Workman or Artificer of or in any other of the Manufactures of *Great Britain* or *Ireland*, of what Nature or Kind soever, to go out of this Kingdom, or out of the Kingdom of *Ireland*, into any foreign Country, not within the Dominions of or belonging to the Crown of *Great Britain*; and shall be lawfully convicted thereof upon any Indictment or Information to be preferred or brought against him, her or them, in his Majesty's Court of *King's Bench* at *Westminster*, or by Indictment at the Assizes or General Gaol Delivery for the County, Riding or Division, wherein such Offence shall be committed (if such Offence shall be committed in that Part of *Great Britain* called *England*) or by Indictment in the Court of Justiciary, or any of the Circuit Courts in *Scotland* (if such Offence shall be committed in that Part of *Great Britain* called *Scotland*) or by Indictment or Information in his Majesty's Court of *King's Bench* at *Dublin* (if such Offence shall be committed in *Ireland*) the Person or Persons so convicted, shall, for every Artificer, Workman or Manufacturer, so by him, her or them respectively contracted with, enticed, persuaded, solicited or seduced, severally forfeit the Sum of five hundred Pounds of lawful Money of *Great Britain*; and shall also suffer Imprisonment in the Common Gaol of the County, Riding, Division, Shire or Stewartry, wherein such Offender or Offenders shall be respectively convicted, for the Space of twelve Calendar Months, without Bail or Mainprize, and until such Forfeiture shall be paid; and in case of a further Conviction, in Manner before prescribed by this Act, for or upon a second or other subsequent Offence of the same Kind, the Person or Persons so again offending shall, upon every second or other subsequent Conviction, severally forfeit for every Person so by him, her or them respectively contracted with, enticed, persuaded, solicited or seduced, the Sum of one thousand Pounds of lawful Money of *Great Britain*; and shall also suffer Imprisonment in the Common Gaol of the County, Riding, Division, Shire or Stewartry, wherein such Offender or Offenders shall be respectively convicted, for the Space of two Years, without Bail or Mainprize, and until such Forfeiture shall be paid; any thing in the said in part recited Act of the fifth Year of his said late Majesty's Reign to the contrary notwithstanding.

Persons convicted of seducing Artificers in the Manufactures of Great Britain or Ireland, out of the Dominions of Great Britain,

to forfeit 500 l. and to be imprisoned for 12 Months.

And for a second Offence to forfeit 1000 l.

and to be imprisoned for 2 Years.

II. Provided nevertheless, That no Person shall be prosecuted for any of the Offences aforesaid, unless such Prosecution shall be commenced within the Space of twelve Calendar Months next after such Offence shall be committed.

Prosecution to be commenced within 12 Months.

'III. And whereas the Exportation of the several Tools or Utensils made use of in preparing, working up and finishing the Woollen and Silk Manufactures, or any or either of them, will enable Foreigners to work up such Manufactures, and thereby greatly diminish the Exportation of the same from this Kingdom;' Therefore, for preserving as much as possible to his Majesty's *British* Subjects, the Benefits arising from those great and valuable Branches of Trade and Commerce; Be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty, if any Person or Persons in *Great Britain* or *Ireland* shall, upon any Pretence whatsoever, load or put on Board,

Persons exporting Utensils of the Woollen and Silk Manufactures,

Board, or cause to be loaden or put on Board of any Ship, Vessel or Boat which shall not be bound directly to some Port or Place in *Great Britain* or *Ireland*, or to some other of the Dominions of the Crown of *Great Britain*, any such Tools or Utensils as are commonly used in, or are proper for the preparing, working up, or finishing of the Woollen or Silk Manufactures, or any or either of them, or any Parts or Parcels of such Tools or Utensils, by what Name or Names such Tools or Utensils shall or may be called or known, the Person or Persons so offending shall, for every such Offence, not only forfeit and lose all such Tools and Utensils, or Parts or Parcels thereof, which shall be so loaden or put on Board as aforesaid, but also the Sum of two hundred Pounds of lawful Money of *Great Britain*, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Session in *Scotland*, or in any of the four Courts at *Dublin* respectively, wherein no Essoin, Protection, Privilege or Wager of Law, shall be allowed, or more than one Imparlance.

shall forfeit the Tools and 200 l.

IV. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty, it shall and may be lawful to and for any Officer of his Majesty's Customs in *Great Britain*, and for any Officer of the Revenue in *Ireland*, to seize and secure in some or one of his Majesty's Warehouses, all such Tools or Utensils by this Act prohibited to be exported, as such Officer shall find or discover to be laid or put on Board of any Ship, Vessel or Boat, which shall not be bound directly to some Port or Place in *Great Britain* or *Ireland*, or to some other of the Dominions of the Crown of *Great Britain*, and that every Officer who shall seize and secure any of the said Tools or Utensils, shall be fully and absolutely indemnified for so doing; and all Tools or Utensils so seized and secured as aforesaid, shall, after Condemnation thereof, in due Course of Law, be publickly sold to the best Bidder, and one Moiety of the Produce arising by the Sale of such Tools and Utensils, shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Officer who shall seize and secure the same as aforesaid.

Officers of the Customs impowered to seize Tools found on Board Ships bound to foreign Parts;

to be sold after Condemnation.

V. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty, if the Captain or Master of any Ship, Vessel or Boat, in *Great Britain* or *Ireland*, shall knowingly permit any of the said Tools or Utensils by this Act prohibited to be exported as aforesaid, to be put on Board his said Ship, Vessel or Boat, every such Captain or Master shall, for every such Offence, forfeit the Sum of one hundred Pounds of lawful Money of *Great Britain*, to be sued for and recovered in the same Manner as the Penalties by this Act inflicted upon Persons exporting the said Tools or Utensils are to be sued for and recovered; and if the said Ship, Vessel or Boat belongs to his Majesty, his Heirs or Successors, then the Captain or Master thereof shall not only forfeit the Sum of one hundred Pounds of lawful Money of *Great Britain*, to be sued for and recovered as aforesaid, but shall also forfeit his Employment, and be incapable of any Office or Employment under his Majesty, his Heirs or Successors.

Captains of Vessels permitting such Utensils to be put on Board, to forfeit 100 l.

Captains of his Majesty's Ships to forfeit 100 l. and to be cashiered.

VI. And be it further enacted by the Authority aforesaid, That if any Customer, Comptroller, Surveyor, Searcher, Waiter or other Officer of the Customs in *Great Britain*, or any Officer of the Revenue in *Ireland*, shall take, or knowingly or willingly suffer to be taken, any Entry outward, or shall sign any Cocket, Warrant or Sufferance for the shipping or exporting of any of the said Tools or Utensils by this Act prohibited to be exported, or shall knowingly or willingly permit or suffer the same to be done, directly or indirectly, contrary to the true Intent and Meaning of this Act; every such Customer, Comptroller, Surveyor, Searcher, Waiter or other Officer of the Customs in *Great Britain*, or Officer of the Revenue in *Ireland* so offending, shall forfeit the Sum of one hundred Pounds of lawful Money of *Great Britain*, to be sued for and recovered as aforesaid; and shall also forfeit his Office, and be incapable of any Office or Employment under his Majesty, his Heirs or Successors.

Officer of the Custom-house, signing Cockets, &c. for the exporting such Tools,

to forfeit 100 l. and his Employment.

VII. And be it further enacted by the Authority aforesaid, That one Moiety of the respective Forfeitures by this Act inflicted upon Offenders against the same, shall, when recovered, go and be applied to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Use of the Person or Persons who shall sue and prosecute for the same respectively.

One Moiety to the King, the other to the Prosecutor.

VIII. And be it further enacted by the Authority aforesaid, That if any Suit or Action shall be commenced against any Person for what he shall do in pursuance of this Act, such Action shall be commenced within six Months after the Fact committed; and the Person so sued may file common Bail, or enter a common Appearance, and plead the General Issue, Not Guilty, and may give this Act and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or suffer Discontinuance, or if a Verdict pass against him, or if, upon Demurrer, Judgment be given against him, the Defendant shall recover Treble Costs.

Limitation of Actions.

General Issue.

Treble Costs.

22 Geo. 2. c. 27. sect. 3.

'IX. And whereas by an Act made in the last Session of Parliament (intituled, *An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linnen, Fustian, Cotton, Iron, Leather, Furr, Hemp, Flax, Mohair and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot-pressers, and of all Persons employed in the said Manufactures; and for the better Payment of their Wages*) it is, amongst other Things, enacted, That if any Person convicted of buying, receiving or taking to pawn any of the Materials in the said Act mentioned, shall think himself or herself aggrieved by the Judgment of the Justice or Justices before whom he or she shall have been convicted, such Person shall have Liberty to appeal to the Justices at the next General or Quarter Sessions of the Peace which shall be held for the County, Riding, Division, City, Liberty, Town or Place where such Judgment shall have been given; which Justices, in the said General or Quarter Sessions, are to hear and finally determine the Matter of the said Appeal: But whereas great Delays and Inconveniencies have arisen and may arise in the hearing and determining of such Appeals, inasmuch as no Provision is made by the said Act in relation to the Form and Manner in which such Convictions shall be drawn up;' Therefore, for preventing such Delays and Inconveniencies for the future, Be it further enacted by the Authority aforesaid, That the Justice or Justices of the Peace before whom

whom any Person shall be convicted, in Manner prescribed by the said Act, of buying, receiving or taking to pawn any of the Materials or Wares therein mentioned, shall cause such Conviction to be drawn up in the Form and Words following; (that is to say) A Form of Conviction on the recited Act.

Middlesex, To wit. 'BE it remembered, That on the Day of in the 'Year of his Majesty's Reign, *A. B.* was convicted before me [or us] of his 'Majesty's Justices of the Peace for the said County of [or for the 'Riding [or Division] of the said County of] or for the City, Liberty or 'Town of in the said County of *(as the Case shall be)* of 'buying, receiving or taking to pawn *(as the Case shall happen to be)* *(specifying* '*the Materials or Wares so bought, received or taken to pawn)* the Property of *C. D.* of 'in the County of and by him [or her] delivered to to be manufactured.

'Given under my Hand and Seal [or our Hands and Seals] the Day 'and Year aforesaid.'

Which said Form and Conviction shall not be liable to be removed by *Certiorari* into his Majesty's Court of *King's Bench*; and the said Justice or Justices before whom such Conviction shall be had, shall cause the same, drawn up in the Form aforesaid, to be fairly written upon Parchment, and transmitted to the next General or Quarter Sessions of the Peace to be held for the County, Riding, Division, City, Town or Liberty, wherein such Conviction was had, to be filed and kept amongst the Records of the said General or Quarter Sessions: And in case the Person or Persons so convicted shall appeal from the Judgment of the said Justice or Justices to the said General or Quarter Sessions, the Justices in such General or Quarter Sessions are hereby required, upon receiving the said Conviction drawn up in the Form aforesaid, to proceed to the Hearing and Determination of the Matter of the said Appeal, according to the Directions of the said Act; any Law or Usage to the contrary notwithstanding. Not liable to be removed by Certiorari; and transmitted to the Sessions. Justices to hear Appeals.

CAP. XIV.

An Act for assigning a Place proper for holding the Market in the City of *Westminster*, in lieu of the ancient Market Place called the *Round Woolstaple*; and for regulating the said Market. PR.

'WHEREAS the Market for the City of *Westminster* hath, from ancient Times, been held from 'or under the Dean and Chapter of the Collegiate Church of *Saint Peter*, *Westminster*, by their 'Lessee of the Office of Keeper and Sweeper of the said Market, in a Place called the *Round Woolstaple*, 'in the Parish of *Saint Margaret*, in the said City of *Westminster*; which Market Place hath been lately 'purchased by the Commissioners constituted and appointed by divers Statutes for building a Bridge cross 'the River *Thames*, from the *Woolstaple*, or thereabouts, in the Parish of *Saint Margaret*, *Westminster*, to 'the opposite Shore in the County of *Surry*, for the Sum of eight hundred and forty Pounds; and the 'said Ground hath been converted by the said Commissioners to the publick Use of widening the Streets 'leading to and from the said Bridge, according to the Directions of the said Statutes: And whereas it is 'necessary for the Accommodation of the Inhabitants of the said City of *Westminster*, that the said Market 'should be held in some other convenient Place; and the most convenient Place for that Purpose is within 'the Bounds and Limits hereafter described; that is to say, between the Place called the *Broad Sanctuary*, 'in the Parish of *Saint Margaret* in the said City of *Westminster*, and *Bow Street* in the said Parish: And 'whereas the Ground and Soil within the said Limits, or the greatest Part thereof, is the Freehold of the 'said Dean and Chapter, and by them leased out for Terms of Years to their Tenants; and that the said 'Dean and Chapter would be willing and desirous, for the Accommodation of the Inhabitants of the said 'City, that the said Sum of eight hundred and forty Pounds should be applied in buying in such Leases or 'Terms of Years as are out-standing, and in purchasing such other Estates as might be necessary for holding 'the said Market within the said Limits, in case such Application of the said Money was not restrained by 'the said Acts of Parliament made for the building the said Bridge, whereby the said Money is directed to 'be laid out in the Purchase of Estates in Fee Simple: And whereas other Difficulties may arise in the Pur'chase of such Ground as may be necessary for holding the said Market, within the Limits aforesaid, by 'reason of legal Disabilities which the Owners or Occupiers of such Ground may be under to dispose of 'the same to the said Dean and Chapter, for the Purposes aforesaid; which Difficulties cannot be removed 'but by Authority of Parliament;' Be it therefore enacted, *&c.*

"The Commissioners may extend the Limits of the new Market within the open Space of the *Broad San*"*ctuary*, so far as a Line from the Gateway of *Green's Alley*, to the Front of the House on the East of the "Way from the *Broad Sanctuary* into the *Little Sanctuary*, will admit. The Commissioners are to set out "the Ground; and the Dean and Chapter to purchase the same; and to have the Right of holding the "Market, and the Rents and Profits thereof. No Provisions to be sold within 100 Feet of the Bounds of "the Market, without Licence, under Penalty of 5 *l.* Justices may mitigate the Penalties. Persons ag"grieved may appeal to the Quarter Sessions. Proceedings not to be removed by *Certiorari*. If any Person "refuse to treat, the Commissioners are to issue out a Warrant to the High Bailiff to return a Jury, to view "the Places in Question, and to assess upon Oath the Recompence. Commissioners to give Judgment there"on. 20 Days Notice to be given to the Parties interested, before such Assessment. The Verdicts, *&c.* to

" be entered in the Regiſter's Office of the County of *Middleſex*, *&c.* Upon Payment or Tender of the " Purchaſe-Money, the Dean and Chapter may enter on the Premiſſes, and convert the ſame into a Market. " No Leaſes to be for leſs than the Rents heretofore paid for the Market in the *Round Woolſtaple*, *&c.*"

CAP. XV.

An Act for taking down ſeveral Buildings, and inlarging the Streets and Market Places in the City of *Glouceſter*. PR.

' WHEREAS the Trade and Inhabitants of the City of *Glouceſter* have of late Years greatly increaſed: ' And whereas in the four chief Streets of the ſaid City commonly called *Eaſtgate Street*, *Weſtgate* ' *Street*, *Northgate Street* and *Southgate Street*, and where the Markets are uſually kept, there are ſeveral ' old Houſes or Tenements, Stalls and Buildings, ſome of which ſtand in the Middle of the ſaid Streets, ' and the reſt of them jet out, project, and are extending irregularly beyond the Range or Sides of the ſaid ' Streets, towards the Middle thereof reſpectively; whereby the Area of, or Places uſed for the Markets of ' the ſaid Town are greatly ſtraitened and confined, and the Paſſage of Carriages, Horſes, Cattle and Per- ' ſons, in and through the ſame, is very much obſtructed, and rendered difficult and dangerous: And whereas ' by taking down the ſeveral Houſes or Tenements, Stalls and Buildings aforeſaid, the ſaid Streets will be ' greatly opened, and rendered much more commodious for the Paſſage of Carriages and Foot Paſſengers, ' and for the holding and keeping the Fairs and Markets, and carrying on the Trade and Buſineſs of the ' ſaid City; and the Owners of ſuch Houſes or Tenements, Stalls and Buildings, or the greateſt Part of ' them, are willing to ſell and diſpoſe of the ſame, in order that they may be taken down for the Purpoſes ' aforeſaid: But as ſeveral of the ſaid Houſes or Tenements, Stalls and Buildings, and the Site and Soil of ' the ſame reſpectively, belong to, and are the Eſtates and Property of Eccleſiaſtical and other incorporated ' Bodies, Femes Covert, Infants and others, who by Law are diſabled to make an abſolute Sale and Con- ' veyance thereof in Fee-ſimple, the ſame cannot be applied and diſpoſed of for the Purpoſes aforeſaid ' without the Aid and Authority of Parliament;' May it therefore pleaſe your Majeſty, That it may be enacted, *&c.*

" Commiſſioners impowered to contract for the Purchaſe of ſuch Houſes and Grounds as are deſcribed in " the Schedule. Perſons intereſted, impowered to make Sale thereof. If any refuſe to treat, or if the ſame " be the Property of Infants not having Guardians, the Commiſſioners are to iſſue Warrants to the Sheriff, " to return a Jury, who ſhall inquire upon Oath into the Damages and Recompence, and their Verdicts to " be binding to all Parties. 3 Days Notice to be given of the Commiſſioners and Jury's Meeting. The Pur- " chaſe-money of the Eſtates of Infants and Femes Covert, *&c.* to be paid to the Mayor and Burgeſſes of " *Glouceſter*. Upon Payment or Tender of the Purchaſe-money, the Commiſſioners may cauſe the Buildings " to be taken down, and the Ground to be uſed as a Highway. The Purchaſe-money of the Eſtates of " Infants and Femes Covert, to be laid out in other Purchaſes to the ſame Uſes; and till Purchaſes can be " made, the Money is to be put out to Intereſt, *&c.*

CAP. XVI.

An Act for granting to his Majeſty the Sum of one million, to be raiſed by Annuities at three Pounds *per Centum per Annum*, and charged on the Sinking Fund, transferrable at the Bank of *England*.

Moſt Gracious Sovereign,

WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have chearfully granted to your Majeſty, in the eaſieſt Manner we are able for the Benefit of your Subjects, have freely and voluntarily given and granted, and by this Act do give and grant unto your Majeſty the Sum of one million, to be raiſed in ſuch Manner and Form as is herein after directed; and to that End do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Annuities which by this Act ſhall be granted and made payable in reſpect of the ſaid principal Sum of one million, until Redemption thereof by Parliament, in Manner herein after-mentioned, ſhall, from and after the Feaſt Day of the Annunciation of the Bleſſed Virgin *Mary*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty, be charged and chargeable upon, and payable out of the Monies which, from and after the ſaid Feaſt Day, ſhall, from time to time, ariſe and be remaining in the Receipt of his Majeſty's Exchequer, of or for the Surpluſſes, Exceſſes or Overplus Monies of the Fund, commonly called the *Sinking Fund*; and the ſaid Surpluſſes, Exceſſes or Overplus Monies are hereby appropriated for that Purpoſe accordingly.

The Sum of 1,000,000 l. granted to his Majeſty.

The Annuities payable in reſpect thereof, to be charged on the Sinking Fund.

II. And for or towards raiſing the ſaid Sum or Sums of Money, not exceeding in the whole the ſaid Sum of one million, for the Purpoſes aforeſaid, Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance and pay to the Firſt or Chief Caſhier or Caſhiers of the Governor and Company of the Bank of *England* for the time being, at or before the reſpective Days and Times by this Act limited in that Behalf, any Sum or Sums of Money, not exceeding in the Whole the ſaid Sum of one million, for the Purchaſe of any Annuity or Annuities, to commence from the ſaid Feaſt of the Annunciation of the Bleſſed Virgin *Mary* in the ſaid Year one thouſand ſeven hundred and fifty, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate, his, her or their Executors, Adminiſtrators,

Natives or Foreigners may contribute to the ſaid Sum of 1,000,000 l.

for the Purchaſe of Annuities.

nistrators, Successors or Assigns respectively, until the same shall be redeemed according to the Tenor or true Meaning of the Proviso or Condition herein after mentioned in that Behalf; so as such Cashier or Cashiers do first give Security to the good Liking of any three or more of the Commissioners of his Majesty's Treasury now being, or of the High Treasurer, or Commissioners of the Treasury for the time being, for duly answering and paying into the Receipt of his Majesty's Exchequer, for the publick Use, the Money so to be advanced or contributed, and to account duly for the same; which Annuities before-mentioned shall be computed at the Rate of three Pounds *per Centum per Annum* for every hundred Pounds, and proportionably for any greater Sum so to be advanced or paid; and the Purchase-money for every such Annuity, at the Rate aforesaid, is hereby appointed to be paid to the said Cashier or Cashiers, as aforesaid, at or before the respective Days or Times herein after limited; that is to say, ten Pounds *per Centum*, Part thereof, on or before the twentieth Day of *April*, which shall be in the Year of our Lord one thousand seven hundred and fifty; fifteen Pounds *per Centum*, other Part thereof, on or before the twentieth Day of *June* then next ensuing; twenty-five Pounds *per Centum*, other Part thereof, on or before the eighteenth Day of *August* then next ensuing; twenty-five Pounds *per Centum*, other Part thereof, on or before the eighteenth Day of *October* then next ensuing; and the remaining twenty-five Pounds *per Centum*, on or before the eighteenth Day of *December* then next following: All which Annuities so to be purchased, shall not exceed in the Whole the Sum of thirty thousand Pounds *per Annum*, and shall commence from the Feast Day of the Annunciation of the Blessed Virgin *Mary*, which shall be in the Year of our Lord one thousand seven hundred and fifty, and shall be paid and payable in the Manner, and at the respective Feast Days herein after-mentioned; that is to say, The first Payment thereupon shall be made for the three Quarters of a Year, which will be due thereupon, computed from the Feast of the Annunciation of the Blessed Virgin *Mary* in the Year one thousand seven hundred and fifty, to the Feast of the Birth of our Lord Christ then next ensuing, and the subsequent Payments Half-yearly, at the Feasts of the Nativity of *Saint John the Baptist*, and the Birth of our Lord Christ, or within six Days after every of the said Feast Days; and that the first of the said Half-yearly Payments shall be paid at the Feast of *Saint John the Baptist* which shall be in the Year of our Lord one thousand seven hundred and fifty-one, or within six Days after the said Feast Day; nevertheless the said Annuities shall be redeemable according to the Purport and true Meaning of a Proviso or Condition herein after contained in that Behalf, and not otherwise: And the said Cashier or Cashiers of the said Governor and Company for the time being, is hereby authorized and required, upon the advancing and paying to him or them any Sum or Sums of Money, as aforesaid, forthwith to give a Receipt in Writing, signed by himself or themselves, for each Payment, to the Contributor or Payer thereof; which Receipts shall be assignable by Indorsement thereupon made, at any Time before the eighteenth Day of *December* one thousand seven hundred and fifty, and no longer: And the said Cashier or Cashiers shall, from time to time, pay into the Receipt of his Majesty's Exchequer all the Monies which he or they shall receive of or for the said Sum, not exceeding one million, as fast as he or they shall receive the same, or any Part thereof, or within five Days at the farthest; and to account for all the Monies so to be advanced and paid to him or them in his Majesty's Court of Exchequer, according to the due Course thereof.

Cashier of the Bank to give Security.

Annuities to be at 3 l. per Cent.

Times of Payment of the Contribution Money.

Annuities not to exceed 30,000 l. and to commence 25 March 1750, and to be paid Half-yearly.

Cashier to give Contributors Receipts,

which shall be assignable;

and to pay the Monies into the Exchequer.

III. And it is hereby enacted, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the time being, there shall be provided and kept a Book or Books, in which there shall be fairly entered the Names of all who shall be Contributors for such Annuities after the Rate of three Pounds *per Centum per Annum*, as aforesaid, and of all Persons by whose Hands the said Contributors shall pay in any of the said Sums upon this Act, and also the Sum so paid; to which Book or Books, it shall be lawful for the said respective Contributors, their Executors, Administrators, Successors and Assigns, from time to time, to have resort at all seasonable Times, and to inspect the same without Fee or Charge; and the said Accomptant General for the time being, shall, on or before the twenty-fifth Day of *March* which shall be in the Year of our Lord one thousand seven hundred and fifty-two, transmit an attested Duplicate, fairly written on Paper of the said Book or Books, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever.

Contributors Names to be entered in a Book, with the Sums paid;

which may be inspected gratis.

Duplicate to be transmitted to the Exchequer.

IV. And it is hereby enacted by the Authority aforesaid, That all and every Contributor and Contributors upon this Act, duly paying the Consideration or Purchase-money at the Rate aforesaid, at or before the respective Days or Times in this Act before limited in that Behalf, for such Annuity or Annuities as aforesaid, or such as he, she or they shall appoint, his, her or their respective Executors, Administrators, Successors, or Assigns, shall have, receive and enjoy, and be intitled by virtue of this Act, to have, receive and enjoy the respective Annuity and Annuities so to be purchased out of the Monies by this Act appropriated or appointed for Payment thereof as aforesaid, and shall have good and sure Estates and Interests therein for ever, subject only to the Proviso or Condition of Redemption, in this Act afterwards contained, concerning the same; and that all the said Annuities to be purchased in this Act, and the Principal Monies paid for the same, and every of them, during the Continuance thereof, shall be free from all Taxes, Charges and Impositions whatsoever.

Contributors paying the Purchase-money to be intitled to the Annuities;

which shall be free of Taxes.

V. Provided always, That in case any Contributor or Contributors, for the Purchase of any of the said Annuities, shall after Payment of ten Pounds *per Centum*, in Part of his, her or their Purchase-money, desire that the subsequent Payments, to be made by him, her or them, at the respective Times limited in that Behalf, may immediately be made Stock in the Book or Books to be kept for that Purpose, in the Office of the said Accomptant General, and that the Principal Money, and the Annuity attending the same, be immediately transferrable (except the ten Pounds *per Centum*, which is to remain as a Deposit till Payment of the whole Sum by him, her or them subscribed for, is fully completed) it shall be lawful for the said Accomptant General, and he is hereby required upon such Request made by any such Contributor or Contributors, to give Credit in the said Book or Books, for each respective Principal Sum, by him, her or them subscribed and paid as aforesaid; any thing herein contained to the contrary notwithstanding.

Accomptant General to give Credit to the Contributors for the Principal Sums paid.

Bank to employ a Chief Caſhier and Accomptant General, for Payment of the Annuities;

VI. And for the more eaſy and ſure Payment of the ſaid Annuities to be purchaſed as aforeſaid, according to the true Meaning of this preſent Act; it is hereby enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall, from time to time, until the ſaid Annuities ſhall be redeemed by Parliament according to this Act, appoint and employ one ſufficient Perſon within their Office in the City of *London*, to be their Chief or Firſt Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office, to be their Accomptant General; and that ſo much of the Monies of the ſaid Surpluſſes, Exceſſes or Overplus Monies of the Fund, commonly called the *Sinking Fund*, which ſhall or ought to be, from time to time, ſeparated and ſet apart in the ſaid Receipt of Exchequer, for anſwering the ſaid Annuities to be purchaſed upon this Act, after the ſaid Rate of three Pounds *per Centum per Annum*, ſhall by Order of the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or of the High Treaſurer, or Commiſſioners of the Treaſury of his Majeſty, his Heirs and Succeſſors for the time being, without any further or other Warrant to be ſued for, had or obtained in that Behalf, be, from time to time, Half-yearly as aforeſaid, iſſued and paid at the ſaid Receipt of Exchequer, to the ſaid Firſt or Chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and of their Succeſſors for the time being, by way of Impreſt, and upon Account of the Payment of the ſaid Annuities ſo purchaſed upon this Act, at ſuch Times, and in ſuch Manner and Form, as are by this Act preſcribed in that Behalf; and that all and every Caſhier and Caſhiers, to whom the ſaid Monies ſhall, from time to time be iſſued, ſhall from time to time, without Delay, apply and pay the ſame accordingly, and render his Accounts thereof, according to the due Courſe of the Exchequer; any thing herein contained to the contrary notwithſtanding.

and the Monies to be paid to them Half-yearly at the Exchequer, by way of Impreſt, &c.

Accomptant General to inſpect the Caſhiers Receipts and Payments.

VII. And it is hereby alſo enacted, That the ſaid Accomptant General for the time being ſhall, from time to time, inſpect and examine all the Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all and every Perſon and Perſons whatſoever, who ſhall be intitled to any of the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof, as of a Perſonal Eſtate, and the ſame ſhall not be deſcendable to the Heir, and ſhall not be liable to any Foreign Attachment by the Cuſtom of *London*, or otherwiſe; any Law, Statute or Cuſtom to the contrary notwithſtanding.

Annuities to be a Perſonal Eſtate.

The Monies contributed to be deemed a Joint Stock,

VIII. And be it further enacted by the Authority aforeſaid, That all the Monies to be advanced or contributed upon this Act, for or towards the ſaid Sum not exceeding one million, ſhall be deemed, reputed, and taken to be one Capital or Joint Stock, on which the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be attending; and that all and every Perſon and Perſons, and Corporations whatſoever, in Proportion to the Money, which he, ſhe or they ſhall be intitled to, as aforeſaid, ſhall have, and be deemed to have a proportional Intereſt and Share in the ſaid Stock, and in the Annuity attending the ſame, at the Rate aforeſaid; and that the ſaid whole Capital or Joint Stock, or any Share or Intereſt therein, and the proportional Annuity attending the ſame, ſhall be aſſignable and transferrable as this Act directs, and not otherwiſe; and that there ſhall conſtantly be kept at all ſeaſonable Times in the Office of the ſaid Accomptant General for the time being, within the City of *London*, a Book or Books wherein all Aſſignments or Transfers of the ſaid whole Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the ſame, at the Rate aforeſaid, ſhall be entered and regiſtered; which Entries ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers, or if ſuch Party be abſent, by his, her or their Attorney or Attornies, thereunto lawfully authorized by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes; and that the Perſon or Perſons to whom ſuch Transfer ſhall be made, do underwrite his, her or their Acceptance thereof; and that no other Method of aſſigning or tranferring the ſaid Stock, and the Annuities attending the ſame, or any Part thereof, or any Intereſt therein, ſhall be good and available in Law; and that no Stamp Duties whatſoever ſhall be charged on the ſaid Transfers, or any of them; any other Law or Statute to the contrary notwithſtanding.

which may be transferred.

Method of transferring,

without Stamps.

No Annuities to be obtained, unleſs 10 l. per Cent. be paid before 20 April 1750.

IX. And it is hereby enacted and declared, That no Perſon or Perſons whatſoever ſhall or may purchaſe or obtain, or be admitted to purchaſe or obtain, any of the Annuities at the Rate aforeſaid, upon this Act, unleſs the Whole, or ten Pounds *per Centum*, Part at leaſt of the Conſideration Money for the ſame, at ſuch Rate as aforeſaid, be advanced and paid to the ſaid Caſhier, on or before the twentieth of *April* one thouſand ſeven hundred and fifty.

Perſons not paying the whole Purchaſe Money at the Times limited,

X. Provided alſo, That in caſe any ſuch Contributor as aforeſaid, who ſhall, on or before the ſaid twentieth Day of *April* one thouſand ſeven hundred and fifty, have advanced to the ſaid Caſhier or Caſhiers, ten Pounds *per Centum*, in Part of his, her or their Purchaſe Money, or his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, do not advance and pay to the ſaid Caſhier or Caſhiers, fifteen Pounds *per Centum*, in further Part of his, her or their Conſideration Money, ſo to be paid for ſuch reſpective Annuity or Annuities as aforeſaid, on or before the twentieth Day of *June* then next enſuing; and twenty-five Pounds *per Centum*, in further Part thereof, on or before the eighteenth Day of *Auguſt* then next enſuing; and twenty five Pounds *per Centum*, in further Part thereof, on or before the eighteenth Day of *October*, then next enſuing; and the remaining twenty-five Pounds *per Centum*, on or before the eighteenth Day of *December* then next following; then, and in every ſuch Caſe reſpectively, ſo much of the Conſideration Money as ſhall have been actually paid for the firſt Payment to the ſaid Caſhier or Caſhiers for ſuch reſpective Annuity, ſhall be forfeited for the Benefit of the Publick, and no Intereſt, at the Rate aforeſaid, ſhall be payable for the ſaid firſt Payment; any thing in this Act contained to the contrary notwithſtanding.

to forfeit their firſt Payment.

The Bank to continue a Corporation till the Annuities are redeemed.

XI. Provided always, and it is hereby enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors (notwithſtanding the Redemption of all or any of their own Funds in purſuance of the Acts for eſtabliſhing the ſame, or any of them) ſhall continue a Corporation,

poration, with all the Powers, Privileges and Advantages thereunto belonging, for the Purposes in this Act expressed, till all the Annuities to be purchased on this Act, shall be redeemed by Parliament, according to the Proviso herein contained in that Behalf; and that the said Governor and Company, or any Members thereof, shall not incur any Disability, for or by reason of their doing any Matter or Thing in pursuance of this Act.

No Fee to be taken, &c.

XII. And it is hereby enacted by the Authority aforesaid, That no Fee or Gratuity whatsoever shall or may be demanded or taken of any of his Majesty's Subjects for receiving or paying the said Contribution Monies, or any of them, or for any Tallies, or other Receipts concerning the same, or for issuing the said yearly Fund, or any Part thereof, or for paying the said Annuities, or any of them; and that no Fee or Gratuity shall be demanded or taken for any Transfer of any Sum, great or small, to be made in pursuance of this Act; upon Pain that the Officer or Person offending, by taking or demanding any Fee or Gratuity contrary to this Act, shall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with Full Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*.

upon Penalty of 20l.

Treasury to defray Charges, &c.

XIII. Provided always, and it is hereby enacted, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer or any three or more of the Commissioners of the Treasury for the time being, shall have Power, and they are hereby authorized to reward all such Persons as shall be any ways employed in the Execution of this Act, for their Service, Pains and Labour, and also to defray such incident Charges as shall necessarily attend the same, out of the said Surplusses, Excesses or Overplus Monies; and also to appoint such Allowances (out of the said Surplusses, Excesses or Overplus Monies) for the Service, Pains and Labour of the Cashier or Cashiers of the said Governor and Company of the Bank of *England*, for receiving, paying and accounting for the said Annuities made payable by this Act; and also for the Service, Pains and Trouble of the Accomptant General of the said Governor and Company for performing the Duty and Trust incumbent on him by this Act, as they shall think just and reasonable: All which Allowances hereby impowered to be made, as aforesaid, in respect of the Service, Pains and Labour of any Officer or Officers of the said Governor and Company of the Bank of *England*, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any thing herein contained to the contrary notwithstanding.

Clause of Redemption.

XIV. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time, upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the Half-yearly Feast Days for Payment of the said Annuities, and upon Repayment by Parliament of the Principal Sum of one million, by Payments not being less than five hundred thousand Pounds at a Time, for which the said Annuities shall be payable to such respective Persons or Corporations as shall be intitled to the same Annuities; and also upon full Payment of all Arrearages of the same Annuities; then, and not till then, the said Annuities shall cease and determine, and be understood to be redeemed; and from and after such Redemption, the Monies arising by the said Surplusses, Excesses or Overplus Monies of the Fund, commonly called the *Sinking Fund*, shall not be issued or applied to any Use or Purpose, other than such Uses and Purposes as have been directed by any former Act or Acts of Parliament in that Behalf; any thing in this or any former Act or Acts of Parliament to the contrary notwithstanding: And that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London*, as aforesaid, shall be deemed and adjudged to be sufficient Notice within the Words and Meaning of this Act.

CAP. XVII.

An Act for repairing the Roads leading from *Dunglas Bridge* to the Town of *Haddingtoun*; and from thence to *Ravenshaughburn* in the County of *Haddingtoun*. PR.

Certain Tolls granted for 21 Years, *&c.*

CAP. XVIII.

An Act for enlightening the open Places, Streets, Lanes, Passages and Courts; and for the better regulating the Nightly Watch within the Parish of *Saint John Southwark* in the County of *Surry*.

'WHEREAS the Parish of *Saint John* in the Borough of *Southwark* in the County of *Surry*, is situate between *London Bridge* and his Majesty's Dock Yard and Victualling Office at *Deptford*, and also the *East India* Warehouse at *Rotherhithe*: And whereas by virtue of an Act made and passed in the last Session of Parliament, (intituled, *An Act for opening and making a new Road from the East End of* Newstreet *in the Parish of* Saint John Southwark, *to and through the several Places therein mentioned; and for keeping the said Road in Repair for the future)* a new Road is now opened through the Parishes of *Saint Mary Magdalen Bermondsey*, *Saint Mary Rotherhithe*, and *Saint Nicholas* and *Saint Paul Deptford*, for the better Convenience of his Majesty's Subjects in passing and repassing to and from *London Bridge*, and the Places beforementioned: And whereas the Access to such new Road, through the said Parish of *Saint John*, is now very dangerous in the Night-time, for want of proper Lights, and a well regulated Watch: And whereas a proper Provision for that Purpose would not only be a great Security to the Persons and Properties of all his Majesty's Subjects, passing and repassing to and from *Deptford Dock* and the other Places aforesaid, in the Night-time; but also would be a great Safeguard against Fires that might destroy great Quantities of Naval Stores always reposited in Warehouses on the Banks of the River *Thames* in those Parts; and would be of the utmost Use in case of Accidents by Fire amongst the Shipping in the River *Thames*; in both

' which

'which Cases great Numbers of the most experienced Artificers and Tradesmen, residing in those Parts, 'could be more capable of affording their Assistance when required, upon Emergencies in the Night-time; 'but forasmuch as a proper Provision cannot be made for setting up proper Lights, and establishing a well 'regulated Watch, for the good Purposes aforesaid, by the Laws now in Being;' May it please your Majesty, at the humble Request of several Merchants and Traders of the City of *London*, and Masters and Owners of Ships, and also of the Minister, Churchwardens, and other principal Inhabitants of the said Parish of *Saint John Southwark*, that it may be enacted, *&c.*

"The Vestry to appoint the Number and Sort of Lamps; and a Number of Watchmen, and a Bedel; and "their several Duties and Wages, and make Regulations for enlightening the Streets, and elect a Com- "mittee. The Constables, Bedels and Watchmens Times of Duty; and Power of apprehending Night- "walkers, and other suspected Persons. Vestry impowered to make a Pound Rate on the Inhabitants; to "be confirmed by two Justices, and collected Half-yearly. Collectors refusing to act, to forfeit 10 *l.* "and others to be appointed, *&c.* The Parish Church, and other publick Buildings, and Persons, to be "rated. Assessments not to exceed 10 *d.* in the Pound. Persons aggrieved may appeal to the Quarter "Sessions. Persons paying to these Rates, *&c.* not to gain any Settlement thereby. Vestry may borrow "Money upon the Credit of the Rates; not exceeding 200 *l.* Forty Shillings Penalty of breaking or ex- "tinguishing Lamps, *&c.* The Lamps vested in the Churchwardens, *&c.* Two Justices to hear and de- "termine Differences. Justices may mitigate the Penalties to one Moiety."

CAP. XIX.

An Act for making more effectual several Acts of Parliament passed for cleansing and making navigable the Channel from the *Hithe* at *Colchester* to *Wivenhoe* in the County of *Essex*; and for repairing and cleansing the Streets and Lanes of the Town of *Colchester*. PR.

9&10W.3.c.19. 'WHEREAS by an Act of Parliament passed in the ninth and tenth Years of the Reign of his late 'Majesty King WILLIAM the Third, intituled, *An Act for cleansing and making navigable the Chan- 'nel from the* Hithe *at* Colchester *to* Wivenhoe, several Duties were granted and made payable, for Goods, 'Wares and Merchandizes, that should be brought in and to the said Channel, and should be landed at, 'or shipped from *Wivenhoe* to the *New Hithe* in *Colchester* aforesaid, or between either of the said Places, 'for the Term of twenty-one Years, for the Uses and Purposes in the said Act mentioned; and several 'Powers were thereby given unto and vested in the Mayor, Aldermen, Assistants, and Common Council of 'the Town and Borough of *Colchester* only, for appointing Collectors and General Receivers of the said 'Duties, and for recovering and getting in the same, in such Manner as in the said Act is particularly men- 'tioned; which said Act, and all the Powers and Authorities thereby given, and one Moiety or Half-part 'of the Duties thereby granted and made payable (except upon Corn and Grain) were, by another Act 'passed in the Fifth Year of the Reign of his late Majesty King GEORGE the First, continued in Force un- 'til the First Day of *May* one thousand seven hundred and forty; and further Power was thereby given to 'the said Mayor and Commonalty of *Colchester* only, for recovering the same Duties: And whereas by ano- 13 Geo.2.c.30. 'ther Act passed in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for further 'enlarging the Term granted by an Act passed the ninth and tenth Years of the Reign of King* WILLIAM *the 'Third*, For cleansing and making navigable the Channel from the *Hithe* at *Colchester* to *Wivenhoe*; *and for 'making the said Act, and another Act of the fifth Year of the Reign of his late Majesty King* GEORGE *the 'First*, For enlarging the Term granted by the said Act of the ninth and tenth Years of the Reign of King 'WILLIAM the Third, more effectual; it is enacted, That the said two former Acts, and all and every 'the Powers and Authorities thereby respectively given, together with such additional Powers as are in 'the said Act of the thirteenth Year of his present Majesty mentioned, should be continued, and be in 'Force from the first Day of *May* one thousand seven hundred and forty, for ever; and that the Duty on 'Sea Coal should, from and after the said first Day of *May* one thousand seven hundred and forty, be three 'Pence a Chaldron, and no more; which Duty was, by the said Act of the thirteenth of his present Ma- 'jesty, continued and made payable, from the said first Day of *May* one thousand seven hundred and forty, 'for and during the Term of forty Years; and by the said Act it was declared, That no other Duty (ex- 'cept the Arrears due under the said former Acts, or either of them) should be raised upon any other Goods, 'Wares, Merchandizes or Things whatsoever; which said Duty of three Pence for every Chaldron of Sea 'Coals, granted as aforesaid, and the Duties which were or should be in Arrear under the said former Acts, 'should and might be raised, levied and recovered, in such Manner as prescribed by the said former Acts; 'and the said Mayor and Commonalty of *Colchester* only were by the last-mentioned Act vested with further 'Power for suing for, and recovering the said Duty thereby granted, and the Arrears under the said former 'Acts: And whereas a very large Lock, which was several Years since erected in the said Channel, and has 'been found to be of very great Use and Service to the Navigation, is now in a decaying Condition, and 'much out of Repair; and the said Channel, in some Parts thereof, is become much choaked up, so that 'the Navigation thereof is greatly obstructed; which has been occasioned principally by there being great 'Arrears of the Duties granted by the said recited Acts for many Years due, and still unpaid; and also a 'large Sum of Money remaining in the Hands of the Representatives of the late Receiver General of the 'said Duties, which ought to have been recovered, and applied for amending and repairing the said 'Lock, and cleansing and supporting the Navigation of the said Channel: But, as the Power and Autho- 'rity of the Mayor and Commonalty of *Colchester* hath ceased for many Years last past (in whose Names 'only the said Duties were to be recovered, and legal Discharges given for the same, by and under the Au- 'thorities of the said several Acts) the same Duties, and the Arrears thereof, cannot now be recovered and

collected, for want of sufficient Power to give legal Discharges for the same; and there being no other Fund for raising Money to amend and keep in Repair the said Lock, and cleanse the said Channel, and preserve the Navigation thereof, the same cannot now be done, without some further Provision be made for that Purpose by the Aid and Authority of Parliament:' May it therefore please your Majesty, that it may be enacted, &c.

" The several Parcels of Land, Locks and Channels, and the several Powers, &c. which were granted to " the Corporation of *Colchester*, &c. are vested in the Justices of the East Division of the County of *Essex*, " and the Commissioners named herein, for the Term of 30 Years. Additional Duty of 3 *d.* a Chaldron on " Coals to be paid for 30 Years. Commissioners may borrow Money, and assign over the Duties as a Security. " Six Days Notice to be given of the Time of Meeting for borrowing Money. Commissioners may " place out in the Funds, any Money that shall be in the Receiver General's Hands, &c. not immediately " necessary, &c. and may appoint and remove Collectors and other Officers. The Prescriptive Rights of " the Borough of *Colchester* reserved. Landlords, &c. to pave the Streets before their Houses, Surveyors " of the Highways to view the Streets, and see that the same are paved, and to make Returns of such Land- " lords, whose Pavements shall be out of Repair; and to give Notice for repairing thereof, and may cause " the same to be amended, after 20 Days Neglect. If the Tenant shall pay, he may deduct the same out " of the Rent. Justices may make Presentments of Default in the Pavement of the Streets. Persons ag- " grieved may appeal.

CAP. XX.

An Act for encouraging the Growth and Culture of Raw Silk in his Majesty's Colonies or Plantations in *America*.

For former Laws see 19 *H.* 7. *c.* 21. 13 & 14 *Car.* 2. *c.* 13 & 15. 20 *Car.* 2. *c.* 6. 2 *W.* & *M. stat.* 1. *c.* 9. 5 & 6 *W.* & *M. c.* 20. 6 & 7 *W.* 3. *c.* 18. 8 & 9 *W.* 3. *c.* 36. 9 & 10 *W.* 3. *c.* 30 & 43. 1 *Geo.* 2. *c.* 17. 23 *Geo.* 2. *c.* 9.

'WHEREAS it will greatly tend to the Increase and Improvement of the Silk Manufactures of this Kingdom, to encourage the Growth and Culture of Silk in his Majesty's Dominions in *America*;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, it shall and may be lawful to import any Raw Silks of the Growth and Culture of any of his Majesty's Colonies or Plantations in *America*, directly from thence into the Port of *London*, without paying any Subsidy, Custom, Imposition or other Duty whatsoever for the same; so as a due Entry be first made thereof in the Custom-house, at the Time of Importation, in the same Manner and Form (expressing the Package, Marks and Numbers, together with the Quantities and Qualities of the respective Goods) as was used and practised before the making of this Act; and so as the same be landed in the Presence of, and examined by the proper Officer or Officers of the Customs appointed for that Purpose; and so as the same be imported in Ships or Vessels, that may lawfully trade to his Majesty's Plantations, manned as by Law is required; and on Failure of the said Conditions or Directions herein last mentioned, such Silks shall be liable to the Payment of the respective Duties, as if this Act had never been made.

Raw Silk of the Growth of the British Colonies in America, to be imported free, so as Entry be made,

and the same imported in Vessels that may lawfully trade.

II. Provided always, and be it further enacted by the Authority aforesaid, That in order to intitle the Importer and Importers of Raw Silk, to the Exemption intended by this Act, every Merchant, or other Person or Persons whatsoever, who shall, after the twenty-fourth Day of *June* one thousand seven hundred and fifty, load any Raw Silk on Board any Ship or Vessel, in any of the *British* Colonies or Plantations in *America*, shall, before the Clearing out of the said Ship or Vessel from thence, make Proof, on Oath, before the Collector and Comptroller of the Customs, and Naval Officer, at the Port or Place where such Raw Silk shall be put on Board, or any two of them, that the Raw Silk, which he, she or they hath or have shipped on Board the said Ship or Vessel (expressing the Quantity thereof) is *bona fide* of the Growth and Culture of some or one of the *British* Colonies or Plantations in *America*, expressing the Parish or Place in such Plantation where the same was cultivated and produced, and by whom, producing such Person's Oath thereto made before the Governor of such Island or Province, or before the next Justice of the Peace (which Oath the said Governor or Justice of the Peace, Collector and Comptroller of the Customs, and Naval Officer, or any two of them, are hereby required and impowered to administer without Fee or Reward) and the Master, Commander or other Person taking Charge of the Ship or Vessel, on board which such Raw Silk shall be loaded, shall also bring with him a Certificate or Certificates from such Collector and Comptroller of the Customs, and Naval Officers, or any two of them, as aforesaid, under their Hands and Seals of Office, (which Certificate or Certificates, such Collector and Comptroller of the Customs, and Naval Officer, are hereby required and directed to grant without Fee or Reward) expressing the Marks, Number, Tale and Weight of the Raw Silk, in each Bale, Parcel or other Package whatsoever, so shipped or loaded on Board such Ship or Vessel, with the Names, Place or Places of Abode of the Exporter or Exporters thereof, from the said *British* Colonies or Plantations in *America*; and the Name or Names, Place or Places of Abode of such other Person or Persons, who shall have sworn the Goods therein mentioned to have been of the Growth and Culture of the said *British* Colonies or Plantations in *America*; and the Name or Names of the Person or Persons to whom the same are consigned in the Port of *London*; which Certificate or Certificates, the said Master, Commander or other Person taking Charge of such Ship or Vessel, shall, on his Arrival in the said Port of *London*, deliver to the Collector, Comptroller or other Chief Officer of his Majesty's Customs at the said Port, at or before the Entry of the said Raw Silk; and at the same Time shall

Oath to be made before clearing that the Silk is of the Growth of the British Plantations, &c.

Master to bring a Certificate from two Officers of the Customs,

which he is to deliver to the Chief Officer of the Customs on his Arrival at London,

shall make Oath before any one of them the said Collector, Comptroller or Chief Officer of his Majesty's Customs (who are hereby required and impowered to administer the same without Fee or Reward) that the said Bales and Parcels, and Goods contained in such Certificate, are the same Bales and Parcels, and Goods as were taken on Board in the said *British* Colonies or Plantations in *America*; and if any Raw Silk of the Growth and Culture of the *British* Colonies or Plantations in *America*, shall, after the said twenty-fourth Day of *June* one thousand seven hundred and fifty, be imported, as herein before mentioned, without such Certificate signed and delivered as herein before required, and Oath made as before directed, by the Master, Commander or other Person taking Charge of the Ship or Vessel in which the same is imported; all such Raw Silks shall be liable to the Payment of the respective Duties, as if this Act had never been made; any thing herein before contained to the contrary notwithstanding.

and to make Oath that the Goods in the Certificate are the same taken on Board in America; in Default thereof, the Duty is to be paid for such Silk.

III. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty, make, or cause to be made, an Entry or Entries of any Foreign Raw Silk, under the Name or Description of Raw Silk of the Growth or Culture of any of the *British* Colonies or Plantations in *America*, or shall mix, or cause to be mixed, any Foreign Raw Silk with Raw Silk of the Growth or Culture of the *British* Colonies or Plantations in *America*, with Intent to evade the Payment of the Duties payable on Foreign Raw Silk, every Person or Persons so making, or causing to be made, such Entry or Entries, or mixing or causing such Mixture or Mixtures to be made, shall forfeit and lose the Sum of fifty Pounds for every such Offence, and all such Foreign Raw Silk; and in case of any Mixture, the Quantity so mixed, both of Foreign and *British* Plantation Culture or Growth, or the Value thereof, together with the Bales and other Packages containing the same, shall be forfeited, and shall and may be seised and prosecuted, or the Value thereof be sued for by any Officer or Officers of his Majesty's Customs; one Moiety of which Penalties and Forfeitures shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall seize, prosecute or sue for the same, in any of his Majesty's Courts of Record at *Westminster*.

Penalty on Persons entering Foreign Raw Silk as of the Growth of the British Colonies, or of mixing other Silk therewith, to evade Payment of the Duties.

IV. Provided always, That if any Doubt or Dispute shall arise, whether the said Raw Silk, or any Part thereof, so to be imported as aforesaid, is of the Growth or Culture of the *British* Colonies or Plantations in *America*, or of Foreign Growth or Culture, the *Onus Probandi* shall lie on the Owner or Claimer thereof, and not on the Informer or Prosecutor; any Law, Custom or Usage to the contrary notwithstanding.

In Doubts about the Growth of the Silk, the Onus Probandi is to lie on the Owner.

V. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants, in such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by Authority of this Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as Defendants have in other Cases by Law.

General Issue.

Treble Costs. *See further* 26 *Geo.* 2. *c.* 21.

CAP. XXI.

An Act for granting to his Majesty the Sum of nine hundred thousand Pounds out of the Sinking Fund, for the Service of the Year one thousand seven hundred and fifty; and for applying certain Surplus Monies, remaining in the Exchequer, as Part of the Supply of the said Year; and for the Application of certain Savings in the Hands of the Paymaster General; and for obviating a Doubt in an Act of the fifth Year of King GEORGE the First, in respect to the Payment of certain Annuities thereby granted for the Improvement of Fisheries and Manufactures in *Scotland*; and for the further appropriating the Supplies granted this Session of Parliament; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices; and for transferring the Bounties now payable upon the Exportation of *British* Sail Cloth, to the Customs; and for enforcing the Laws against the clandestine Importation of Soap, Candles and Starch into this Kingdom.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, for the Service of the Year one thousand seven hundred and fifty, in the easiest Manner we are able, for the Benefit of your Majesty's Subjects, and also to use such Ways and Means therein, as that your Majesty may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto your Majesty the Sum of nine hundred thousand Pounds, out of the Surpluses, Exceses, and Overplus Monies, commonly called *The Sinking Fund:* And to that End and Purpose do most humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are, or shall from time to time be and remain in the Receipt of the Exchequer, of the said Surpluses, Exceses,

900,000 l. granted out of the Sinking Fund, towards the Supply.

ceſſes or Overplus Monies, commonly called *The Sinking Fund* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued and applied, a Sum not exceeding the ſaid Sum of nine hundred thouſand Pounds, for and towards the Supply granted to his Majeſty for the Service of the ſaid Year one thouſand ſeven hundred and fifty; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

17,553 l. 10 s. 10 d. Surplus of the additional Duties on Wines imported,

II. And be it further enacted by the Authority aforeſaid, That the Sum of ſeventeen thouſand five hundred and fifty-three Pounds ten Shillings and ten Pence, now remaining in the Receipt of his Majeſty's Exchequer at *Chriſtmas* laſt, one thouſand ſeven hundred and forty-nine, being the Surplus of the additional Duties upon all Wines imported, over and above ſufficient to ſatisfy the Annuities charged thereupon; and the Sum of twenty-nine thouſand eight hundred and fifty-ſix Pounds one Shilling and eleven Pence Halfpenny, being the Surplus Monies remaining in the Receipt of his Majeſty's Exchequer at *Michaelmas* laſt, one thouſand ſeven hundred and forty-nine, of the Rates and Duties upon Houſes, Windows and Lights, and of the Duties on Coaches and other Carriages, after ſatisfying all Payments due thereupon; and alſo the Sum of ſeventy-one thouſand one hundred and ſixteen Pounds ſeventeen Shillings and ſix Pence, being the Surplus Monies remaining in the Receipt of his Majeſty's Exchequer at *Michaelmas* laſt, one thouſand ſeven hundred and forty-nine, of the Subſidy of Poundage on Goods and Merchandizes imported, after ſatisfying all Payments due thereupon, ſhall and may be iſſued and applied at the ſaid Receipt, as Part of the Supply granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and fifty; any thing in this or any former Act or Acts of Parliament to the contrary thereof in any wiſe notwithſtanding.

29,856 l. 1 s. 11 d. Halfpenny, Surplus of the Duties upon Houſes and Coaches, &c.

71,116 l. 17 s. 6 d. Surplus of the Subſidy of Poundage on Goods imported, to be applied for the Service of the Year 1750.

'III. And whereas the Sum of forty-ſix thouſand eight hundred and forty-nine Pounds eleven Shillings 'and ten Pence, of Monies or Savings in the Hands of the Paymaſter General of his Majeſty's Land For- 'ces, ariſing from the Pay of his Majeſty's Land Forces; as alſo the Sum of ſixty-five thouſand ſix hun- 'dred and ſeventy-four Pounds eight Shillings and ſix Pence, of Monies or Savings in the Hands of the ſaid 'Paymaſter, on the Head of Forage and Proviſions voted for the Auxiliary Troops of *Ruſſia*, and on the 'Subſidies to the *Landgrave* of *Heſſe Caſſel*, Elector of *Bavaria*, and Duke of *Wolfenbuttle*, have been 'granted to his Majeſty in this Seſſion of Parliament, towards defraying the extraordinary Expences of his 'Majeſty's Land Forces, and other Services, incurred in the Year one thouſand ſeven hundred and forty- 'nine, and not provided for by Parliament: Which two Sums, together with the further Sum of ſixty- 'five thouſand four hundred and eighty-one Pounds four Shillings and ſeven Pence, granted in this Seſſion 'of Parliament out of the Supplies for the Year one thouſand ſeven hundred and fifty, amounting in the 'Whole to the Sum of one hundred ſeventy-eight thouſand and five Pounds four Shillings and eleven Pence, 'are to be applied for defraying the ſaid extraordinary Expences of his Majeſty's Land Forces, and other 'Services incurred in the Year one thouſand ſeven hundred and forty-nine, as aforeſaid;' Be it therefore enacted by the Authority aforeſaid, That the ſaid reſpective Sums of forty-ſix thouſand eight hundred and forty-nine Pounds eleven Shillings and ten Pence, and ſixty-five thouſand ſix hundred and ſeventy-four Pounds eight Shillings and ſix Pence, remaining in the Hands of the ſaid Paymaſter General of his Majeſty's Land Forces, of the Monies or Savings herein before ſpecified, ſhall and may be iſſued and applied, by any Warrant or Warrants of his Majeſty, under his Royal Sign Manual in that Behalf, towards defraying the ſaid extraordinary Expences of his Majeſty's Land Forces, and other Services, incurred in the ſaid Year one thouſand ſeven hundred and forty-nine, and not provided for by Parliament; any thing in this or any former Act to the contrary thereof in any wiſe notwithſtanding.

46,849 l. 11 s. 10 d. Savings from the Pay of the Land Forces,

65,674 l. 8 s. 6 d. Savings on Forage, &c. for the Troops of Ruſſia, and the Subſidies to the Landgrave of Heſſe Caſſel, Elector of Bavaria, and Duke of Wolfenbuttle,

65,481 l. 4 s. 7 d. granted for the Service of the Year 1750,

to be applied towards the Expences of the Land Forces in 1749.

'IV. And whereas the Sum of fifteen thouſand Pounds of Monies or Savings remaining in the Hands of 'the Paymaſter General of his Majeſty's Land Forces, ariſing from the Contingencies of the Army, have 'been granted to his Majeſty in this Seſſion of Parliament, towards defraying the Charge of Out Pen- 'ſioners of *Chelſea Hoſpital*, for the Year one thouſand ſeven hundred and fifty; which Sum, together with 'the further Sum of forty-nine thouſand eight hundred and forty-eight Pounds ſeven Shillings and ſix Pence, 'granted in this Seſſion of Parliament out of the Supplies for the ſaid Year one thouſand ſeven hundred 'and fifty, amounting in the Whole to the Sum of ſixty-four thouſand eight hundred and forty-eight 'Pounds ſeven Shillings and ſix Pence, are to be applied for the defraying the Charge of the ſaid Out Pen- 'ſions of *Chelſea Hoſpital* for the ſaid Year one thouſand ſeven hundred and fifty;' Be it therefore enacted by the Authority aforeſaid, That the ſaid reſpective Sums of fifteen thouſand Pounds, and forty-nine thouſand eight hundred and forty-eight Pounds ſeven Shillings and ſix Pence, remaining in the Hands of the ſaid Paymaſter General of his Majeſty's Land Forces, of the Monies or Savings herein before ſpecified, ſhall and may be iſſued and applied, by any Warrant or Warrants of his Majeſty under his Royal Sign Manual in that Behalf, towards defraying the Charge of Out Penſioners of *Chelſea Hoſpital*, for the Year one thouſand ſeven hundred and fifty; any thing in this or any former Act or Acts of Parliament to the contrary notwithſtanding.

15,000 l. Savings from the Contingencies of the Army.

49,848 l. 7 s. 6 d. of the Supplies for the Year 1750,

to be applied to the Out Penſioners of Chelſea Hoſpital.

'V. And whereas by an Act paſſed in the fifth Year of his late Majeſty King GEORGE the Firſt, inti- 'tuled, *An Act for ſettling certain yearly Funds, payable out of the Revenue of* Scotland, *to ſatisfy publick Debts 'in* Scotland, *and other Uſes mentioned in the Treaty of Union, and to diſcharge the Equivalents claimed on Be- 'half of* Scotland, *in the Terms of the ſame Treaty; and for obviating all future Diſputes, Charges and Ex- 'pences concerning thoſe Equivalents*; it was enacted, That the reſpective yearly Funds of ten thouſand 'Pounds, and two thouſand Pounds, made payable thereby on Account of the Equivalent, and for the En- 'couragement of Fiſheries and Manufactures, ſhould, during the Continuance thereof reſpectively, be 'charged and chargeable upon, and be payable and paid out of, the Monies ariſen and to ariſe, from time 'to time, of or for any the Cuſtoms, Duties, Exciſes or Revenues that are or ſhall be under the Manage- 'ment of the Commiſſioners of the Cuſtoms, and Commiſſioners of the Exciſe in *Scotland*, or either of

5 Geo. 1. c. 20.

'them, or of any Commissioners, Farmers or Managers of these Revenues, or any of them for the Time 'being: And whereas some Doubts have arisen, whether by the above recited Act, the above respective 'yearly Funds of ten thousand Pounds, and two thousand Pounds, can or may be charged upon, and paid 'out of Monies arisen or to arise from any Customs, Duties, Excises or Revenues, granted or imposed 'upon that Part of *Great Britain* called *Scotland*, since the making of the said Act:' Now, for preventing the same for the future, be it declared and enacted by the Authority aforesaid, That the said yearly Funds of ten thousand Pounds, and two thousand Pounds, shall, during the Continuance thereof respectively, yearly, and every Year, be paid and payable out of all and every the Customs, Duties, Excises and Revenues, granted or imposed upon that Part of *Great Britain* called *Scotland*, that are under the Management of the Commissioners of the Customs, and Commissioners of the Excise in *Scotland*, or either of them, or of any Commissioners, Farmers or Managers of these Revenues, or any of them for the time being, since the making of the said Act, as well as out of the Customs, Duties, Excises and Revenues, that subsisted under the Management aforesaid, at the Time of making the said Act; subject nevertheless to the several Powers, Clauses and Provisions in the said recited Act mentioned and provided.

The yearly Funds of 10,000 l. and 2,000 l. to be paid out of the Revenue of Scotland.

Proviso.

VI. And it is hereby enacted by the Authority aforesaid, That in case the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall think it adviseable to raise the said Sum of nine hundred thousand Pounds, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money not exceeding the said Sum of nine hundred thousand Pounds, upon the Credit of the said Surplusses, Excesses, or Overplus Monies, commonly called *The Sinking Fund*; and to have and receive for the Forbearance of the Money lent, Interest after a Rate not exceeding three Pounds *per Centum per Annum*, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, who are hereby authorized to issue their Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service; and moreover that no Money to be lent upon the Security of this Act shall be rated or assessed to any Tax or Assessment whatsoever.

Clause of Loan at 3 l. per Cent.

VII. And be it further enacted, That all and every Person and Persons who shall lend any Money upon the Credit of this Act as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tally, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, not exceeding the said Rate of three Pounds *per Centum per Annum*, and to be paid every three Months until the Repayment of the Principal; and all such Orders for Repayment of Money so to be lent shall be registred in Course according to the Dates respectively; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registred in the said Register Books, so as the Person or Persons, Natives or Foreigners, his, her or their Executors, Administrators or Assigns, who shall have his, her or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surplusses, Excesses or Overplus Monies; and he, she or they, who shall have his, her or their Order or Orders next entered, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in, of or for the said Surplusses, Excesses, or Overplus Monies, commonly called *The Sinking Fund*, as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors or Assigns respectively, without any undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever (other than such Uses and Purposes as are appointed by any other Act or Acts of Parliament in that Behalf as aforesaid;) and that no Fee, Reward or Gratuity directly or indirectly shall be demanded or taken of any of his Majesty's Subjects for providing or making of any such Books or Registers, or any Entries, Views or Searches in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt with full Costs of Suit to the Party grieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Office or Place; and in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Orders, according to each Person's due Place and Order as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending, to be liable to such Action, Debt, Damages and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, Wager of Law, Injunction or Order of Restraint shall be in any wise granted or allowed.

Tallies and Orders for Repayment,

to carry 3 l. per Cent. Interest.

Orders to be registered, and paid in Course.

No Fee for registering, &c.

Penalty.

Penalties how to be recovered.

VIII. Provided always, and it is declared, That if it shall happen that several Tallies of Loan or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registred, then it shall be interpreted no undue Preference which of those be entered first, so as he enters them all the same Day.

No undue Preference, where Tallies are dated the same Day, &c.

IX. Pro-

IX. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them. Nor if subsequent Orders be paid before such as were not demanded.

X. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registred by virtue of this Act, after Order entered in the Book of Registry as aforesaid, his, her or their Executors, Administrators or Assigns, by proper Words of Assignment to be indorsed and written upon his, her or their Order, may assign and transfer his, her or their Right, Title, Interest and Benefit of such Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders (which the Officers shall upon Request without Fee or Charge accordingly make) shall intitle such Assignee, his, her or their Executors, Administrators, Successors and Assigns, to the Benefit thereof, and Payment thereon, and such Assignee may in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release or discharge the same, or any the Monies thereby due, or any Part thereof. Orders assignable. No Fee for Entry. The Assignment not to be voided.

XI. And to the end there may be no Want or Failure of a certain Sum not to exceed in the whole the said Sum of nine hundred thousand Pounds, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills as is herein after mentioned, or by both or either of those Ways or Means for the publick Service; Be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall judge it more adviseable to raise the said Sum of nine hundred thousand Pounds, or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorized and impowered at any Time or Times to prepare and make, or cause to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the said Sum of nine hundred thousand Pounds, together with such Loans as aforesaid, in the same or like Manner, Form or Order, and according to the same or like Rules and Directions, as in and by a certain Act of Parliament (*For granting an Aid to his Majesty, by a Land Tax, for the Service of the Year one thousand seven hundred and fifty*) are enacted and prescribed concerning the Exchequer Bills to be made in pursuance of the said Act. Commissioners of the Treasury may make new Exchequer Bills for the said Sum of 900,000 l.

XII. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities, contained in the said last-mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Aids or Assessments, granted by the same Act) shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said Exchequer Bills had been originally authorized by the said last mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated or re-enacted in the Body of this present Act. subject to the Regulations contained in the Land Tax, &c.

XIII. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, Premium, Rate and Charges incident to, or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the growing Produce of the said Surpluses, Excesses and Overplus Monies, commonly called *The Sinking Fund*, (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any former or other Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be issued and applied, as fast as the same can be regularly stated and ascertained, for and towards the paying off, cancelling and discharging such Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof. Exchequer Bills, &c. to be repaid out of the Sinking Fund,

XIV. Provided always, and be it enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament (intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty*) and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, *Præmium*, Rate and Charges thereupon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty*) and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made, or to be made on the same Act, and all the Interest, *Præmium*, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties, shall be satisfied, or Monies sufficient shall be reserved in the Exchequer to discharge the same; and also all the Monies coming into the Exchequer, for Contributions for Annuities after the Rate of three Pounds *per Centum per Annum*, granted by one other Act of this present Session of Parliament, intituled, *An Act for granting to his Majesty the Sum of one million to be raised by Annuities at three Pounds* per Centum per Annum, *and charged on the Sinking Fund, transferrable at the Bank of* England; and the Sum of seventeen thousand five hundred and fifty-three Pounds ten Shillings and ten Pence, remaining in the Exchequer at *Christmas* last, being the Surplus of the additional Duties upon all Wines imported, over and above sufficient to satisfy the Annuities charged thereupon; and the Sum of twenty-nine thousand eight hundred and fifty-six Pounds one Shilling and eleven Pence Half-penny, Land Tax, &c. Malt Tax, and Annuities.

penny, being the Surplus Monies remaining in the Exchequer at *Michaelmas* laſt one thouſand ſeven hundred and forty-nine, of the Rates and Duties upon Houſes, Windows and Lights, and of the Duties on Coaches and other Carriages, after ſatisfying all Payments due thereupon; and the Sum of ſeventy-one thouſand one hundred and ſixteen Pounds ſeventeen Shillings and ſix Pence, being the Surplus Monies remaining in the Exchequer at *Michaelmas* laſt, one thouſand ſeven hundred and forty-nine, of the Subſidy of Poundage on Goods and Merchandizes imported, after ſatisfying all Payments due thereupon; and alſo the Sum of nine hundred thouſand Pounds by this Act granted, ſhall be further appropriated, and are hereby appropriated for and towards the ſeveral Uſes and Purpoſes herein after expreſſed (that is to ſay) it is hereby

Out of the Aids to be paid,

enacted and declared by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million eleven thouſand

1,011,521 l. 5 s. 10 d. towards Naval Services.

five hundred and twenty-one Pounds five Shillings and ten Pence, for or towards the Naval Services herein after more particularly expreſſed; that is to ſay, For or towards defraying the Charges of the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers; and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards the Buildings, Rebuildings and Repairs of his Majeſty's Ships for the Year one thouſand ſeven hundred and fifty.

10,000 l. to Greenwich Hoſpital.

XV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ten thouſand Pounds, upon Account, towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

144,708 l. 16 s. 4 d. towards the Office of Ordnance.

XVI. And it is hereby alſo enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one hundred forty-four thouſand ſeven hundred and eight Pounds ſixteen Shillings and four Pence, for or towards defraying the Charge of the Office of Ordnance for the Land Service, for the Service of the Year one thouſand ſeven hundred and fifty, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

1,238,704 l. 9 s. 11 d. to the Land Forces; of which 628,230 l. 4 s. 7 d. for Guards, &c. in Great Britain, Guernſey, and Jerſey; 236,420 l. 18 s. 6 d. 2 q. for Garriſons, &c. in the Plantations, Minorca, and Gibraltar, Nova Scotia, Newfoundland, and Providence. 29,993 l. 3 s. 7 d. to the Duke of Brunſwick Wolfenbuttle; 8,620 l. to the Elector of Mentz. 22,372 l. 3 s. 1 d. 2 q. to the Elector of Bavaria. 65,481 l. 4 s. 7 d. for extraordinary Land Forces, &c. in 1749. 49,848 l. 7 s. 6 d. to Out-penſioners in Chelſea Hoſpital; 5,117 l. 11 s. 8 d. to the two Troops of Horſe Guards, &c. 67,000 l. to reduced Officers; 3,374 l. to reduced Officers Widows, &c.

XVII. And it is hereby likewiſe enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million two hundred thirty-eight thouſand ſeven hundred and four Pounds nine Shillings and eleven Pence, for and towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; (that is to ſay) any Sum or Sums of Money, not exceeding ſix hundred twenty-eight thouſand two hundred and thirty Pounds four Shillings and ſeven Pence, for defraying the Charge of the eighteen thouſand eight hundred and fifty-ſeven effective Men, including Commiſſion and Non-commiſſion Officers, and one thouſand eight hundred and fifteen Invalids, for Guards, Garriſons, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, for the Service of the Year one thouſand ſeven hundred and fifty; and any Sum or Sums of Money, not exceeding two hundred thirty-ſix thouſand four hundred and twenty Pounds eighteen Shillings and ſix Pence Halfpenny, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Garriſons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thouſand ſeven hundred and fifty; and any Sum or Sums of Money, not exceeding twenty-nine thouſand nine hundred and ninety-three Pounds three Shillings and ſeven Pence, to make good his Majeſty's Engagements with his moſt Serene Highneſs the Duke of *Brunſwick Wolfenbuttle*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding eight thouſand ſix hundred and twenty Pounds, to make good his Majeſty's Engagements with the Elector of *Mentz*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding twenty-two thouſand three hundred and ſeventy-two Pounds three Shillings and one Penny Halfpenny, to make good his Majeſty's Engagements with the Elector of *Bavaria*, purſuant to Treaty; and any Sum or Sums of Money, not exceeding ſixty-five thouſand four hundred eighty-one Pounds four Shillings and ſeven Pence, for defraying the extraordinary Expences of his Majeſty's Land Forces, and other Services incurred in the Year one thouſand ſeven hundred and forty-nine, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding forty-nine thouſand eight hundred forty-eight Pounds ſeven Shillings and ſix Pence, upon Account, towards defraying the Charge of Out-penſioners of *Chelſea Hoſpital*, for the Year one thouſand ſeven hundred and fifty; and any Sum or Sums of Money, not exceeding five thouſand one hundred ſeventeen Pounds eleven Shillings and eight Pence, for defraying the Charge for Allowances to the ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and Regiment of Horſe, reduced; and to ſuperannuated Gentlemen of the four Troops of Horſe Guards, for the Year one thouſand ſeven hundred and fifty; and any Sum or Sums of Money, not exceeding ſixty-ſeven thouſand Pounds, upon Account of the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and fifty, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are hereafter preſcribed concerning the ſame; and any Sum or Sums of Money, not exceeding three thouſand three hundred ſeventy-four Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and fifty; which ſaid Sum of three thouſand three hundred and ſeventy-four Pounds, ſhall be iſſued to ſuch Perſon or Perſons, as his Majeſty ſhall, by Warrant or Warrants under his Majeſty's Royal Sign Manual, direct and appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts, or other Directions, and with and ſubject to ſuch Conditions, Qualifications, and other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint; and any Sum or Sums of Money, not exceeding one hundred twenty-two thouſand two hundred forty-ſix Pounds ſixteen Shillings and four Pence for defraying the Expence of Services incurred during the War in his Majeſty's Colonies in *North America*, on

122,246 l. 16 s. 4 d. for Services during the War in North America, &c.

account

account of the intended Expedition againſt *Canada*, and for other Services ariſing therefrom, and for the Succour of *Nova Scotia*.

XVIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding thirty-ſix thouſand four hundred ſeventy-ſix Pounds three Shillings and ten Pence, upon Account, for defraying the Charges incurred by tranſporting to his Majeſty's Colony of *Nova Scotia*, and ſupporting and maintaining there, a Number of reduced Officers and private Men diſmiſſed his Majeſty's Land and Sea Service, and other his Majeſty's Subjects now ſettled in the ſaid Colony, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding thirty-nine thouſand ſeven hundred ſeventy-eight Pounds nineteen Shillings and two Pence, upon Account, for ſupporting, maintaining and enlarging the Settlement of his Majeſty's Colony of *Nova Scotia*, for the Year one thouſand ſeven hundred and fifty.

36,476 l. 3 s. 10 d. Charges of Settling Nova Scotia.

39,778 l. 19 s. 2 d. for Nova Scotia.

XIX. And it is hereby alſo enacted, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and paid to the Commiſſioners for building a Bridge croſs the River of *Thames*, from the City of *Weſtminſter* to the oppoſite Shore in the County of *Surry*, or any ſeven or more of them, or to ſuch Perſon or Perſons as ſhall be appointed under the Hands and Seals of the ſaid Commiſſioners, or any ſeven or more of them, to receive the ſame, the Sum of eight thouſand Pounds, without Account, other than is directed for other Monies raiſed by virtue of ſeveral former Acts of Parliament, paſſed during the Reign of his preſent Majeſty, for building the ſaid Bridge, to be applied to finiſh the ſaid Bridge, and to enable the ſaid Commiſſioners to perform the other Truſts repoſed in them.

8,000 l. for the Bridge at Weſtminſter.

XX. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million, to diſcharge the Sum of one million raiſed in purſuance of an Act paſſed in the laſt Seſſion of Parliament, and charged on the firſt Aids or Supplies to be granted in Parliament, after the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-nine; and any Sum or Sums of Money, not exceeding ninety-four thouſand ſix hundred fifty-five Pounds ſeven Shillings and four Pence, for making good the Deficiency at *Chriſtmas* one thouſand ſeven hundred and forty-nine, of the half Subſidy of Tonnage and Poundage, for paying the Annuity and Charges of Management of the *South Sea* Company, for Subſcriptions into their Capital of Annuities, granted by the ſecond Act *Anno* one thouſand ſeven hundred and eight; and any Sum or Sums of Money, not exceeding ten thouſand Pounds, towards the Support of the *Britiſh* Forts and Settlements upon the Coaſt of *Africa*, to be applied in ſuch Manner, as his Majeſty ſhall think proper; and there ſhall and may be iſſued and paid to the Truſtees for eſtabliſhing the Colony of *Georgia* in *America*, any Sum or Sums of Money, not exceeding three thouſand three hundred and four Pounds three Shillings and four Pence, by them to be applied for the further ſettling and improving the ſaid Colony.

1,000,000 l. to pay the like Sum, charged on the firſt Aids raiſed after 29 Sept. 1749.

94,655 l. 7 s. 4 d. to make good the Deficiency of the half Subſidy.

10,000 l. for Support of the Britiſh Forts, &c. upon the Coaſt of Africa.

3,304 l. 3 s. 4 d. for Georgia.

XXI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding five thouſand one hundred eighty-three Pounds ſeventeen Shillings and eight Pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and forty-eight; and any Sum or Sums of Money, not exceeding thirteen thouſand three hundred ſixty-one Pounds ten Shillings and one Penny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets, or Wines made from *Britiſh* or Foreign Fruit or Sugar, at *Michaelmas* one thouſand ſeven hundred and forty-nine; and any Sum or Sums of Money, not exceeding thirty-five thouſand Pounds, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to anſwer one Year's Intereſt, due at *Michaelmas* one thouſand ſeven hundred and forty-nine, after the Rate of three Pounds ten Shillings *per Centum per Annum*, on the Principal Sum of one million lent on Credit of the Salt Duties, which were continued for ſix Years, from *Lady-day* one thouſand ſeven hundred and fifty-three, towards the Supply for the Year one thouſand ſeven hundred and forty-five; and any Sum or Sums of Money, not exceeding ſeven thouſand one hundred ninety-ſix Pounds four Shillings and five Pence Halfpenny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Duties on Wines at *Midſummer* one thouſand ſeven hundred and forty-nine; and any Sum or Sums of Money, not exceeding five thouſand ſeven hundred twenty-four Pounds three Shillings and nine Pence, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty on Licences for retailing of Spirituous Liquors, at *Lady-day* one thouſand ſeven hundred and forty-nine; and any Sum or Sums of Money, not exceeding twenty-one thouſand five hundred ſixty-four Pounds two Shillings and ten Pence Halfpenny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duties on Glaſs and Spirituous Liquors, at *Midſummer* one thouſand ſeven hundred and forty-nine; and any Sum or Sums of Money, not exceeding thirty-nine thouſand ſix hundred thirty-one Pounds ſix Shillings and ten Pence Halfpenny, for making good the Deficiency at *Chriſtmas* one thouſand ſeven hundred and forty-nine, of the ſaid Duties on Glaſs and Spirituous Liquors; and any Sum or Sums of Money, not exceeding two hundred ſeventy-five thouſand ſeven hundred thirty-ſix Pounds five Shillings and three Pence, to make good the Deficiency of the Grants, for the Year one thouſand ſeven hundred and forty-nine.

5,183 l. 17 s. 8 d. to make good the Deficiency of the Stamp Duties.

13,361 l. 10 s. 1 d. Deficiency of the Duties on Sweets.

35,000 l. for Intereſt on the Salt Duties.

7,196 l. 4 s. 5 d. 2 q. to make good the additional Duties on Wines.

5,724 l. 3 s. 9 d. to make good the Duty on Licences for retailing Spirituous Liquors;

21,564 l. 2 s. 10 d. 2 q. Deficiency of the Duties on Glaſs and Spirituous Liquors;

39,631 l. 6 s. 10 d. 2 q. Deficiency at Chriſtmas 1749;

275,736 l. 5 s. 3 d. Deficiency of the Grants for 1749.

XXII. And be it further enacted by the Authority aforeſaid, That the ſaid Aids and Supplies provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

The Supplies to be applied only as this Act directs.

XXIII. And as to the ſaid Sum of ſixty ſeven thouſand Pounds, by this Act appropriated on Account of Half-pay, as aforeſaid; It is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application thereof; that is to ſay, That no Perſon ſhall have or

Rules to be obſerved in the Application of the Half-pay.

See 24 *Geo.* 2. *c.* 47. *sect.* 22.

or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place of Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons, who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

22 Geo. 2. c. 42.

'XXIV. And whereas by an Act of Parliament made in the twenty-second Year of his Majesty's Reign '(intituled, *An Act for granting to his Majesty the Sum of one million out of the Sinking Fund, for the Service* '*of the Year one thousand seven hundred and forty-nine; and for enabling his Majesty to raise a further Sum of* '*one million for the Uses and Purposes therein mentioned; and for the further appropriating the Supplies granted* '*in this Session of Parliament; and for applying a certain Sum for defraying certain Charges and Allowances to* '*the Officers and private Gentlemen of the reduced Troops of Horse Guards; and for continuing the Bounties on* '*the Exportation of* British *and* Irish *Linens; and for making forth Duplicates of Exchequer Bills, Lottery* '*Tickets, Annuity Orders, or other Orders, lost, burnt or otherwise destroyed)* several Supplies which had been 'granted to his Majesty, as is therein mentioned, were appropriated to several Uses and Purposes therein 'expressed, amongst which, any Sum or Sums of Money, not exceeding sixty-seven thousand two hundred 'and twenty-six Pounds eighteen Shillings and four Pence, was appropriated to be paid to the reduced Of-'ficers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the 'Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf;' Now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of sixty-seven thousand two hundred twenty-six Pounds eighteen Shillings and four Pence, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or lost their Limbs in the late Wars, or such others, as by reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act or the said former Act to the contrary notwithstanding.

Application of the Surplus of 67,226 l. 18 s. 4 d. appropriated in 1749, to the Half-pay.

Clause for Relief of Persons who have omitted to pay the Duties charged on Indentures.

XXV. And for the Relief of any Person or Persons, who through Neglect or Inadvertency, have omitted to pay the several Rates and Duties, or any Part thereof, upon Monies given, paid, contracted or agreed for, with or in relation to any Clerk, Apprentice or Servant, which hath been put or placed to or with any Master or Mistress to learn any Profession, Trade or Employment, and to have such Indentures or other Writings, which shall contain the Covenant, Articles, Contracts or Agreements, relating to the Service of such Clerk, Apprentice or Servant, stampt within the Times by the several Acts of Parliament, for those Purposes respectively limited, or who have also in like Manner omitted to insert and write in Words at Length, in such Indentures or other Writings as aforesaid, the full Sum or Sums of Money, or any Part thereof received, or in any wise directly or indirectly given, paid, agreed or contracted for, with or in relation to every such Clerk, Apprentice or Servant as aforesaid; Be it enacted by the Authority aforesaid, That upon Payment of the Rates or Duties upon Monies, or such Part of such Monies so neglected or omitted to be paid as aforesaid, on or before the first Day of *August* one thousand seven hundred and fifty, to such Person or Persons to whom the same ought to be paid, and tendering the said Indentures or other Writings to be stamped at the same Time, or at any Time on or before the twenty-ninth Day of *September* one thousand seven hundred and fifty, of which timely Notice is to be given in the *London Gazette*, the same Indentures or other Writings shall be good and available in Law and Equity, and may be given in Evidence in any Court whatsoever; and the Clerk, Apprentice or Servant therein named, shall be capable of following and exercising their respective intended Trades or Employments, as fully as if the said Rates and Duties so omitted had been duly paid, and the full Sum or Sums received or agreed for as aforesaid, had been inserted, and the Persons who have incurred any Penalties by the Omissions aforesaid, shall be acquitted and discharged of and from the said Penalties; any thing in this or any former Acts to the contrary in any wise notwithstanding.

Former Provisions 1 *Jac.* 1. *c.* 24. 7 & 8 *W.* 3. *c.* 10 & 39. 12 *Ann. stat.* 1. *c.* 16 4 *Geo.* 2. *c.* 27. 19 *Geo.* 2. *c.* 27.

The Bounty upon Exportation of British Sail Cloth, to be paid for the future out of the Old Subsidies. 26 Geo. 2. c. 32. § 9.

'XXVI. And whereas the Fund upon which the Bounties granted upon the Exportation of *British* made 'Sail Cloth are charged, hath of late been deficient, which has contributed to the Decay of the said Ma-'nufacture;' In order therefore to secure the due and regular Payment of the said Bounties for the future, Be it enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred and fifty, the Bounty which is now payable upon Exportation of *British* Sail Cloth out of the Duty of one Penny *per* Ell, on Foreign Sail Cloth imported, shall from time to time for the future, be supplied and paid out of such Part of the old Subsidies as are applicable to the Payment of Incidents (after satisfying all Payments already charged thereupon, by any former Act or Acts of Parliament in that Behalf) in the like Manner, and under the like Regulation and Restrictions, as are directed and prescribed by the several Acts for the Payment of such Bounties.

11 & 12 *W.* 3. *c.* 3. 8 *Ann. c.* 9. 9 *Ann. c.* 6.

'XXVII. Whereas great Frauds and Abuses are committed in the Duties arising from Candles, Soap and 'Starch, which apparently tend not only to the Diminution of the said Revenues, but also to the Discou-

ragement of the fair Traders;' For Remedy whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand seven hundred and fifty, no Candles, Soap or Starch shall be brought or imported into *Great Britain*, in any Ship or Vessel from *Ireland*, or the *Isle of Man*, or from any other Place or Places whatsoever beyond the Seas, otherwise than in Cask, Chest, Case, Bag or other Package, each Cask, Chest, Case, Bag or other Package whereof, shall contain two hundred and twenty-four Pounds, of neat Candles, Soap or Starch at the least, to be stowed openly in the Hold of such Ship or Vessel importing the same, under the Penalties and Forfeitures following (that is to say) that all the Candles, Soap or Starch so imported, in any Ship or Vessel contrary to this Act, together with the Package, shall be forfeited, and the Master, Mate or other Person, taking the Charge or Command of such Ship or Vessel, shall forfeit fifty Pounds; and it shall and may be lawful for the respective Officers of the Customs or Excise, or such other Persons who are or shall be deputed or authorized thereto, by Warrant from the High Treasurer, Commissioners of the Treasury, or Under Treasurer, or by special Commission from his Majesty, under the Great Seal or Privy Seal, to seize such Candles, Soap or Starch, together with the Casks, Chests or other Package, containing the same.

10 *Ann. c.* 26. 11 *Geo.* 1. *c.* 30.

Candles, Soap or Starch imported contrary to this Act,

to be forfeited,

and the Master to pay 50*l.*

26 Geo. 2. c. 32. §. 8.

Officers may seize the same.

XXVIII. And be it enacted by the Authority aforesaid, That from and after the first Day of *May* one thousand seven hundred and fifty, it shall and may be lawful to and for the Officers of his Majesty's Revenue of Excise, or any of them, to go on Board and enter into any Ship or Vessel whatsoever, which shall be within the Limits of any of the Ports of the Kingdom of *Great Britain*, and to continue on Board the same, and to rummage and search in like Manner as the Officers of the Customs may now legally do, for all Candles, Soap and Starch, and to seize for his Majesty's Use, as well all such of the said Commodities as shall be there found, which by the Laws thereunto respectively relating, shall be forfeited, together with the Casks, Boxes, Chests, Bags or other Package containing the same; and in like Manner to seize such of the Commodities aforesaid, every or any of them, as before due Entry thereof, with the proper Officer or Officers, and without paying or securing the Duties on the Importation thereof, shall be found unshipping or unshipped out of such Ship or Vessel, to be laid on Land, without Entry and Payment of the Duties due for the same respectively, together with the Casks, Chests, Boxes, Bags or other Package whatsoever, containing the same.

Officers of Excise may go on Board Vessels,

and rummage for Candles, Soap and Starch, &c.

XXIX. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and fifty, where any Sufferance, Cocquet or Transire shall be granted, for any Candles, Soap or Starch, to be shipped or put on Board, to be carried forth to the open Sea from any Port, Creek or Member, within the Kingdom of *Great Britain*, to be landed at any other Place in the said Kingdom, such Sufferance, Cocquet or Transire, shall respectively express the Quality, Quantity and Weight of the said Candles, Soap or Starch, and Mark of the Package so to be shipped, by whom such Candles, Soap or Starch were made and sold, and to what Place the same is or are consigned; and where any Candles, Soap or Starch shall be so shipped or put on Board, without such Sufferance, Cocquet or Transire, such Candles, Soap or Starch, together with the Package containing the same, shall be forfeited and lost; and it shall and may be lawful for the respective Officers of the Customs or Excise, or such other Persons who are or shall be deputed or authorized thereto, by Warrant from the High Treasurer, Commissioners of the Treasury, or Under Treasurer, or by special Commission from his Majesty, under the Great Seal or Privy Seal, to seize such Candles, Soap or Starch, together with the Casks, or other Package containing the same.

Cocquets to express the Quality, Quantity and Weight, &c. of those Commodities, under Penalty of the Goods being forfeited, &c.

XXX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Officer or Officers of Excise or Customs, to seize any Quantity of Candles, Soap or Starch, together with the Package containing the same, that shall be found in any Ship or Vessel, or shall be carrying in any Cart or Waggon, or in any other Carriage whatsoever, where they shall have good reason to suspect and believe the same hath been made in some private Workhouse or other Place, or clandestinely imported without Payment of the Duty, or that the same are Candles, Soap or Starch which have been exported, and relanded, after the Duty had been repaid and drawn back for the same at the Time of the Exportation thereof; and if the Party in whose Possession such Candles, Soap or Starch shall be found, does not, at the Hearing of the Information for that Purpose to be exhibited as herein after directed, make it appear that the Duty hath been paid or secured for the same, all the said Candles, Soap or Starch so seized for the Causes aforesaid, shall be forfeited, together with the Package containing the same; and the Person in whose Possession such Candles, Soap or Starch shall be found, shall likewise forfeit and pay the Sum of five Pounds, for every hundred Pounds Weight; and so in Proportion for a greater or lesser Quantity.

Officers may seize those Commodities suspected to have been made in private Workhouses, or clandestinely imported, &c.

and the Possessor not proving the Payment of the Duty,

to forfeit the Goods, and 5*l.* for every C. Weight.

XXXI. And be it further enacted by the Authority aforesaid, That if any Foreign Candles, Soap or Starch, shall be unshipped with Intention to be laid on Land before an Entry has been made thereof, with the proper Officer or Officers for the said Duties, and before the respective Duties for the same have been first paid or secured; or if any Candles, Soap or Starch contained or specified in any Certificate, whereupon any Drawback is to be made, or whereupon any Debenture is to be made forth for such Drawback, shall, when shipped for Exportation, be landed again in any Part of *Great Britain*; such Candles, Soap or Starch, together with the Package containing the same, and the Vessels and Boats, and all the Horses and other Cattle and Carriages whatsoever, used in the landing, relanding, removing, carrying or conveying of the aforesaid Goods, shall be forfeited and lost, and may be seized by any Officer or Officers of the Customs or Excise; and the Person or Persons from whom such Candles, Soap or Starch shall be seized, shall also forfeit and pay five Pounds, for every hundred Pounds Weight thereof; and so in Proportion for a greater or less Quantity.

Foreign Candles, Soap or Starch unshipped before Entry,

or relanded, after shipped for Exportation,

forfeited, and the Vessels, Horses and Carriages, &c.

and the Possessor to pay 5*l.* for every C. Weight.

XXXII. And for the more effectual discovering and detecting the running of any Candles, Soap or Starch; Be it enacted by the Authority aforesaid, That in case any Person or Persons whatsoever shall knowingly

Perſons harbouring any of thoſe Commodities unlawfully imported, &c. to forfeit the Goods, and 50 l. for every C. Wt.

ingly harbour, keep or conceal, or ſhall knowingly permit or ſuffer to be harboured, kept or concealed, ſuch Candles, Soap or Starch, which have been ſo unlawfully imported, or which have been ſhipped for Exportation upon Debenture, and ſo relanded as aforeſaid, the Party or Parties offending therein, whether he, ſhe or they, have or have not, or do or do not claim or pretend to have any Property or Intereſt in ſuch Candles, Soap or Starch, ſo harboured, kept or concealed, ſhall, for every ſuch Offence, forfeit and loſe all ſuch Candles, Soap or Starch, ſo harboured, kept or concealed, with the Caſks, Veſſels or other Package containing the ſame; and ſhall forfeit and loſe the Sum of fifty Pounds, for every hundred Pounds Weight thereof; and in the ſame Proportion for a greater or leſſer Quantity.

Method of Proceeding when no Perſon appears to claim the Goods within 20 Days.

XXXIII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That in all Caſes, where any ſuch Candles, Soap or Starch ſhall be ſeized as forfeited, and no Perſon or Perſons within twenty Days next after ſuch Seizure ſhall appear to the Officer or Officers who made ſuch Seizure, to claim the ſame, then, and in ſuch Caſe, if ſuch Seizure or Seizures ſhall happen to be made within the Limits of the Chief Exciſe Office in *London*, it ſhall and may be lawful for the Officer or Officers who ſhall make ſuch Seizure or Seizures, from and after the Expiration of the ſaid twenty Days next after ſuch reſpective Seizure or Seizures, to cauſe Notice in Writing to be ſigned by his Majeſty's Solicitor for the Revenue of Exciſe for the time being, to be affixed at the *Royal Exchange*, ſignifying the Day and Time of the Day, that the Commiſſioners of the Exciſe for the time being, or three of them, will proceed to hear the Matter of ſuch Seizure or Seizures, and to the Condemnation of the Candles, Soap or Starch, ſo ſeized as aforeſaid, and of the Caſks, Veſſels or other Package containing the ſame; and if ſuch Seizure of Candles, Soap or Starch as aforeſaid, ſhall happen to be made as aforeſaid, out of the Limits of the ſaid Chief Exciſe Office in *London*, it ſhall and may be lawful for the Officers who ſhall make ſuch Seizure or Seizures, from and after the Expiration of twenty Days next after ſuch reſpective Seizure or Seizures, to cauſe publick Notice to be given by Proclamation, at the next Market Town to the Place or Places where ſuch reſpective Seizure or Seizures ſhall be made as aforeſaid, upon the next Market Day after the Expiration of the ſaid twenty Days, of the Day and Place when and where the Juſtices of the Peace will proceed to hear the Matter of ſuch Seizure or Seizures, and to the Condemnation of the Candles, Soap or Starch ſo ſeized as aforeſaid; in which ſaid Caſes it ſhall and may be lawful for the ſaid Commiſſioners of Exciſe, and Juſtices of the Peace reſpectively, within their reſpective Juriſdictions to proceed to examine into the Cauſe of ſuch Seizure or Seizures, and to give Judgment for the Condemnation of ſuch Candles, Soap or Starch ſo ſeized, as upon due Examination ſhall appear to be forfeited, and of the Caſks, Veſſels or other Package containing the ſame, which Judgments ſhall be good, valid and effectual in the Law, and final to all Intents and Purpoſes whatſoever, as if the reſpective Owner or Owners of the ſaid Candles, Soap or Starch, or the reſpective Perſon or Perſons in whoſe Cuſtody the ſame were or was at the reſpective Time or Times of the Seizure or Seizures thereof, had been reſpectively ſummoned to attend the ſaid Commiſſioners of Exciſe or Juſtices of the Peace, in the Manner herein before preſcribed, and ſhall not be liable to any Appeal, or to be removed by *Certiorari*; any thing in this preſent Act contained, or any Law, Statute or Proviſion to the contrary thereof, in any wiſe notwithſtanding.

Judgments to be final,

and not removeable by Certiorari.

Method of Proceeding when Officers ſuſpect ſuch Commodities to be concealed.

XXXIV. And be it further enacted by the Authority aforeſaid, That in caſe any Officer or Officers for the ſaid Duties of Exciſe, ſhall have cauſe to ſuſpect that any Candles, Soap or Starch ſhall be fraudulently hid or concealed in any Place whatſoever, either entered for keeping the ſame, or not entered, with an Intent to defraud his Majeſty of the Duties thereon, then and in ſuch Caſe, if ſuch Place ſhall be within the Cities of *London* or *Weſtminſter*, or within the Limits of the weekly Bills of Mortality, upon Oath made by ſuch Officer or Officers before the Commiſſioners of Exciſe for the time being, or any two or more of them, or in caſe the ſame ſhall be in any other Part of *Great Britain*, upon Oath made by ſuch Officer or Officers, before one or more Juſtice or Juſtices of the Peace for the County, Riding, Diviſion or Place where ſuch Officer ſhall ſuſpect the ſame to be hid or concealed, ſetting forth the Ground of his or their Suſpicion, it ſhall and may be lawful to and for the ſaid Commiſſioners, or Juſtice or Juſtices of the Peace reſpectively, before whom ſuch Affidavit or Affidavits ſhall be made, if he or they ſhall judge it reaſonable, by ſpecial Warrant or Warrants, under his or their reſpective Hands and Seals, to authorize and impower ſuch Officer or Officers by Day or by Night, but if in the Night, in the Preſence of a Conſtable or other lawful Officer of the Peace, to enter into all and every ſuch Place or Places, where he or they ſhall ſo ſuſpect ſuch Candles, Soap or Starch to be ſo fraudulently hid or concealed, and ſeize and carry away all ſuch Candles, Soap or Starch, which he or they ſhall then and there find ſo fraudulently hid and concealed, as forfeited, together with all the Caſks, Cheſts, Boxes, Bags or other Package whatſoever, wherein the ſame ſhall be contained; and if any Perſon or Perſons whatſoever, ſhall obſtruct, oppoſe, moleſt, lett or hinder any Officer or Officers of or for the ſaid Duties, or any of them, in the doing, performing or executing any of the Powers or Authorities by this Act given to ſuch Officer or Officers; every ſuch Perſon or Perſons offending therein, ſhall, for every ſuch Offence, forfeit and loſe the Sum of one hundred Pounds.

Penalty of obſtructing Officers.

On Seizure for Nonpayment of Duties, the Proof to lie on the Claimer.

XXXV. And be it declared and enacted by the Authority aforeſaid, That if any of the ſaid Candles, Soap or Starch ſhall be ſo ſeized for Non-payment of the Duties or Non-entry, and any Diſpute ſhall ariſe, whether the Cuſtoms, Exciſe or Inland Duties have been paid for the ſame, or the ſame have been duly entered, then, and in ſuch Caſes, the Proof thereof ſhall lie on the Owner or Claimer of ſuch Goods, and not on the Officer who ſhall ſeize or ſtop ſuch Goods.

No Drawback on Candles, Soap or Starch made in Ireland, &c.

XXXVI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and fifty, no Perſon who ſhall export from any Part of *Great Britain*, Candles, Soap or Starch made in *Ireland*, or in the *Iſle of Man*, or in any other Place or Places whatſoever beyond the Seas, ſhall, on Exportation thereof, be intitled to receive any Drawback, or be repaid the Duties, Cuſtoms or Impoſitions, paid, payable or ſecured on Importation of the ſame, or any Part thereof; any Law, Statute, Cuſtom or Uſage to the contrary notwithſtanding.

XXXVII. And

XXXVII. And be it further enacted by the Authority aforesaid, That when any Candles, Soap or Starch shall be seized by any Officer of Excise, or any other Persons authorized thereto, on Board any Ship or Vessel, or unshipping or unshipped, as forfeited by virtue and in pursuance of this Act; and when any Candles, Soap or Starch shall be seized by any Officer of Excise, or any other Persons authorized thereto, carrying or removing by Land, or lodged or concealed in any Place whatsoever on Shore, as forfeited by virtue and in pursuance of this Act; all such Seizures of the said Goods and Packages, and of the Vessels, Boats, Horses and other Cattle, Waggons, Carts and other Carriages, used for carrying and removing the same (except such Seizures of the said Goods and Packages, and of the Vessels, Boats, Horses and other Cattle, Waggons, Carts and other Carriages, used for carrying and removing the same) where no Person or Persons shall, within twenty Days after such Seizure, claim the same (in which Case the Method of Proceeding has been herein before directed) and the several Penalties and Forfeitures by this Act respectively imposed, shall and may be proceeded upon, heard and determined in such Manner and Form as hereafter in and by this Act is directed and appointed (that is to say) all Informations for the Condemnation of such Seizures, and for the Penalties and Forfeitures by this Act respectively imposed, if the said Seizures were made, and Penalties and Forfeitures incurred within the Limits of the Chief Office of Excise in *London*, shall be proceeded upon, heard and determined by the Commissioners of Excise for the time being, or any three of them, or by the Commissioners of Appeals, or the major Part of them, in case of Appeal, and not otherwise: And all Informations for the Condemnation of such Seizures, and for the Penalties and Forfeitures by this Act respectively imposed, if such Seizures were made, and Penalties and Forfeitures incurred out of the Limits of the said Chief Office of Excise in *London*, shall be proceeded upon, heard and determined by any two or more of the Justices of the Peace for the time being, residing near to the Place where such Seizure shall be made, on Penalty or Forfeiture incurred; and if either Party find himself aggrieved by the Judgment given by two or more Justices, he shall and may appeal to the Justices of the Peace at the next Quarter Sessions, who are hereby authorized and impowered to hear and determine the same; whose Judgment therein shall be final: Which said Commissioners of Excise and Appeals, and the said Justices of the Peace respectively, are hereby authorized and required, upon any Information exhibited, or Complaint made, within three Months after any Seizure made, or Penalty or Forfeiture incurred, to summon the Party accused, and also the Witnesses on either Side; and upon the Appearance, or Default of the Party accused in not appearing (upon Proof of Notice given) to proceed to the Examination of the Matter of Fact, and of the Witness or Witnesses, upon Oath (which Oath they the said Commissioners and Justices are hereby respectively impowered to administer) touching such Seizure or Seizures, Penalties or Forfeitures; and thereupon to proceed to give Judgment, as well for any Penalty or Forfeiture inflicted by this Act, which, upon due Examination, or the voluntary Confession of the Party accused, shall be found to be incurred, as for the Condemnation of such Candles, Soap or Starch, and the Packages and the Vessels, Boats, Horses and other Cattle, Waggons, Carts and other Carriages, so seized, which, upon due Examination, or the voluntary Confession of the Party accused, shall be found to be forfeited by virtue of this Act, or any other Act relating to his Majesty's Revenue of Excise, and to issue out their Warrants for the Sale of such Candles, Soap or Starch, and the Packages, and Vessels, Boats, Horses and other Cattle, Waggons, Carts and other Carriages, as shall be so by them respectively condemned; and where the Party accused shall be convicted of the Offence alledged against him, to award and issue Warrants under their Hands for the levying any pecuniary Penalty or Penalties so adjudged upon the Goods and Chattles of the said Offenders, and to cause Sale to be made of the said Goods and Chattles, if they shall not be redeemed within fourteen Days, rendering to the Party the Overplus (if any) and for want of sufficient Distress, to imprison the Party offending till Satisfaction be made.

Method of proceeding to Condemnation of such Seizures.

XXXVIII. Provided nevertheless, That it shall and may be lawful to and for the said Commissioners and Justices, where they shall see Cause, to mitigate or lessen any Penalties and Forfeitures, in such Manner as they shall think fit; the reasonable Costs and Charges of the Officers, as well in making the Discovery, as in the Prosecution of the same, being always allowed over and above such Mitigation, and so as such Mitigation do not reduce the Penalty to less than one fourth Part thereof, over and above the said Costs and Charges; any thing contained in this Act to the contrary notwithstanding.

Power to mitigate the Penalties, &c.

XXXIX. And it is hereby further enacted, That all Penalties and Forfeitures in this Act mentioned (all necessary Charges for the Recovery thereof being first deducted) shall be employed, one Moiety thereof to and for the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Seizer or Prosecutor.

Application of the Penalties.

XL. Provided also, and be it enacted, That no Writ or Writs of *Certiorari* shall supersede Execution, or other Proceedings upon any Order or Orders, made in pursuance of this Act; but that Execution, and other Proceedings, shall and may be had and made thereupon; any such Writ or Writs, or Allowance thereof, notwithstanding.

Execution, &c. not to be superseded by Certiorari.

See further 26 *Geo.* 2. *c.* 32.

CAP. XXII.

An Act for giving further Time to the Proprietors of Annuities, after the Rate of four Pounds *per Centum per Annum*, to subscribe the same in the Manner, and upon the Terms therein mentioned; and for redeeming such of the said Annuities, as shall not be so subscribed; and for impowering the *East India* Company to raise certain Sums by transferrable Annuities.

Most Gracious Sovereign,

'WHEREAS by an Act made and passed in this present Session of Parliament, intituled, *An Act for reducing the several Annuities which now carry an Interest after the Rate of four Pounds* per Centum per Annum, *to the several Rates of Interest therein mentioned*; it was, amongst other Things, enacted, 'That

23 Geo. 2. c. 1.

'That any Person or Persons, Bodies Politick or Corporate, who were interested in, or intitled unto any 'Part of the National Debt incurred before *Michaelmas* one thousand seven hundred and forty-nine, redeem- 'able by Law, which now carries an Interest after the Rate of four Pounds *per Centum per Annum*; and who 'should, on or before the twenty-eighth Day of *February* one thousand seven hundred and forty-nine, sub- 'scribe their Names, or signify their Consents, in Books prepared for that Purpose, to accept of an Interest 'of three Pounds *per Centum per Annum*, to commence from the twenty-fifth Day of *December* one thou- 'sand seven hundred and fifty-seven, subject to the same Provisoes, Notices and Clauses of Redemption, 'which their respective four *per Cents* are now liable to; should, in lieu of their present Interest, be intitled 'unto, and receive an Interest of four Pounds *per Centum per Annum*, until the twenty-fifth Day of *De-* 'cember one thousand seven hundred and fifty; and from and after the twenty-fifth Day of *December* one 'thousand seven hundred and fifty, an Interest of three Pounds ten Shillings *per Centum per Annum*, until 'the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven; and that no Part of the 'same should be liable to be redeemed, except as therein is excepted, till after the said twenty-fifth Day of 'December one thousand seven hundred and fifty-seven, as in and by the said Act, Relation being thereunto 'had, may more fully appear: And whereas in pursuance of the Powers given by the before recited Act, 'great Part of the said Annuities, after the said Rate of four Pounds *per Centum per Annum*, have been sub- 'scribed upon the Terms of the said Act:' Now we your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being truly sensible that the compleating the Reduction of the said Annuities, carrying an Interest of four Pounds *per Centum per Annum*, which remain unsubscribed, would be of publick Service to the Nation, have resolved, That any Person or Persons, Bodies Politick or Corporate, who now are, or hereafter may be interested in or intitled unto, such Part of the National Debt, incurred before *Michaelmas* one thousand seven hundred and forty-nine, redeemable by Law, which now carries an Interest of four Pounds *per Centum per Annum*, as hath not been subscribed, in pursuance of the said recited Act of this Session of Parliament, and who do, on or before the thirtieth Day of *May* one thousand seven hundred and fifty, subscribe their Names, or signify their Consent, to accept of an Interest of three Pounds *per Centum per Annum*, to commence from the twenty-fifth Day of *December* one thousand seven hundred and fifty-five, subject to the same Provisions, Notices and Clauses of Redemption, which their respective four *per Cents* are now liable to, shall, in lieu of their present Interest, be intitled unto, and receive, an Interest of four Pounds *per Centum per Annum*, until the twenty-fifth Day of *December* one thousand seven hundred and fifty; and from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty, an Interest of three Pounds and ten Shillings *per Centum per Annum*, until the twenty-fifth Day of *December* one thousand seven hundred and fifty-five; and that no Part of the same shall be liable to be redeemed, until after the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five; and that such Part of the National Debt incurred before *Michaelmas* one thousand seven hundred and forty-nine, redeemable by Law, which now carries an Interest of four Pounds *per Centum per Annum*, and which shall not be subscribed on or before the thirtieth Day of *May* one thousand seven hundred and fifty, be redeemed and paid off; and that your Majesty be enabled to borrow of any Person or Persons, Bodies Politick or Corporate, any Sum or Sums of Money, not exceeding such Part of the National Debt, carrying an Interest of four Pounds *per Centum per Annum*, redeemable by Law, as hath not been subscribed in pursuance of the said Act, and shall not be subscribed according to the aforegoing Resolution, to be charged upon the Sinking Fund; and to be applied to pay off and redeem such Part of the said National Debt, so unsubscribed as aforesaid, upon any Terms, not exceeding the Rates of Interest proposed in the said Resolution: And whereas several Notices have been given by the Speaker of the House of Commons, in pursuance of the Resolution of the said House, that unless the said unsubscribed Annuities, carrying an Interest of four Pounds *per Centum per Annum*, be subscribed on or before the thirtieth Day of *May* one thousand seven hundred and fifty, the same would be redeemed and paid off, according to the Terms in the said Notices contained respectively; that is to say, That so much of the Annuities transferrable at the Bank of *England*, created in the Year one thousand seven hundred and forty-six; and so much of the Annuities transferrable at the Bank of *England*, as were raised by a Lottery in the Year one thousand seven hundred and forty-seven, as have not been subscribed in pursuance of an Act passed this Session of Parliament, and shall not be subscribed on or before the thirtieth Day of *May* one thousand seven hundred and fifty, will be redeemed and paid off on the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, agreeable to the Clauses and Powers of Redemption, contained in the several Acts of Parliament for creating the said Annuities respectively; that so much of the Annuities transferrable at the Bank of *England*, created in the Year one thousand seven hundred and forty-eight, as have not been subscribed, pursuant to an Act passed this Session of Parliament, and shall not be subscribed on or before the thirtieth Day of *May* one thousand seven hundred and fifty, will be redeemed and paid off on the twenty-fifth Day of *March* one thousand seven hundred and fifty-one, agreeable to the Clauses and Powers of Redemption, contained in the Act of Parliament for creating the said Annuities; that so much of the Annuities transferrable at the Bank of *England*, created in the Year one thousand seven hundred and forty-nine, as have not been subscribed, pursuant to an Act passed this Session of Parliament, and shall not be subscribed on or before the thirtieth Day of *May* one thousand seven hundred and fifty, will be redeemed and paid off on the twenty-ninth Day of *September* one thousand seven hundred and fifty-one, agreeable to the Clauses and Power of Redemption, contained in the several Acts of Parliament for creating the said Annuities respectively; that so much of the Annuities charged upon Wrought Plate, and payable at the Exchequer, as have not been subscribed, pursuant to an Act passed this Session of Parliament, and shall not be subscribed on or before the thirtieth Day of *May* one thousand seven hundred and fifty, will be redeemed and paid off on the twenty-fifth Day of *March* one thousand seven hundred and fifty-one, agreeable to the Clauses and Powers of Redemption contained in the Act made in the sixth Year of the Reign of King GEORGE the First, for laying a Duty upon Wrought Plate; that the Sum of four million two hundred thousand Pounds, now due

Time given to 30 May, to the Proprietors of the four per Cent. Annuities, to subscribe, &c.

Such Part of the four per Cent. Annuities as shall not be subscribed, to be paid off.

His Majesty impowered to borrow Money on the Sinking Fund to pay off the same.

due and owing to the United Company of Merchants trading to the *East Indies*, will be redeemed and paid off in Manner and Form following, *videlicet*; one million and fifty thousand Pounds, on the twenty-fifth Day of *March* one thousand seven hundred and fifty-one; one million and fifty thousand Pounds, on the twenty-fourth Day of *June* one thousand seven hundred and fifty-one; one million and fifty thousand Pounds, on the twenty-ninth Day of *September* one thousand seven hundred and fifty-one; and the remaining Sum of one million and fifty thousand Pounds, on the twenty-fifth Day of *December* one thousand seven hundred and fifty-one, unless the Sum of three million two hundred thousand Pounds be subscribed on or before the thirtieth Day of *May* one thousand seven hundred and fifty: And therefore your faithful Commons do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such Notices as aforesaid shall be and be deemed, adjudged and taken to be good and sufficient Notice or Notices, within the true Intent and Meaning of the several Acts of Parliament for the Redemption of the said several Annuities, and the same shall be redeemable accordingly; any thing in the same, or any other Act or Acts of Parliament to the contrary in any wise notwithstanding.

Notices given by the Speaker, &c. to be deemed good.

II. And be it enacted by the Authority aforesaid, That any Person or Persons, Bodies Politick or Corporate, who now are, or hereafter may be, interested in, or intitled unto, any Part of the National Debt, incurred before *Michaelmas* one thousand seven hundred and forty-nine, redeemable by Law, which now carries an Interest of four Pounds *per Centum per Annum*, as hath not been subscribed in pursuance of the said recited Act of this present Session of Parliament; and who do, on or before the thirtieth Day of *May* one thousand seven hundred and fifty, subscribe their Names, or signify their Consent, to accept of an Interest of three Pounds *per Centum per Annum*, to commence from the twenty-fifth Day of *December* one thousand seven hundred and fifty-five, subject to the same Provisoes, Notices and Clauses of Redemption, which their respective four *per Cents* are now liable to, shall, in lieu of their present Interest, be intitled unto, and receive an Interest of four Pounds *per Centum per Annum*, until the twenty-fifth Day of *December* one thousand seven hundred and fifty; and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty, an Interest of three Pounds ten Shillings *per Centum per Annum*, until the twenty-fifth Day of *December* one thousand seven hundred and fifty-five; and that no Part of the same shall be liable to be redeemed, till after the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five.

The Proprietors subscribing within the Time limited, to be allowed an Interest after the several Rates mentioned.

III. And be it further enacted by the Authority aforesaid, That such Part of the National Debt, incurred before *Michaelmas* one thousand seven hundred and forty-nine, redeemable by Law, which now carries an Interest at the Rate of four Pounds *per Centum per Annum*, and which shall not be subscribed before the said thirtieth Day of *May* one thousand seven hundred and fifty, shall be redeemed and paid off.

Such Part of the said Annuities as shall not be subscribed, to be paid off.

IV. And be it further enacted by the Authority aforesaid, That in case the Sum of three million two hundred thousand Pounds, now due and owing to the United Company of Merchants trading to the *East Indies*, carrying an Interest after the Rate of four Pounds *per Centum per Annum*, be not subscribed on or before the said thirtieth Day of *May* one thousand seven hundred and fifty, upon the Terms herein before mentioned; then, and in such Case, not only the said Sum of three million two hundred thousand Pounds, but also the Sum of one million, now due and owing to the said United Company, at an Interest after the Rate of three Pounds *per Centum per Annum*, by virtue of an Act of Parliament passed in the seventeenth Year of his Majesty's Reign, shall be redeemed and paid off.

The East India Company not subscribing, to be paid off. *See* 24 *Geo.* 2. *c.* 56. *sect.* 2.

V. Provided nevertheless, and be it further enacted by the Authority aforesaid, That in case the said United Company shall, on or before the said thirtieth Day of *May* one thousand seven hundred and fifty, signify their Consent to the Reduction of the Interest of four Pounds *per Centum per Annum*, now payable to the said United Company, in respect of the said Principal Sum of three million two hundred thousand Pounds, to the several Rates of Interest before mentioned, redeemable by Parliament, as aforesaid, and also that the said Sum of one million, due and owing to the said United Company, at an Interest after the Rate of three Pounds *per Centum per Annum*, by virtue of the said Act of the seventeenth Year of his Majesty's Reign, shall remain and continue at the said Rate of three Pounds *per Centum per Annum*, until the same shall be redeemed and paid off, according to the Proviso contained in the said Act of the seventeenth Year of his Majesty's Reign, in that Behalf; that then it shall and may be lawful to and for the said United Company, and they are hereby authorized and impowered, by and with the Consent and Approbation of the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, at such Time or Times, and in such Manner, as they shall find to be most for the Advantage of the said United Company, to borrow, or take in by Subscription or otherwise, from any Person or Persons, Bodies Politick or Corporate, who are willing to advance the same, any Sum or Sums of Money, not exceeding in the Whole the Sum of four million two hundred thousand Pounds, by Sale of Annuities, after the several Rates of Interest following; that is to say, any Sum or Sums, not exceeding three million two hundred thousand Pounds, by Sale of Annuities, after the several Rates of Interest herein before proposed be paid, for the said Sum of three million two hundred thousand Pounds, in case the same shall be subscribed on or before the said thirtieth Day of *May* one thousand seven hundred and fifty; and any Sum or Sums, not exceeding one million more, by Sale of Annuities, after the Rate of three Pounds *per Centum per Annum*; all which said Annuities shall be paid and payable to the respective Persons and Corporations intitled thereunto, their Executors, Administrators or Assigns, at the Office of the said United Company, out of the same Duties and Revenues, as the present Annuities payable to the said United Company, in respect of the said Principal Sums of three million two hundred thousand Pounds, and one million, are now payable, and shall commence and be paid at such Feast Days, as shall be agreed upon between the said United Company, and the said several Contributors respectively; and that the said Sum of four million two hundred thousand Pounds, so to be

The East India Company subscribing within the Time limited, are impowered, with Consent of the Treasury, to borrow 4,200,000 *l.* at the several Rates of Interest granted by this Act, &c.

be advanced, or so much thereof as shall be advanced as aforesaid, and all and every the Annuities payable for or in respect of the same, shall be free of all Taxes, Charges and Impositions whatsoever; and shall be assignable or transferrable in a Book or Books to be provided for that Purpose, in the Office of the said United Company, in such Manner as the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall direct in that Behalf, without Fee or Gratuity, and free from all Charges; and that the said Annuities shall be deemed and taken to be a Personal, and not a Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or intitled thereunto, and not to the Heir at Law; subject nevertheless to such or the like Proviso or Condition of Redemption by the Publick, as the said Sums of three million two hundred thousand Pounds, and one million, due to the said Company, would be subject, in case such Subscription by the said Company, on or before the said thirtieth Day of *May* one thousand seven hundred and fifty, and the said Sums had then remained due from the Publick to the said Company.

The Annuities to be free of Taxes, and assignable;

and a Personal Estate;

subject to Redemption by Parliament.

VI. And be it enacted by the Authority aforesaid, That the several Powers given to the said United Company, by several Acts of Parliament now in Force, of raising Money by Bonds under their Common Seal for the carrying on the Trade of the said Company, and lending Money on Bottomry, and otherwise, as in the said Acts, some or one of them is mentioned, shall continue and be in Force, but that the Amount of the Sums which the said United Company shall raise by Sale of Annuities by virtue of this Act, as aforesaid, shall be by them applied towards the Discharge of their present Bond Debt; and shall be computed and considered as Part of what they are so impowered to borrow.

The Powers given to the Company of raising Money by Bonds, &c. continued; the Money to go to paying their present Bond Debt.

VII. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant under his Royal Sign Manual, to authorize and impower the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, to raise by Loans or Exchequer Bills, or by Way of Subscription, or in such other Manner or Form as his Majesty shall, in his great Wisdom, think most for the Advantage of the Publick, from any Person or Persons, Bodies Politick or Corporate, any Sum or Sums of Money, not exceeding such Part of the National Debt, carrying an Interest of four Pounds *per Centum per Annum*, redeemable by Law, as hath not been subscribed in pursuance of an Act of this Session of Parliament, and shall not be subscribed according to the Proposal herein before mentioned, to be charged on the Sinking Fund, and to be applied to pay off and redeem such Part of the National Debt so unsubscribed as aforesaid, upon any Terms not exceeding the Rate of Interest in the aforegoing Proposal mentioned.

Power given to his Majesty to borrow Money on the Sinking Fund, to pay off unsubscribed Annuities.

VIII. And be it further enacted by the Authority aforesaid, That the several Annuities of four Pounds *per Centum per Annum*, now payable in respect of the said Principal Sum unsubscribed by the Proprietors thereof, and by this Act continued to them until the twenty-fifth Day of *December* one thousand seven hundred and fifty, as also the several reduced Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, by this Act made payable in lieu thereof from the respective Days therein mentioned, shall, during the respective Continuances thereof, be paid and payable to the respective Persons and Corporations intitled thereunto, their Executors, Administrators or Assigns, at the same respective Offices and Places, and out of the same Duties, Revenues and Incomes, and at such Time and Times, and shall be assignable, transferrable and disposable in the same Manner and Form, as the said Annuities of four Pounds *per Centum per Annum* are now payable, assignable, transferrable and disposable by the respective Acts and Statutes now in Force, for or concerning the same, and as if this present Act had never been made; subject nevertheless to Redemption by Parliament, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five, in Manner herein after mentioned; any thing herein contained to the contrary thereof in any wise notwithstanding.

The reduced Annuities made payable and transferrable as the four per Cents.

IX. And be it further enacted by the Authority aforesaid, That there shall forthwith be prepared and kept in the Office of the Auditor of the Receipt of the Exchequer, and also at the respective Offices of the Governor and Company of the Bank of *England*, and of the Governor and Company of Merchants of *Great Britain*, trading to the *South Seas*, and for encouraging the Fishery, commonly called the *South Sea Company*, a Book or Books for taking in Subscriptions, or receiving the Consent of such Person or Persons as now are or shall be interested in, or intitled unto, any Part of the said now unsubscribed Annuities or Interests, after the said Rate of four Pounds *per Centum per Annum*, who are willing to accept of an Annuity of three Pounds ten Shillings *per Centum per Annum* in lieu thereof, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty, until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five; and of an Annuity of three Pounds *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five, to the End the Proprietors of the said Annuities, after the said Rate of four Pounds *per Centum per Annum*, may make their Subscriptions, and give their Consents in the said respective Book or Books, under a proper Preface to be prepared for that Purpose, by subscribing their respective Sums and Names, with his, her or their respective proper Additions; which said Books shall constantly lie open at the said Receipt of Exchequer, and other the Publick Offices aforesaid, for that Purpose, every Day (*Sundays* excepted) until the said thirtieth Day of *May* one thousand seven hundred and fifty inclusive, and no longer; and it shall and may be lawful to and for the Proprietors of the said Annuities of four Pounds *per Centum per Annum*, or such Person or Persons, as he, she or they have authorized, or shall respectively authorize and impower, by Writing in that Behalf, to subscribe or consent for them, in Manner aforesaid, to have free Access to the said respective Books, at all seasonable Hours, and they have hereby Power to make their Subscriptions, or give their Consents, for the Whole Sum or Sums due to them, or any of them, according to this Act, without any Fee or Charge whatsoever; and the several and respective Officers in the said Receipt of Exchequer, and other the publick Offices aforesaid, appointed to take in the said Subscriptions, or receive such Consents, as aforesaid, shall, during the Time aforesaid,

Books to be opened for taking in the Subscriptions.

Officers to attend in Office Hours.

aforesaid, constantly attend at the said respective Offices for that Purpose, at such Hours as Business is usually transacted at the said several and respective publick Offices; and the several and respective Officers at the said Receipt, and other the publick Offices aforesaid, are hereby required to cause publick Notice thereof to be forthwith affixed in their respective Offices, and at the *Royal Exchange*, and also to publish in the *London Gazette*, that such Books are prepared and lie open in the said respective Offices for receiving such Consent, and taking such Subscriptions, as aforesaid.

Notice to be published of the Books being opened.

X. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Bodies Politick or Corporate, who have or shall, on or before the said thirtieth Day of *May* one thousand seven hundred and fifty, have subscribed, or given their Consent in the Book or Books aforesaid, to accept of an Interest or Annuity after the Rate of three Pounds ten Shillings *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty, until the said twenty-fifth Day of *Decembe* one thousand seven hundred and fifty-five; and of an Annuity of three Pounds *per Centum per Annum*, to commence from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five, in lieu of their present Annuities of four Pounds *per Centum per Annum*, shall have, receive and enjoy, and they are hereby declared to be intitled to an Annuity of three Pounds ten Shillings *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty, until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five; and to an Annuity of three Pounds *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five, redeemable by Parliament, in Manner herein after-mentioned; and the said Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, and the Principal or Capital for which the same shall be payable, are hereby declared, and shall be adjudged, taken and accepted in Construction of Law, and in all Courts of Law and Equity whatsoever, to all Intents and Purposes whatsoever, to be a Personal and not a real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or intitled thereunto, and not to the Heirs of such Person or Persons; any Law, Statute, Custom or Usage to the contrary notwithstanding; and that the said Annuities shall be free from all Taxes, Charges and Impositions whatsoever, in the same Manner as they now are.

Subscribers intitled to the several Rates of Interest mentioned in this Act.

Annuities to be a Personal Estate, and free from Taxes.

XI. And it is hereby enacted and declared, That it shall and may be lawful for all Executors, Administrators, Guardians, Trustees, Committees of the Estates of Ideots or Lunaticks, and the Accomptant General of the Court of Chancery, and the Deputy Remembrancer of his Majesty's Court of Exchequer, to make, or cause to be made, Subscriptions in the said Book or Books, signifying their Consent to accept an Interest or Annuity of three Pounds ten Shillings *per Centum per Annum*, from the said twenty-fifth Day of *December* one thousand seven hundred and fifty, until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and of an Annuity of three Pounds *per Centum per Annum*, to commence from the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five, for and on the Behalf of their respective Testators, Infants, Minors, Femes Covert, Ideots or Lunaticks, and the Suitors of the Court of Chancery, and of the said Court of Exchequer, and others, for whom they are or shall be respectively intrusted; and such Executors, Administrators, Guardians, Trustees, Committees and Accomptant General, and Deputy Remembrancer, are, and shall be, by virtue of this Act, indemnified in and for doing the same

Executors, &c. indemnified for not subscribing.

XII. Provided always, and be it further enacted, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power, and they are hereby authorized, out of any Money remaining in the Receipt of the Exchequer, of or for the Duties, Revenues and Incomes appropriated for the Payment of the said Annuities of four Pounds *per Centum per Annum*, to reward all such Persons as shall be any ways employed in the Execution of this Act, in relation to the taking in such Subscriptions, or receiving such Consents as aforesaid, and to defray all such incident Charges, as shall necessarily attend the Execution of the said Act, in such Manner as to them shall seem just and reasonable.

Treasury to defray the Charges of this Act.

XIII. And it is hereby also enacted by the Authority aforesaid, That all the Duties, Revenues and Incomes which are now appropriated, subject or applicable to the Payment of the said Annuities of four Pounds *per Centum per Annum*, shall, from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty, be subject and liable to the Payment of such of the said Annuities of four Pounds *per Centum per Annum*, as shall not be subscribed, in case any shall be unsubscribed, and also the said reduced Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, in the same Manner, to all Intents and Purposes, as the same were liable and subject to the Payment of the said Annuities of four Pounds *per Centum per Annum*; and all the Monies coming into the Exchequer, of or for the several Duties, Revenues and Incomes, appropriated, subject or liable to the Payment of the said unsubscribed Annuities, and of the said reduced Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, which shall be more than sufficient to answer and pay the said respective Annuities, shall, from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty, be applied to the same Uses, Intents and Purposes, and in the same Manner, as the several Surplusses, Excesses or Overplus Monies of the said Duties, Revenues and Incomes are now applicable.

Funds appropriated for Payment of the reduced and unsubscribed Annuities.

XIV. Provided always, and it is hereby enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five, the said reduced Annuities of three Pounds *per Centum per Annum*, shall and may be redeemed by Parliament, upon giving the same Notices, and making the same Payments of Principal Money at a Time to such Persons or Corporations as now are, or hereafter shall be, intitled to the said Annuities, and of all Arrearages of the said Annuities, as are directed to be given and made by the several and respective Acts, by which the said several Annuities, after the Rate of four Pounds *per Centum per Annum*, were made payable, and from and after Payment of any such Principal Money, to the said Persons or Corporations, as are or shall be intitled to the same, a proportional Part of the said Annuities shall cease and determine, and be understood to be redeemed; any thing in this or any other former Act or Acts of Parliament to the contrary in any wise notwithstanding.

Clause of Redemption.

CAP.

CAP. XXIII.

19 *Geo.* 2. *c.* 5. 20 *Geo.* 2. *c.* 4. 2. *Geo.* 2. *c.* 33. 22 *Geo.* 2. *c.* 46.

An Act to continue ſeveral Laws for preventing the Spreading of the Diſtemper which now rages amongſt the Horned Cattle; and for impowering his Majeſty to prohibit the Killing of Cow Calves. *Farther continued and amended by* 24 *Geo.* 2. *c.* 54. 25 *Geo.* 2. *c.* 31. 26 *Geo.* 2. *c.* 34. 27 *Geo.* 2. *c.* 14.

CAP. XXIV.

An Act for the Encouragement of the *Britiſh* White Herring Fiſhery.

Explained and amended by 26 Geo. 2. c. 9. *and farther by* 28 *Geo.* 2 *c.* 14. *Refer to* 13 *Ed.* 1. *ſtat.* 1. *c.* 47. 1 *Geo.* 1. *c.* 18. 5 *Geo.* 1. *c.* 18. 2 *Geo.* 2. *c.* 19. 9 *Geo.* 2. *c.* 33. 22 *Geo.* 2. *c.* 49.

'WHEREAS the carrying on, and Improvement of, the *Britiſh* White Herring Fiſheries, are of great Importance to theſe Kingdoms, as they may be of great Advantage to the Trade and Navigation thereof, and may be a Means of employing and providing for great Numbers of induſtrious Poor, provided the ſame could be carried on with a ſufficient Stock, under proper Regulations, and that reaſonable Encouragements be given to ſuch Perſons as are willing to carry on the ſaid Fiſheries:' Therefore for the Encouragement of ſuch Perſons as are willing to carry on the ſaid Fiſheries, and for the better Regulation of the ſaid Trade, and for preventing Frauds and Impoſitions in the Management thereof, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, by Letters Patent under the Great Seal of *Great Britain*, to incorporate the Right Honourable Sir *Samuel Pennant* Lord Mayor of the City of *London*; Sir *James Lowther* Baronet, Sir *Nathaniel Curzon* Baronet, Sir *Bouchier Wrey* Baronet, Sir *Walter Blacket* Baronet, Sir *Ciril Wich* Baronet, Sir *Richard Lloyd* Knight, *Edward Vernon* Eſquire, *William Whitaker*, *Stephen Theodore Janſſen* and *Slingſby Bethel*, Eſquires, Aldermen of the City of *London*; Lieutenant General *Roger Handaſyd*, Lieutenant General *Richard Onſlow*, Lieutenant General *James Oglethorpe*, *Thomas Fonnereau* Eſquire, *Velters Cornewall* Eſquire, *William Willy* Eſquire, *George Doddington* Eſquire, *William Northey* Eſquire, *Charles Grey* Eſquire, *William Davis* Eſquire, *Edward Stevenſon* Eſquire, *Paul Humfrey* Eſquire, *John Edwards* Eſquire, *Francis Craſteyne* Eſquire, Meſſieurs *Neufville* and *Schuman*, *Andrew Drummond* Eſquire, Captain *George Stevens*, *Robert Crammond* Eſquire, *Jeffery French* Eſquire, Maſter *Michael Miller* of *Briſtol*, Maſter *Robert Mackay*, Maſter *Jonathan Perry*, Maſter *Richard Baker*, Maſter *William Bowden*, *John Bance* Eſquire, Maſter *Peter Symmond*, *Theodore Cock* Eſquire, *George Dunbar* Eſquire, *Taylor White* Eſquire, Maſter *John Patten*, Maſter *Clark* of the *Old Jewry*, *Michael Wilkins Conway* Eſquire, *Archibald Stuart* Eſquire, *John Spooner* Eſquire, *Arthur Beardſly* Eſquire, Maſter *Roger Hogg* of *Baſinghall Street*, Maſter *William Crammond*, Maſter *Hutchinſon Muir*, Maſter *Robert Scott*, Maſter *George Spence*, Maſter *Robert Cady*, *Richard Taunton* Eſquire, *William Belchier* Eſquire, *William Thornton* Eſquire, *Francis Gwyn* Eſquire, *Peter Delme* Eſquire, *Jonathan Watſon* Eſquire, *Thomas Saluſbury* Eſquire, *Richard Gildart* Eſquire, *John Hardman* Eſquire, *Lawrence Dundas* Eſquire, *Thomas Curtis* Eſquire, *Michael Beecher* Eſquire, *Joſeph Percival* Eſquire, *Edward Ironſide* Eſquire, Alderman of the City of *London*; *George Walker* Eſquire; and all and every Perſon and Perſons, Bodies Politick and Corporate, who, in their own Right, or as Executors, Adminiſtrators, Succeſſors or Aſſigns, derived or to be derived from, by, or under, the original Proprietors, at any Time or Times hereafter, ſhall have, and be intitled to, any Part, Share or Intereſt of or in the Capital Sum of five hundred thouſand Pounds herein after mentioned, ſo long as they reſpectively ſhall have any ſuch Part, Share or Intereſt therein, to be one Body Politick and Corporate, in Deed and in Name, by the Name of *The Society of the Free* Britiſh *Fiſhery*; and by that Name to have a Succeſſion to continue for the Term of twenty-one Years, and to have a common Seal, with Power, from time to time, to chuſe their Governor, Preſident, Vice Preſident, Council and other Officers, in ſuch Manner, and under ſuch Qualifications, with regard to the Electors and Elected, as ſhall be directed in ſuch Letters Patent; the firſt Governor, Preſident, Vice Preſident and Council, being qualified in the like Manner as all ſubſequent Governors, Preſidents, Vice Preſidents and Council, ſhall, by the ſaid Letters Patent, be directed to be qualified, and to continue in their reſpective Offices for the Space of three Years, from the Date of the ſaid Letters Patent.

His Majeſty impowered to grant Letters Patent to incorporate the Perſons he ein mentioned,

by the Name of the Society of the Free Britiſh Fiſhery; for 21 Years.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, by the ſaid Letters Patent of Incorporation, to impower the ſaid Society to make By-laws from time to time, for the Regulation and Government of the ſaid Society; and for the Regulation and Management of the ſaid Trade and Commerce which ſhall be carried on by them; and for the curing, ſorting and packing their White Herrings in ſuch Manner, as effectually to ſecure the Credit of the ſaid Commodities in Foreign Markets; and for the Government of the Servants, and others employed by the ſaid Society in the ſaid Fiſheries.

Society impowered to make By-laws;

III. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Society, from time to time, to direct what Seals or Marks they ſhall think proper to be put on all or every Barrel or Caſk of their Fiſh; and that if any Perſon or Perſons whatſoever ſhall counterfeit ſuch Seal or Mark, or ſhall knowingly affix ſuch Seal or Mark, ſo counterfeited, to any Barrel or Caſk of Fiſh not belonging to the ſaid Society, ſuch Perſons ſhall forfeit and pay the Sum of five hundred Pounds for each Offence, to be recovered by Action, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Seſſion in that Part of *Great Britain* called *Scotland*; the one Moiety to be paid to the ſaid Society, and the other Moiety to be paid to ſuch Perſon or Perſons as ſhall ſue for the ſame.

and to direct what Seals or Marks ſhall be put on every Barrel of Fiſh, Penalty of counterfeiting the ſame.

IV. And be it further enacted, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, by his ſaid Letters Patent, to impower the ſaid Society, by a voluntary Subſcription, to raiſe the Sum of five hundred thouſand Pounds; which ſaid Sum, when ſo raiſed, ſhall be the Capital Stock of the ſaid Society; and to direct how the Property of the Perſons ſubſcribing may be aſcertained, transferred and alienated.

The Society impowered to raiſe a Capital of 500,000 l.

V. And

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for his said Majesty, his Heirs and Successors, by the said Letters Patent, to impower the said Society, or such Part thereof, as shall in the said Letters Patent be for that Purpose named, to make Calls, and direct the Payment of any Part of the said Sum of five hundred thousand Pounds, which any Person or Persons shall subscribe towards carrying on the said Undertaking, at such Times as the said Society, or such Part thereof as shall be for that Purpose named, shall direct and appoint; so as the first Payment directed to be made, shall be made within the Space of thirty Days from the Time of such Subscription, and be after the Rate of ten Pounds by the Hundred of the whole Sum subscribed, and so as the second Payment be after the Rate of ten Pounds by the hundred of the Sum subscribed; and that the other Payments be pursuant to the Direction of a general Court of the said Society, which shall be for that Purpose assembled, or a Majority of them; and in case any Person or Persons shall refuse or neglect to pay any Money which shall be so called for by the said Society, at the Times when the same shall be appointed to be paid, Notice of such Call being given in the *London Gazette* by the said Society at least thirty Days before the Day appointed for such Payment, it shall be lawful for the said Society to sell and dispose of so much of the Share or Stock of the Person or Persons so neglecting or refusing, as shall produce the Sum which such Person or Persons ought to have paid on such Call; provided that all such Money which shall be so subscribed and directed to be paid, shall be paid into the Bank of *England*, on Account of the said Society.

and to make Calls for Payment of the Subscriptions. The Times of Payment, and the Sums. The Society may sell the Shares of those to refuse to pay, after Notice of Call in the Gazette. Subscriptions to be paid into the Bank.

VI. And be it further enacted, That for an Encouragement to such Persons as shall become Subscribers to the said Stock for carrying on the said Fisheries, that the Sum of three Pounds by the Year, for each hundred Pounds which shall be actually employed in the said Fishery, and proportionably for any greater or lesser Sum, shall be paid to the Proprietors of the said Stock, for and during the Space of fourteen Years from the Date of the said Charter, out of the Customs, by the Receiver General of his Majesty's Customs, by equal Half-yearly Payments; and to the End it may be known, what Sums shall from time to time be actually expended or employed by the said Society in the said Fishery, an Account shall be delivered to the Commissioners of his Majesty's Customs of the Sums which shall be so expended or employed; and the said Account shall be produced by the Accomptant of the said Society, who shall, if required by the Commissioners, produce his Vouchers, distinguishing the several Articles in which the said Sums shall be so expended or employed, which Account shall be signed by Three, at least, of the Council of the said Society, as an Attestation that they have examined the said Account, and believe the same to be just; and such Account shall also be attested by the Oath of the Accomptant of the said Society, that he believes the same to be a just and true Account; which Oath shall be made before any Two Commissioners of his Majesty's Customs (who are hereby impowered and required to administer the said Oath) and shall be wrote at the Foot of the said Account; and the said Oath and Account shall be left in the Custody of the Commissioners, and thereupon they, or any three of the said Commissioners, shall make Order that Payment be made by the Receiver General of his Majesty's Customs to the said Society, or such Person as shall be by them impowered to receive the same, after the Rate aforesaid, for such Sums as by such Account shall appear to be so actually employed or expended by the said Society, in or on account of the said Fishery.

3 l. per Cent. per Annum, for the Sums employed in the Fishery to be paid to the Society for 14 Years. An Account of the said Sums to be given annually to the Commissioners of the Customs.

VII. Provided, and be it further enacted by the Authority aforesaid, That the said Society shall employ the Sum of one hundred thousand Pounds at least in the said Fisheries, within the Space of eighteen Months after the Date of such Subscription; and that for the Manifestation of the Sums which shall be so employed by the said Society, the Accounts of the said Society shall be annually laid before Parliament; and if Loss should arise by any Year's Adventure, and there should be Gain by the succeeding Years, the said Gain shall be applied so as to complete and make good the Vessels and Fishing Stock, to the full Value of the said original Sum of one hundred thousand Pounds, before any Dividend shall be made out of the said Gain.

100,000 l. to be employed in the Fisheries within 18 Months from the Date of the Subscription. The Accounts to be laid before Parliament.

VIII Provided always, and be it enacted by the Authority aforesaid, That such Sums as shall *bona fide* be contracted to be paid within six Months, shall be deemed employed within the Sense and Meaning of this Act, in case so much Money of the said Company as will be sufficient to answer the said Contracts respectively, shall, at the Time of making the same, be in the Bank of *England*, and there remain for the Purpose of paying the same; such Contracts being in Writing, and signed or executed in the Presence of two Witnesses.

Sums contracted to be paid in 6 Months, deemed to be employed.

IX. And be it further enacted by the Authority aforesaid, That no Transfer shall be made of any of the said Stock or Share of or in the said five hundred thousand Pounds, for the Space of five Years from the Date of the said Charter; but that the same shall be absolutely void to all Intents and Purposes whatsoever.

No Transfer to be made of the Stock for five Years.

X. Provided always, That it shall and may be lawful for the Executors and Administrators or Devisees of any Person or Persons who shall happen to die possessed of, or interested in any such Stock or Share of or in the said five hundred thousand Pounds, and also for the Assignees under any Commission of Bankrupts, to transfer such Stock or Shares, and dispose of the Produce thereof, in such Manner, as they may by Law dispose of any other Effects of such Testator, Intestate or Bankrupt.

Executors and Assignees of Bankrupts, &c. may transfer.

XI. And be it fu ther enacted, That as a further Encouragement to all Persons whatsoever, as well Bodies Politick and Corporate as others, and also the Persons who shall be so incorporated, to engage in the said White Herring Fisheries, that a Bounty of thirty Shillings *per* Ton shall be paid annually, out of such Sums as shall be produced out of his Majesty's Customs, to the Owner or Owners of all Decked Vessels, from twenty to eighty Tons Burthen, which shall be built, after the Commencement of this Act, for the Use of the said Fisheries, and fitted out and employed in the said Fisheries, whether by the said Society, or any other Person or Persons whatsoever, in Manner, and under the Regulations herein after-mentioned.

30 s. per Ton Bounty to be paid out of the Customs, for Decked Vessels built for the Fisheries.

XII. And be it further enacted, That every such Buss or Vessel, which shall be employed in the said White Herring Fisheries, by the said Society, or whose Owners shall be intitled to the Bounty of thirty Shillings *per* Ton, by virtue of this Act, shall be a Decked Buss or Vessel, built in *Great Britain*, after the Commencement of this Act; and shall proceed on the said Fishery from some Port in *Great Britain*, manned and navigated

Conditions of the Bounty.

navigated as by the Law now in Force is directed; and before such Buss or Vessel proceed on such Voyage, or be intitled to the Benefit of this Act, she shall be visited by such Officer or Officers of the Customs belonging to such Port, who shall be appointed by the Commissioners of the Customs to examine into such Buss or Vessel; and who shall take an Account of the Tonnage thereof by Admeasurement, and shall certify such his or their Visitation, Examination and Admeasurement, to the Commissioners of his Majesty's Customs, and that she hath on Board such a Quantity of Fishing Nets and other Stores to be used in the said Fishery, as herein after are mentioned, and otherwise is a proper Vessel to be employed in the said Fishery: And, upon its further appearing by the Oath of one or more Owner or Owners, or Agent appointed by them, or of a proper Officer or Agent of the said Society (who shall be appointed for that Purpose) and of the Master or Chief Officer of such Vessel, written at the Foot of the said Certificate, and made before the Collector and Comptroller of such Port, who are hereby impowered and required to administer the same, That it is really and truly their firm Purpose and determined Resolution, that such Buss or Vessel shall proceed respectively, so manned, furnished and accoutred, either to *Brassey's Sound* in *Shetland*, and be at the Rendezvous of the said Fishery there, on or before the eleventh Day of *June*, and shall not shoot or wet their Net before the thirteenth Day of the said Month of *June*, and shall continue following and fishing amongst the Shoals of Herring, as they move Southward, to the first Day of *October*, or shall proceed to *Campbell Town* in *Argyllshire*, and be at the Rendezvous of the said Fisheries, on or before the first Day of *September*, and shall continue fishing among the Shoals of Herring, as they move, to the thirty-first Day of *December*, unless they shall have sooner compleated their Loading of Fish; and shall fish in an orderly and regular Manner, without impeding or obstructing other Vessels which shall be employed in the said Fishery; and shall keep a Journal of their Proceedings, and an Account of what Quantities of Fish they shall dispatch away to Foreign Markets in their Jaggers or Tenders, before they come into Port, besides the particular Quantity they shall bring into Port with them: And if, after such Certificate had, and Oath made, such Owner or Owners, or Officer or Agent of the said Society, and Master or Chief Officer of such Vessel, as aforesaid, do also become bound, with two sufficient Sureties, unto his Majesty, his Heirs and Successors, in the Penalty of such Sum as shall be equal to treble the Bounty on the Tonnage of his Vessel, intended by this Act (which Bond the Collector, with the Approbation of the Comptroller, is hereby required to take, and is to be in Force for the Space of three Years, against the Master and his Sureties) for the faithful Dealing of his said Master and Ship's Company, in regard to the said Vessel and Voyage; then and in such Case, it shall and may be lawful for the Collector and Comptroller of such Port to give and grant, and they are hereby required to give and grant to the Master and Owners of such Buss or Vessel, full Licence and Authority to proceed on such Voyage as aforesaid.

How every Vessel employed in the Fishery shall be qualified, &c.

XIII. And to prevent any Disputes which may arise, whether a Vessel be properly qualified and duly fitted out for the Herring Fishery, according to the true Intent and Meaning of this Act, and intitled to a Certificate from the Custom-house Officers; it is hereby enacted, That every such Vessel shall be a decked Vessel, built in *Great Britain*, after the Commencement of this Act, and shall have on Board twelve *Winchester* Bushels of Salt for every Last of Fish, which such Vessel is capable of holding, which Salt shall be barrelled up in new Barrels, and as many more new Barrels as such Buss or Vessel is capable of carrying, and shall have two Fleets of Tanned Nets, proper for the Herring Fishery; that is to say, That every such Buss or Vessel of the Burthen of seventy Tons, and designed for this Fishery, shall on her proceeding to Sea, have on Board one Fleet of fifty Nets, each Net to be thirty Yards full upon the Rope, and seven Fathoms deep, and so in Proportion for any Vessels of a greater or lesser Tonnage, and be provided with one other Fleet of fifty like Nets, on Board a Jagger or Tender, which is to attend the said Fishery, or left on Shore in a proper Place, for the Use of the said Buss or Vessel.

Vessels of 20 Tons to have on Board 6 Men, &c.

XIV. And be it further enacted, That every such Vessel of twenty Tons, which shall be employed in the said Fishery, shall have on Board at such of the Places aforementioned, as shall be appointed for their Rendezvous, not less than six Men, and every Vessel of greater Burthen, shall, over and above the six Men aforesaid, have one for every five Tons which she shall exceed twenty Tons.

Officer of the Customs to go on Board every Vessel at her Return; who is to certify the Tonnage, and Names of the Master, &c.

XV. And be it further enacted by the Authority aforesaid, That on the Return of such Vessel into any Port of *Great Britain*, for her Discharge, the Chief Officer of the Customs, or such other Officer of the Customs as he shall appoint at such Port, shall immediately repair on Board such Vessel, and view the Condition of such Vessel and her Lading, and certify the same, together with their Observations thereon, and also the real Tonnage of the said Buss or Vessel, and the said Officers are also to take an Account of the Names of the Master and other Persons on Board, and to certify the same; and the Master shall make Oath before the Collector and Comptroller of such Port (who are hereby impowered and required to administer the same) which shall be wrote on the Back of, or annexed to the Licence granted as aforesaid, and which they are hereby required to deliver up, and what they did in pursuance thereof, that such Vessel was at one of the Places before-mentioned, at the Time appointed by this Act, and has not since been on any other Voyage, or pursued any other Design or View of Profit, and that they did remain fishing according to the Direction of this Act, and had at the Time of their Rendezvous the Quantity of Nets and other Stores, and Number of Men herein before directed to be on Board the said Vessel, and Jagger or Tender, or left on Shore as aforesaid; all which Certificate, Schedule, Licence and Oath, together with the Account of the Fish taken by the said Vessel, shall be transmitted by the Collector and Comptroller of such Port, to the respective Commissioners for that Part of *Great Britain*, from whence the Buss or Vessel departed with her Licence; and such Commissioners being fully satisfied of the faithful Dealings of the Master, and other Persons employed in such Vessels, with respect to such Voyage and Fishing, shall, on Demand, cause Payment to be made to the Owner or Owners, or to his or their Assigns, by the Receiver General of the Customs, the Sum of thirty Shillings *per* Ton, according to the Admeasurement of such Vessel, duly certified as aforesaid.

The Master to make Oath, that his Vessel was at one of the Places before mentioned.

Certificate, &c. to be transmitted to the Commissioners from whence the Vessel departed; who are to cause Payment to be made of 30 s. per Ton.

Bounty of 30 s. per Ton to be paid yearly for 14 Years.

XVI. Provided always, That such Bounty of thirty Shillings *per* Ton aforesaid, shall be paid yearly, during the Space of fourteen Years, from the Commencement of this Act, and no longer, upon conforming to the Regulations of this Act.

XVII. Provided

This Act not to exclude any of his Majesty's Subjects.

XVII. Provided also, That nothing in this Act shall be construed to extend to exclude any of his Majesty's Subjects, who shall not be Members of the said Society, or employed by them, from fishing, or carrying on the White Herring and Cod Fisheries, and any other whatsoever, in such Manner as they might have done, in case this Act had never been made.

'XVIII. And whereas the Encouragement above-mentioned ought to be extended, as far as may be, to 'all the Subjects of *Great Britain:* And whereas the supporting and enriching the Cities and Towns, being 'Ports, will be for the Security and Good of the Realm, by augmenting the Navigation, and strengthening 'the Sea Coasts;' Be it therefore enacted, That any Number of Persons, who shall subscribe ten thousand Pounds, or upwards, into the Stock of the said Society, and shall carry on the said Fishery under their own Management, and on their own Account of Profit and Loss, conformably nevertheless to Directions of this Act, and of the said intended Charter, except as to their being obliged to use the Marks of the said Society, and from the Port named by them, if they do subscribe under the Name of *The Fishing Chamber* of such City, Town or Port respectively; and shall send their Account of Monies expended in the said Fisheries, which Account shall be attested by three of the Committee, to be appointed by the Majority of such Subscribers, for managing the Matters of the said Chamber, and be also signed by a Person to be appointed by the Majority of such Subscribers, to be the Accomptant of the said Chamber, who shall make Oath before one of his Majesty's Justices of the Peace, that he verily believes the same is a true Account, the Vouchers whereof he shall produce, if required; the said Account shall be transmitted to the Governor and Council of the said Society at *London*; and the Accomptant of the said Society at *London* shall be impowered, and is hereby required to enter the same, as a Sum expended in the said Fisheries, by the said Society, in the Account which he shall deliver in to the Commissioners of the Customs, as aforesaid; and the said Chamber shall be intitled to, and receive yearly, three Pounds for every hundred Pounds, in the same Manner as the Society do for any other Monies employed in the Fishery by the said Society, after deducting the necessary Charges and Expences arising from the Receipt of the same.

Persons subscribing 10,000 l. under the Name of The Fishing Chamber, who shall send their Accounts to the Society of London, shall be intitled to 3 l. per Cent. per Annum.

Fishing Chambers not to have any Profit, &c. from the Trade of the Society.

XIX. Provided also, That such Chambers which shall so trade or fish on their own Account, shall not have any Profit or Loss arising from the Trade of the said Society.

Receiver General to pay yearly 3 l. per Cent. to the Society in London, who are to pay over the same to the respective Fishing Chambers.

XX. Provided always, That the Receiver General of his Majesty's Customs shall pay yearly the said Sum of three Pounds for every hundred Pounds, unto the said Society in *London*, or to such Person or Persons, as shall be by them impowered to receive the same; and the said Society shall pay over the said yearly Sum of three Pounds for every hundred Pounds, deducting thereout the necessary Charges of receiving the same, unto the respective Fishing Chambers intitled thereto, or to such Person or Persons as shall, by the said Chambers respectively, be impowered to receive the same.

Concerning Fishery see farther 26 *Geo.* 2. *c.* 9. 28 *Geo.* 2. *c.* 14. 29 *Geo.* 2. *c.* 23 & 39. 30 *Geo.* 2. *c.* 21 & 30. 33 *Geo.* 2. *c.* 27.

CAP. XXV.

An Act for making good a Deficiency upon the Revenue of the Office of Keeper or Clerk of the *Hanaper*, and for preventing any future Deficiency therein, to answer the publick Services provided for out of the same; and for augmenting the Income of the Office of Master or Keeper of the Rolls.

12 Geo. 1. c. 33.

'WHEREAS by an Act of Parliament made and passed in the twelfth Year of the Reign of his late 'Majesty King GEORGE the First, intituled, *An Act for Relief of the Suitors of the High Court of* 'Chancery; after reciting (amongst other Things) That *Fleetwood Dormer* and *John Borrett*, Esquires, both 'deceased, formerly Masters of the said Court, and *Richard Godfrey* and *Edward Conway*, Esquires, then 'Masters of the same Court, had been deficient in answering the Money and Effects ordered by the Court 'into their Hands, and which Deficiency, after deducting what should be made and produced out of the 'Estates and Effects of the said deficient Masters, and the Sum of thirty thousand Pounds given by his Ma'jesty, on the Address of the House of Commons, towards the Relief of the said Suitors, amounted, ac'cording to the then Computation, to the Sum of fifty-one thousand eight hundred fifty-one Pounds nine'teen Shillings and eleven Pence Farthing, besides several other Claims on the Offices of four of the said 'deficient Masters remaining, and which, if allowed, would greatly increase the said Deficiency; it was, for 'the Relief of the said Suitors, and making a Provision for Payment of their just Debts and Demands, en'acted, That there should be raised, collected and paid, throughout *England*, the Dominion of *Wales* and 'the Town of *Berwick* upon *Tweed*, for the Term of sixteen Years, from the second Day of *August* one 'thousand seven hundred and twenty-six, for every Piece of Vellum, Parchment or Paper, upon which any 'Original Writ (except such Original on which a Writ of *Capias* issues) *Subpœna*, Bill of *Middlesex*, *La'titat*, Writ of *Capias*, *Quo minus*, Writ of *Dedimus Potestatem* to take Answers, examine Witnesses, or 'appoint Guardians, or any other Writ whatsoever, or any other Process or Mandate that should issue out 'of, or pass the Seals of any of the Courts at *Westminster*, Courts of Great Sessions in *Wales*, Courts in 'Counties Palatine, or any other Court whatsoever holding Plea where the Debt or Damage doth amount 'to forty Shillings, or above, or the Thing in Demand is of that Value, should be ingrossed or written (Writs 'of Covenant for levying Fines, Writs of Entry for suffering Common Recoveries, and Writs of *Habeas Cor'pus*, always excepted) the Sum of six Pence; for every Piece of Vellum, Parchment or Paper upon which 'any Entry of any Action in the Mayor's or Sheriffs Courts of *London*, and in Courts in all Corporations, 'and other Courts whatsoever, out of which no Writs, Process or Mandates issue, holding Plea where the 'Debt or Damage doth amount to forty Shillings, or above, shall be ingrossed or written, the Sum of six 'Pence; and for every Piece of Vellum, Parchment or Paper, upon which should be ingrossed or written

'any Citation or Monition made in any Eccleſiaſtical Court, the Sum of ſix Pence; and the ſaid Sums and 'Duties ſo to be raiſed and collected, were thereby appointed to be under the Direction and Management 'of the Commiſſioners of the Stamp Duties; and ſuch Proviſion was made for the levying, receiving and 'enforcing the Payment of the ſame, as in the ſaid Act is mentioned, expreſſed and provided in that Be-'half: And it was thereby enacted, That the Money thereby to be raiſed and collected, ſhould be paid into 'the Bank of *England*; and the ſaid Court of *Chancery* was thereby impowered to borrow any Sum of Mo-'ney upon the Fund thereby granted, not exceeding in the Whole the Sum of ſixty thouſand Pounds: And 'it was thereby alſo enacted, That all the Money then depoſited, or thereafter to be depoſited in the Bank, 'on Account of the Suitors of the ſaid Court of *Chancery*, or by Order of the ſaid Court, and all the Mo-'nies ariſing by the Rates and Duties given by the ſaid Act, or borrowed thereon, and paid into the Bank, 'ſhould be accounted and taken to be one common and general Caſh, and ſhould be promiſcuouſly iſſued 'and iſſueable when and as the Court of *Chancery* ſhould direct, for the anſwering, paying and clearing 'the Debts and Demands of any of the Suitors of the ſaid Court: And whereas by another Act of Parlia-
9 Geo. 2. c. 32. 'ment made in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for continuing, for the 'Purpoſes therein mentioned, the additional Duties upon ſtamped Vellum, Parchment and Paper, laid by an Act 'paſſed in the twelfth Year of the Reign of his late Majeſty King* GEORGE *the Firſt*, after taking Notice of the 'ſaid former Act, and that upon ſtating the total Deficiency of the ſaid four Maſters, and the Produce of the 'Fund made liable to, and appropriated for Payment of the ſame, it appeared that the Deficiency ſtanding 'out on the eighth Day of *March* one thouſand ſeven hundred and thirty-five, on the Offices of the ſaid four 'Maſters, was reduced to the Sum of twenty-four thouſand eight hundred ninety-one Pounds nine Shil-'lings and ten Pence; and that there was due from *John Bennett* Eſquire, one other of the Maſters of the 'ſaid Court of *Chancery*, to *Humphrey Bell* a Suitor of the ſaid Court therein mentioned, the Sum of 'eleven thouſand four hundred eighty-five Pounds four Shillings and five Pence, with Intereſt; and that 'the ſaid *John Bennett* had no Eſtate or Effects left to ſatisfy the ſaid Debt, or any Part thereof; and that 'it was computed that the Duties granted by the former Act, would not be ſufficient to raiſe the ſaid two 'Sums of twenty-four thouſand eight hundred ninety-one Pounds nine Shillings and ten Pence, and 'eleven thouſand four hundred eighty-five Pounds four Shillings and five Pence, unleſs the ſaid Duties were 'farther continued, and the Time for raiſing the ſame enlarged, it is enacted, That the ſaid Duties granted 'by the ſaid former Act, ſhould be continued, and be payable and paid upon the ſeveral Writs and Law 'Proceedings therein mentioned, for the farther Term of four Years, to be computed from the ſecond Day 'of *Auguſt* one thouſand ſeven hundred and forty-two; and that out of the Money which had ariſen, and 'been collected by and out of the Duties directed to be levied by the ſaid former Act, the ſaid Sum of 'eleven thouſand four hundred eighty-five Pounds four Shillings and five Pence, ſhould be iſſued and paid 'out of the general and common Caſh of the Bank, when and as the ſaid Court of *Chancery* ſhould direct, 'in Satisfaction of the ſaid Debt due from the ſaid *John Bennett*, as aforeſaid: And it is thereby provided, 'enacted and declared, That when and as ſoon as the Deficiency of the Suitors Money thereby, and by 'the ſaid former Act directed and appointed to be anſwered and paid, and all Money to be borrowed on the 'Credit of the ſame if neceſſary, ſhould have been fully paid and ſatisfied; then, and from thenceforth, all 'the Surplus Money which ſhould have been raiſed out of the ſaid Duties, given, granted and continued 'by the ſaid above-mentioned Acts, over and beyond what ſhould be ſufficient for anſwering ſuch De-'ficiency, and Money lent, ſhould be reſerved for the Benefit of the Publick, and ſhould not be applied 'to any other Uſe or Uſes than ſuch as ſhould be thereafter directed by Parliament: And whereas the ſaid 'Deficiency, and all the Money provided and directed to be paid by the ſaid former Acts, or either of 'them, by and out of the Fund thereby appropriated for that Purpoſe, have been fully paid and ſatisfied, 'and there now remains in the Bank of *England* as a Surplus of the ſaid Fund unapplied, the Sum of thir-'teen thouſand ſix hundred ninety-eight Pounds one Shilling and eleven Pence, ſubject to the Diſpoſition of 'Parliament: And whereas the Office of Keeper or Clerk of the *Hanaper* in *Chancery* is a very ancient Of-'fice, held and enjoyed by Grant from his Majeſty's Royal Predeceſſors, Kings and Queens of this Realm, 'and the yearly Revenue thereof, conſiſting of ſeveral certain yearly Rents or Sums, reſerved upon Grants 'made by the Crown of the ſeveral Offices, commonly called the *Seal* or *Green Wax Office*, the *Alienation 'Office*, and the *Sixpenny Writ Office*, in *Chancery* (the Grant of which laſt-mentioned Office is now ex-'pired and determined) and alſo of Fees paid upon Grants, Commiſſions and other Patents paſſing under 'the Great Seal, which are uncertain and contingent, hath conſtantly been iſſued and applied in and for 'the Payment of ſeveral ancient Fees, Salaries and Allowances belonging to the Lord Chancellor, or Lord 'Keeper of the Great Seal, the Maſter of the Rolls, the Maſters in *Chancery*, Clerk of the Parliaments, 'and other Officers attending the Parliament and Great Seal, and of ſeveral Bills and Diſburſements always 'paid and allowed out of the Revenues of the *Hanaper* Office: And whereas the Office of Maſter or Keeper 'of the Rolls, is an Office of great Truſt and Conſequence to the Publick, and the Revenue belonging 'thereto is not adequate to the Trouble, Dignity and Importance of the ſaid Office: And whereas the In-'come or Revenue of the ſaid Office of the *Hanaper*, hath not for ſeveral Years laſt paſt been ſufficient 'to anſwer and pay the ſeveral Fees, Salaries, Allowances and Diſburſements, iſſuing and payable out of 'the ſame; and there remained due and in Arrear, at *Michaelmas* one thouſand ſeven hundred and forty-'nine, to the ſeveral Perſons claiming and intitled to ſuch Fees, Salaries, Allowances and Diſburſements 'reſpectively, ſeveral Sums of Money, amounting together to the Sum of ten thouſand five hundred ninety 'Pounds twelve Shillings and eleven Pence; and as the Revenue of the *Hanaper* Office will, in all Pro-'bability, ſtill continue to be deficient, not only the preſent Debt upon the ſaid Office will be loſt, but the 'Services to which the ſame for the future are to be applied, will remain unprovided for:' Wherefore, and in order to make a Proviſion for the Payment of the ſaid Debt, and Arrears incurred upon the *Hanaper* Office; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Au-

thority of the same, That out of the said Sum of thirteen thousand six hundred ninety-eight Pounds one Shilling and eleven Pence, now remaining in the Bank of *England*, as the Surplus unapplied, of the Fund given and granted by the said former Acts of Parliament, for the Purposes therein mentioned, and so reserved for the Disposition of Parliament as aforesaid, there shall be issued and paid such Sums of Money, not exceeding in the Whole, the said Sum of ten thousand five hundred and ninety Pounds twelve Shillings and eleven Pence, herein before-mentioned, to be due and in arrear at *Michaelmas* one thousand seven hundred and forty-nine, to the Creditors upon the Office of Keeper or Clerk of the *Hanaper* as aforesaid, when, and as the Court of *Chancery* shall order and direct, in Satisfaction of the said Debt, and Arrears to the several Persons intitled to the same respectively; and as often as the Accomptant General of the said Court shall, in pursuance of any such Order of the said Court, give a Draught upon the Bank of *England*, for any of the said Debts or Arrears, Certificates thereof from the said Accomptant General (which Certificates he is hereby required to make without Fee or Reward) shall be transmitted to the Keeper or Clerk of the *Hanaper*, together with proper Vouchers of the Payment of the said Debts and Arrears, specifying to whom such Payments shall have been made, and to what Time the same shall extend, to the end the same may be brought into the Account of the Keeper or Clerk of the *Hanaper*, to be by him passed before one of the Auditors of the said Revenue; and all such Certificates shall, from time to time, be filed in the said Office of Keeper or Clerk of the *Hanaper*, and the Vouchers to be transmitted therewith, are to be delivered over to the said Auditor.

Out of the Sum of 13,698*l.* 1*s.* 11*d.* Surplus unapplied, 10,590*l.* 12*s.* 11*d.* is to be paid to the Creditors of the Hanaper, as the Court of Chancery shall direct.

Certificates of the Draughts for Payment to be transmitted to the Clerk of the Hanaper, &c.

Certificates to be filed, and the Vouchers delivered to the Auditor.

II. And your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, being desirous to provide for and supply any future Deficiency of the Income and Revenue of the said *Hanaper* Office, to answer the several Services aforesaid, and to discharge the several Fees, Salaries and Allowances, issuing and payable out of the said Revenue; and being also desirous to augment the Revenue of the Office of Master or Keeper of the Rolls; do give and grant unto your Majesty, for the Purposes aforesaid, the several Duties granted by the said first recited Act, upon the several Writs and Law Proceedings therein mentioned, to be respectively applied and disposed of, in the Manner, and for the Purposes herein after-mentioned, expressed and declared; and therefore do most humbly beseech your Majesty, that it may be enacted; and be it further enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Duties granted by the said Act of the twelfth Year of the Reign of his late Majesty, for the Term of sixteen Years, and continued by the said Act of the ninth Year of the Reign of his present Majesty, for the farther Term of four Years, and which expired in the Month of *August* one thousand seven hundred and forty-six, shall be, and the same are hereby revived, and shall by virtue of this Act be payable and paid upon the several Writs and Law Proceedings in the said former Acts mentioned, from the twenty-fourth Day of *June*, which shall be in the Year of our Lord one thousand seven hundred and fifty, for ever; and that all the Penalties, Powers, Remedies, Provisions and Directions in the said former Acts provided and contained, for and concerning the raising, levying, collecting, securing and managing the same, and defraying the Expences thereof, shall be revived, and be, from time to time, and at all Times from thenceforth, applied, exercised, practised and executed, as fully to all Intents and Purposes, as if the same had been or were in this Act repeated, and again particularly enacted.

Duties payable upon Writs, &c. granted by 12 Geo. 1. continued for ever;

to commence from 24 June 1750.

III. And it is hereby further enacted by the Authority aforesaid, That all and every the Officer and Officers, who shall be concerned in the raising, levying, collecting, receiving, managing and applying the Duties arising by virtue of and under this Act, shall and do keep separate and distinct Accounts thereof, and pay the same into the Receipt of his Majesty's Exchequer at *Westminster*, weekly on every *Wednesday*, unless it be an Holy-day; and in that Case on the next Day after which shall not be an Holy-day.

Officers to keep distinct Accounts of the Duties, and to pay the same into the Exchequer Weekly.

IV. And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the said Exchequer a Book or Books, wherein a separate and distinct Account of all the Money to be paid in weekly in pursuance of this Act, shall be entered and kept, and that out of the Money arising and to be produced, by and from the Duties granted by this Act, and hereby directed to be paid into the said Receipt of Exchequer as aforesaid, there shall be issued and paid unto the Keeper or Clerk of the *Hanaper* Office for the time being, or his Deputy, a yearly Sum not exceeding the Sum of three thousand Pounds of lawful Money of *Great Britain*, by equal Half-yearly Payments, at or on the twenty-fifth Day of *March*, and twenty-ninth Day of *September*, in every Year; the first Payment thereof to begin and to be made, at or on the twenty-ninth Day of *September*, which will be in the Year of our Lord one thousand seven hundred and fifty (for the issuing of which yearly Sum, no Fee or Gratuity whatsoever shall be demanded or taken) and that the Receipt or Receipts of the Keeper or Clerk of the *Hanaper* for the time being, or his Deputy, shall from time to time, be a sufficient and effectual Discharge for the same.

Books to be kept for entering the Monies arising by the Duties.

3,000*l.* to be paid yearly out of the same to the Clerk of the Hanaper, Half-yearly.

V. And be it further enacted, That the Residue of the said thirteen thousand six hundred ninety-eight Pounds one Shilling and eleven Pence, Surplus Cash in the Bank of *England*, after Satisfaction of the said Debt, due from the Keeper or Clerk of the *Hanaper* in *Chancery*, at *Michaelmas* one thousand seven hundred and forty-nine, as aforesaid, shall be placed out at Interest on Government Securities, under the Direction of the said Court of *Chancery*, in the Name and with the Privity of the Accomptant General of the said Court, and placed to the Account of the Keeper or Clerk of the *Hanaper* in *Chancery*, and that the Interests or Dividends, and yearly Proceed arising therefrom, be, from time to time, paid to the Keeper or Clerk of the *Hanaper* for the time being, or his Deputy, in order to be applied in Aid of the said revived Duties, to make good the said annual Sum of three thousand Pounds, granted to his Majesty out of the said Duties as aforesaid, and that the Receipt or Receipts of the Keeper or Clerk of the *Hanaper* for the time being, or his Deputy, shall, from time to time, be a sufficient and effectual Discharge for the same.

Residue to be put out at Interest, on Government Securities;

the Interest to be paid to the Clerk of the Hanaper.

VI. And it is hereby further enacted, That the said yearly Sum of three thousand Pounds, so to be paid to, and received by the Keeper or Clerk of the *Hanaper* for the time being, or his Deputy as aforesaid, and also

The said yearly Sums and Interest, to be

accounted for as Part of the Revenue of the Hanaper;

alſo the yearly Intereſt, Dividends and Proceed, which ſhall ariſe or be produced from the Surplus Caſh in the Bank of *England*, as aforeſaid, ſhall, from time to time, as the ſame ſhall come in and be received, be iſſued, paid, applied, and accounted for, together with and as Part of the ordinary Income and Revenue of the *Hanaper* Office, to and for ſuch and the ſame Ends, Intents and Purpoſes, and in ſuch and the ſame Manner, as the Income and Revenue of the ſaid Office hath, from time to time, been iſſued, paid, applied, and accounted for; and alſo for the Payment of the yearly Sum of twelve hundred Pounds, to the Maſter or Keeper of the Rolls for the time being, by equal Half-yearly Payments, at or on the twenty-fifth Day of *March*, and the twenty-ninth Day of *September* in every Year; the firſt Payment thereof to begin and be made at or on the twenty-ninth Day of *September*, which will be in the Year of our Lord one thouſand ſeven hundred and fifty.

and 1,200 l. to the Maſter of the Rolls.

Clerk of the Hanaper to account for Surpluſſes.

VII. And be it further enacted, That in caſe the yearly Income and Revenue of the ſaid Office of Keeper or Clerk of the *Hanaper* augmented by virtue of this preſent Act, ſhall, at any Time or Times hereafter be more than ſufficient to anſwer and pay the ſaid yearly Sum of twelve hundred Pounds to the Maſter or Keeper of the Rolls for the time being, and alſo the ſeveral Fees, Salaries and Allowances paid and payable out of the ſame as aforeſaid, then, and in ſuch Caſe, the ſaid Keeper or Clerk of the *Hanaper* for the time being, ſhall be accountable for ſuch Overplus, and upon a Certificate thereof from one of the Auditors of the Impreſt (which Certificate ſuch Auditor is hereby authorized and required, from time to time, in every ſuch Caſe, to make and tranſmit to the Lord High Treaſurer, or Commiſſioners of the Treaſury for the time being) ſuch Overplus ſhall, from time to time, as often as it ſhall ſo happen, be carried on to the Account of the ſubſequent Year of the ſaid Keeper or Clerk of the *Hanaper*, who ſhall ſtand charged therewith, in ſuch ſubſequent Account, and only ſo much of the ſaid yearly Sum of three thouſand Pounds ſhall be paid to the ſaid Keeper or Clerk of the *Hanaper*, or his Deputy, for and towards the next ſubſequent Payment or Payments, as with ſuch Overplus to be aſcertained by ſuch Certificate as aforeſaid, will be ſufficient to anſwer and pay the ſaid yearly Sum of twelve hundred Pounds to the Maſter or Keeper of the Rolls for the time being, and the ſeveral Fees, Salaries and Allowances paid and payable out of the ſame.

Deficiencies in the Hanaper Office, how to be made good.

VIII. And it is hereby further enacted, That in caſe the yearly Income and Revenue of the ſaid Office of Keeper or Clerk of the *Hanaper*, augmented by virtue of this preſent Act as aforeſaid, ſhall, at any Time or Times hereafter, fall ſhort or prove deficient to anſwer and pay the ſaid yearly Sum of twelve hundred Pounds, to the Maſter or Keeper of the Rolls for the time being, and the ſeveral Fees, Salaries and Allowances paid and payable out of the ſame as aforeſaid, then and in ſuch Caſe, from time to time, as it ſhall ſo happen, it ſhall and may be lawful to and for the Lord High Treaſurer, or Commiſſioners of the Treaſury, or any three of them for the time being, out of any Money that is or ſhall be in the Exchequer, that hath ariſen or ſhall ariſe, by and from the ſaid revived Duties granted and directed to be paid by this Act, not otherwiſe applied by Parliament, to direct ſuch Sum and Sums of Money not exceeding what ſhall have been ſaved in former Years, by leſs having been paid to the ſaid Keeper or Clerk of the *Hanaper* or his Deputy, than the annual Sum of three thouſand Pounds as aforeſaid, to be iſſued and paid unto the Keeper or Clerk of the *Hanaper* for the time being, or his Deputy, as ſhall be neceſſary for the anſwering and ſupplying ſuch Deficiency, ſo from time to time happening, to be aſcertained by a Certificate from one of the Auditors of the Impreſt, to be directed to the Lord High Treaſurer or Commiſſioners of the Treaſury in that Behalf, in the Manner aforeſaid, and that the Receipts of ſuch Keeper or Clerk of the *Hanaper* or his Deputy, ſhall be a good and ſufficient Diſcharge for all ſuch Sum and Sums of Money as ſhall be ſo iſſued and paid as aforeſaid.

Deficiencies of one Year to be made good out of the Surpluſſes of another Year.

IX. Provided always, and it is hereby enacted and declared, That in caſe the ſaid revived Duties, and the Intereſt or yearly Proceed of the ſaid Surplus Caſh in the Bank of *England*, ſhall in any one Year produce leſs, and in another more than the Sum of three thouſand Pounds, then, and in ſuch Caſe, from time to time, as it ſhall ſo happen, it ſhall and may be lawful to and for the Lord High Treaſurer, or Commiſſioners of the Treaſury, or any three of them, for the time being, to order ſuch Deficiencies to be made good out of ſuch Surpluſſes, ſo as the whole Money to be iſſued, paid and applied to the Keeper or Clerk of the *Hanaper* or his Deputy, out of the ſaid Monies ariſing from the ſaid revived Duties, and the Intereſt and yearly Proceed of the ſaid Surplus Caſh in the Bank of *England*, do not one Year with another, exceed the yearly Sum of three thouſand Pounds, deſigned to be provided for the ſaid Office by this Act.

The Surplus of the Duties to be diſpoſed of by Parliament.

X. And it is hereby further enacted, That all the Reſidue and Surplus of the Money ariſing by the Duties and other Proviſions, given, granted, made or directed by this Act, which ſhall, from time to time remain after, and ſhall not be iſſued and applied in and for the Payment of the ſeveral yearly and other Sums of Money hereby directed to be iſſued and paid as aforeſaid, ſhall be, and the ſame is hereby reſerved for the Benefit of the Publick, and ſhall not be applied to any other Uſe or Uſes, than ſuch as ſhall be hereafter directed by Parliament.

CAP.

CAP. XXVI.

An Act to continue several Laws for the better regulating of Pilots, for the conducting of Ships and Vessels from *Dover*, *Deal*, and *Isle of Thanet*, up the Rivers of *Thames* and *Medway*; and for permitting Rum or Spirits of the *British* Sugar Plantations to be landed before the Duties of Excise are paid thereon; and to continue and amend an Act for preventing Frauds in the Admeasurement of Coals within the City and Liberty of *Westminster*, and several Parishes near thereunto; and to continue several Laws for preventing Exactions of Occupiers of Locks and Wears upon the River *Thames* Westward; and for ascertaining the Rates of Water Carriage upon the said River; and for the better Regulation and Government of Seamen in the Merchants Service; and also to amend so much of an Act made in the first Year of the Reign of King GEORGE the First, as relates to the better Preservation of Salmon in the River *Ribble*; and to regulate Fees in Trials at Assizes, and *Nisi Prius*, upon Records issuing out of the Office of Pleas of the Court of *Exchequer*; and for the apprehending of Persons in any County or Place, upon Warrants granted by Justices of the Peace in any other County or Place; and to repeal so much of an Act made in the twelfth Year of the Reign of King CHARLES the Second, as relates to the Time during which the Office of Excise is to be kept open each Day, and to appoint for how long Time the same shall be kept open upon each Day for the future; and to prevent the stealing or destroying of Turnips; and to amend an Act made in the second Year of his present Majesty, for better Regulation of Attornies and Solicitors.

'WHEREAS the Laws herein after-mentioned (which have by Experience been found useful and beneficial) are near expiring;' May it therefore please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the third Year of the Reign of his late Majesty, intituled, *An Act for the better regulating of Pilots for the conducting of Ships and Vessels from* Dover, Deal, *and* Isle of Thanet, *up the Rivers of* Thames *and* Medway; which was to continue in Force for seven Years, and from thence to the End of the then next Session of Parliament; and also a Clause for further regulating the Pilots of *Dover*, *Deal*, and the *Isle of Thanet*, in an Act passed in the seventh Year of the Reign of his late Majesty, which was to be in Force during the Continuance of the said Act of the third Year of his said late Majesty's Reign; which said Act, together with the said Clause, were, by an Act made in the tenth Year of the Reign of his said late Majesty, continued in Force for the further Term of eleven Years, and from thence to the End of the then next Session of Parliament; and which said Act, together with the said Clause, were, by an Act made in the eighth Year of his present Majesty's Reign, further continued until the twenty-fifth Day of *March* one thousand seven hundred and forty-nine, and from thence to the End of the then next Session of Parliament, shall be, and the same are hereby further continued, from the Expiration thereof, until the twenty-fifth Day of *March* one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament.

3 Geo. 1. c. 13.
7 Geo. 1. c. 21. §. 14.
10 Geo. 1. c. 17.
8 Geo. 2. c. 21.
further continued to 25 March 1764.

II. And be it further enacted by the Authority aforesaid, That so much of an Act made in the fifteenth and sixteenth Years of his present Majesty's Reign, intituled, *An Act to impower the Importers or Proprietors of Rum or Spirits of the* British *Sugar Plantations to land the same before Payment of the Duties of Excise charged thereon, and to lodge the same in Warehouses at their own Expence; and for the Relief of* Ralph Barrow *in respect to the Duty on some Rock Salt lost by the Overflowing of the Rivers* Weaver *and* Dane, as relates to the landing of Rum or Spirits of the *British* Sugar Plantations, before Payment of the Duties of Excise, and to the lodging of the same in Warehouses at the Expence of the Importers or Proprietors thereof; which was to continue in Force until the twenty-ninth Day of *September* one thousand seven hundred and forty-nine, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and fifty seven, and from thence to the End of the then next Session of Parliament.

Part of 15 Geo. 2. c. 25. relating to the landing of Rum, &c. before Payment of the Duties,
continued to 29 Sept. 1757.
Farther continued by 31 *Geo.* 2. *c.* 36.

III. And be it further enacted by the Authority aforesaid, That an Act made in the nineteenth Year of the Reign of his present Majesty, intituled, *An Act more effectually to prevent the Frauds and Abuses committed in the Admeasurement of Coals within the City and Liberty of* Westminster, *and that Part of the Dutchy of* Lancaster *adjoining thereto, and the several Parishes of* Saint Giles in the Fields, Saint Mary le Bon, *and such Part of the Parish of* Saint Andrew Holborn, *as lies in the County of* Middlesex, which was to continue in Force from the twenty-fourth Day of *September* one thousand seven hundred and forty-six, for the Term of three Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *December* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament.

19 Geo. 2. c. 35.
continued to 24 Dec. 1750.
'Farther continued by 24 Geo. 2. c. 57. §. 12.' *And again by* 31 *Geo.* 2. *c.* 35. *and* 32 *Geo.* 2. *c.* 27.

'IV. And whereas by the said Act no Penalty is laid either upon the Principal Land Coal-meters, in case 'they shall neglect to station the Labouring Coal-meters at all the several Wharfs within the Limits described in the said Act, or upon the said Labouring Coal-meters, in case they shall neglect to attend and perform their Duty at such Wharfs as in the said Act is directed:' For Remedy whereof, be it enacted by the Autho-

Penalty on the Principal Land Coal-meters, not ſtationing Labouring Coal-meters; and on the Labouring Coal-meters not attending.

Authority aforeſaid, That if the ſaid Principal Land Coal-meters, or either of them, ſhall neglect to ſtation Labouring Coal-meters at all the ſaid reſpective Wharfs, on the Days, and at the Times, which by the ſaid Act are ſpecially directed, ſuch Principal Land Coal-meters, or either of them, ſo neglecting, ſhall, for every ſuch Offence, forfeit the Sum of ten Pounds; and if any Labouring Coal-meter or Coal-meters ſo ſtationed by the Principal Land Coal-meter or Coal-meters at any Wharf, as aforeſaid, ſhall not attend and perform his or their Duty, at the Time, and in ſuch Manner, as by the ſaid Act is ſpecially directed, ſuch Labouring Coal-meter or Coal-meters ſhall, for every ſuch Offence, forfeit the Sum of forty Shillings; which ſaid ſeveral Penalties of ten Pounds, and forty Shillings, ſhall be recovered, levied and applied, in the like Manner as any other Penalty is directed to be recovered, levied and applied by the ſaid Act.

Concerning Coals, ſee farther 30 *Geo.* 2. *c.* 19. 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. 33 *Geo.* 2. *c.* 15.

3 Geo. 3. c. 11.

V. And be it further enacted by the Authority aforeſaid, That an Act made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for reviving and amending an Act made in the ſixth and ſeventh Years of the Reign of his late Majeſty King* WILLIAM *the Third, intituled,* An Act to prevent Exactions of the Occupiers of Locks and Wears upon the River *Thames* Weſtward; and for aſcertaining the Rates of Water Carriage upon the ſaid River; which was to continue in Force from the firſt Day of *May* one thouſand ſeven hundred and thirty, for the Term of nine Years, and from thence to the End of the

13 Geo. 2. c. 18.

then next Seſſion of Parliament; and which, by another Act made in the thirteenth Year of the Reign of his preſent Majeſty, was further continued until the firſt Day of *June* one thouſand ſeven hundred and forty-

20 Geo. 2. c. 47.

ſeven; and which, by another Act made in the twentieth Year of the Reign of his preſent Majeſty, was further continued until the firſt Day of *June* one thouſand ſeven hundred and forty-nine; and which, by

22 Geo. 2. c. 46. continued to 1 June 1751.

another Act made in the twenty-ſecond Year of the Reign of his preſent Majeſty, was further continued until the firſt Day of *June* one thouſand ſeven hundred and fifty, ſhall be, and the ſame is hereby further continued from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament.

EXP. See 24 Geo. 2. c. 8.

2 Geo. 2. c. 36.

VI. And be it further enacted by the Authority aforeſaid, That an Act made in the ſecond Year of his preſent Majeſty's Reign (intituled, *An Act for the better Regulation and Government of Seamen in the Merchants Service)* which was to be in Force for five Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-nine, and from thence to the End of the then next Seſſion of Parliament, and which

8 Geo. 2. c. 21.

Act was by an Act made in the eighth Year of the Reign of his preſent Majeſty, further continued until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-nine, and from thence to the End of

continued to 25 March 1764.

the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued, from the Expiration thereof, until the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-four and from thence to the End of the then next Seſſion of Parliament.

1 Geo. 1. c. 18. §. 14.

'VII. And whereas by an Act of Parliament made in the firſt Year of the Reign of his late Majeſty King GEORGE the Firſt, (intituled, *An Act for the better preventing freſh Fiſh taken by Foreigners, being imported into this Kingdom; and for the Preſervation of the Fry of Fiſh; and for the giving Leave to import Lobſters and Turbuts in Foreign Bottoms; and for the better Preſervation of Salmon within ſeveral Rivers, in that Part of this Kingdom called* England) all Perſons whatſoever were reſtrained under the Penalties, Forfeitures, and Puniſhments therein mentioned, from taking, killing, deſtroying, or wilfully hurting Salmon of any Kind or Size whatſoever, in the River *Ribble* in the County of *Lancaſter*, and other Rivers therein particularly named, between the laſt Day of *July* and the twelfth Day of *November* for ever; which Reſtraint hath been found inconvenient as to the ſaid River *Ribble*, by reaſon that the Time limited for reſtraining the taking Fiſh therein, is not properly ſuited or adapted to the Fiſhing Seaſons there, ſo as to anſwer the Intention of the ſaid Act, but it would be much more advantageous to the Salmon Fiſheries in that River, if Perſons were reſtrained from taking, killing, deſtroying, or wilfully hurting any Salmon in the ſaid River *Ribble*, betwixt the fourteenth Day of *September* and the ſecond Day of *January* yearly, and were at Liberty to take and kill the ſame the Remainder of the Year;' Be it therefore enacted by the

Liberty given to take Salmon in the River Ribble, between 1 Jan. and 15 Sept. yearly.

Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Owners and Proprietors of the Fiſheries and Fiſhings in the ſaid River *Ribble*, and every other Perſon or Perſons intitled to fiſh therein, and their and every of their Leſſees, Tenants, Servants and Agents, and every of them, at any Time or Times hereafter, betwixt the firſt Day of *January* and fifteenth Day of *September* in any Year, to take and kill by any lawful Ways or Means whatſoever, any Salmon, Salmon Peal, or Salmon Kind, in their reſpective Fiſheries and Places within the ſaid River *Ribble*, and to ſell any of the Fiſh ſo taken between the Times aforeſaid; any thing in the ſaid recited Act, or any other Act, to the contrary notwithſtanding.

Penalty of taking Salmon in the ſaid River out of the Time limited.

VIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall at any Time hereafter, between the fourteenth Day of *September* and ſecond Day of *January* for ever, by or with any Net, Device, Engine, Ways or Means whatſoever, take, kill, deſtroy, or wilfully hurt, any Salmon of any Kind or Size whatſoever, in the ſaid River *Ribble*, ſuch Perſon or Perſons ſhall incur, and be ſubject to ſuch and the ſame Penalties, Forfeitures and Puniſhments as were by the ſaid recited Act inflicted upon Perſons taking, killing, deſtroying, or wilfully hurting Salmon in the ſaid River, betwixt the laſt Day of *July* and twelfth Day of *November*, and ſhall be proceeded againſt and convicted thereof, in the ſame Manner, as by ſuch recited Act is for that Purpoſe directed.

The ſaid Act continued.

IX. Provided always, and it is hereby declared, That all and every the Clauſes, Articles, Matters and Things contained in the ſaid recited Act (ſave the Alteration hereby made in the Times of taking, and being reſtrained from taking Salmon in the ſaid River *Ribble* as aforeſaid) ſhall be and remain in full Force; any thing herein contained to the contrary notwithſtanding.

Concerning Fiſhery ſee farther 28 *Geo.* 2. *c.* 14. 29 *Geo.* 2. *c.* 23, & 39. 30 *Geo.* 2. *c.* 21, & 30. 33 *Geo.* 2. *c.* 27.

'X. And where the taking of larger Fees by the Officers of Aſſize and *Niſi Prius*, in the reſpective Circuits of this Kingdom, upon Records iſſuing out of the Office of Pleas of his Majeſty's Court of *Exchequer* 'at

at *Westminster*, between Party and Party, than are taken on such Records issuing out of any other Court, 'is a Grievance to the Subject;' Be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, no Officer or other Person whatsoever shall demand, take or receive any greater or other Fees upon such Records, issuing out of the said Office, than are taken upon Records in Causes of the like Nature, issuing out of the Courts of *King's Bench* and *Common Pleas* at *Westminster*.

Fees upon Nisi Prius Records issuing out of the Exchequer, to be the same as in other Courts.

'XI. And whereas it frequently happens that Persons against whom Warrants are granted by the Justi-'ces of the Peace, for the several Counties within this Kingdom, escape into other Counties or Places out 'of the Jurisdiction of the Justices of the Peace granting such Warrants, and thereby avoid being punished 'for the Offences wherewith they are charged:' For Remedy whereof, Be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, in case any Person against whom a legal Warrant shall be issued, by any Justice or Justices of the Peace for any County, Riding, Division, City, Liberty, Town or Place within this Kingdom, shall escape or go into any other County, Riding, Division, City, Liberty, Town or Place out of the Jurisdiction of the Justice or Justices granting such Warrant as aforesaid, it shall and may be lawful for any Justice of the Peace of the County, Riding, Division, City, Liberty, Town or Place to which such Person shall have gone or escaped, to indorse such Warrant, upon Application made to him for that Purpose, and to cause the Person against whom the same shall have been issued, to be apprehended and sent to the Justice or Justices who granted such Warrant, or to some other Justice or Justices of the County, Riding, Division, City, Liberty, Town or Place, from whence such Person shall have gone or escaped, to the end that he or she may be dealt with according to Law; any Law or Usage to the contrary notwithstanding.

If an Offender escape out of the Jurisdiction of the Justice who issued his Warrant, 24 Geo. 2. c. 55. the Justice where he shall have escaped, may indorse the Warrant, &c.

'XII. And whereas by an Act of Parliament passed in the twelfth Year of the Reign of King CHARLES 'the Second, (intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and* '*by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*) it was en-'acted, That the Office of Excise in all Places where it shall be appointed, shall be kept open from eight of 'the Clock in the Morning till twelve of the Clock at Noon, and from two of the Clock in the Afternoon 'till five of the Clock in the Afternoon, for the due Execution and Performance of all and every the Mat-'ters and Things in the said Act appointed and required: And whereas the Limitations and Restrictions of 'Time in the said Act mentioned, for transacting the Business in the said Office, have been found very in-'convenient, and attended with extraordinary Expences to the several Persons who are charged with the 'Payment of the Duties, relating to the Revenues under the Management of the Commissioners of Excise:' Therefore for the future, Be it further enacted by the Authority aforesaid, That the said Clause herein before recited shall, from and after the tenth Day of *May* one thousand seven hundred and fifty; and the same is hereby enacted and declared to be from thenceforth repealed; and that the said Office shall, from and after the said tenth Day of *May* one thousand seven hundred and fifty, be kept open from eight of the Clock in the Morning, till two of the Clock in the Afternoon, and no longer.

12 Car. 2. c. 24. §. 22.

The Excise Office to be kept open from 8 o'Clock till 2. *See farther concerning Excise*, 32 *Geo.* 2. *c.* 17. 33 *Geo.* 2. *c.* 9. 1 *Geo.* 3. *c.* 7.

'XIII. And whereas great Quantities of Turnips have of late Years been stolen and taken away by idle 'and ill-disposed Persons, from the Grounds of several Farmers, and others growing Turnips, to the great 'Loss and Damage of the Owners of the said Turnips:' For Remedy whereof, Be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, steal and take away, or maliciously pull up and destroy any Turnips, growing or being in any Lands or Grounds belonging to any Person or Persons, and shall be thereof convicted before any one or more Justice or Justices of the Peace for the County, Town or Place, where the said Offence shall be committed, either by Confession of the Party offending, or by the Oath of one or more Person or Persons (and which Oath such Justice or Justices is and are hereby authorized and impowered to administer) every Person so offending, and being convicted of such Offence, in Manner herein beforementioned, shall, for the first Offence, give and pay to the Owner or Owners of the Turnips so stolen, pulled up or destroyed, such Satisfaction for his or their Damage thereby sustained, and within such Time, as the said Justice or Justices shall appoint; and shall over and above pay down upon such Conviction, unto the Overseers of the Poor of the Parish where the Offence or Offences was or were committed, for the Use of the said Poor, such Sum of Money not exceeding ten Shillings, as to the said Justice or Justices shall seem meet; and if any such Offender or Offenders shall not make such Recompence or Satisfaction to the said Owner or Owners, and also pay such Sum to the Use of the Poor, in Manner and Form aforesaid, then the said Justice or Justices shall and may commit the said Offender or Offenders to the House of Correction, for any Space not exceeding one Month, or shall and may order such Offender or Offenders to be whipped by the Constable, as to the said Justice or Justices shall seem meet; and if any such Person or Persons shall again commit the like Offence, and be thereof convicted as aforesaid, then he, she or they, so offending the second Time, and being thereof convicted as aforesaid, shall be committed to the House of Correction for three Months.

Penalty on Persons stealing or destroying Turnips growing in private Grounds.

XIV. Provided always, That no Person or Persons shall be prosecuted for any such Offence of stealing, pulling up, or destroying of Turnips, unless such Prosecution be begun within thirty Days after the Offence committed.

Limitation of the Prosecution.

'XV. And whereas by an Act of Parliament made and passed in the second Year of the Reign of his 'present Majesty, (intituled, *An Act for the better Regulation of Attornies and Solicitors*) it was enacted, 'That from and after the first Day of *December* one thousand seven hundred and thirty, any Person who 'should be sworn, admitted and inrolled to be an Attorney in any of his Majesty's Courts of *King's Bench*, '*Common Pleas*, *Exchequer*, Counties Palatine of *Chester*, *Lancaster*, and *Durham*, and Great Sessions in '*Wales*, as is therein directed, might be sworn, admitted and inrolled to be a Solicitor in all or any of the 'Courts of Equity, in the said Act specified, without any Fee for the Oath, or any Stamp to be impressed 'on the Parchment, whereon such Admission should be written, if the Master of the Rolls, two Masters

2 Geo. 2. c. 23. §. 20. *Made perpetual by* 30 *Geo.* 2. *c.* 19. *sect.* 75.

'of

'of the *Chancery*, the Barons of the Court of *Exchequer*, the Chancellor of the Dutchy of *Lancaster*, and 'the Judges of the other Courts of Equity, in the said Act mentioned for the time being, or any of them 'respectively, should, upon examining such Attorney, touching his Fitness and Capacity to act as a Soli-'citor in Courts of Equity, be satisfied that such Attorney is duly qualified to be so admitted; but there 'being no Provision made in the said in Part recited Act, for admitting Persons (who had been, or shall be 'sworn, admitted and inrolled Solicitors of any of the Courts of Equity in the said Act mentioned) At-'tornies of any of his Majesty's Courts of Law therein also mentioned, although such Solicitor should be 'duly qualified in all other Respects;' Wherefore, and to supply such Omission, Be it enacted by the Au-

Solicitors in the Courts of Equity may be admitted Attornies without Fees. *See further* 33 *Geo.* 2. *c.* 16.

thority aforesaid, That from and after the second Day of *May* one thousand seven hundred and fifty, any Person who hath been already, or who at any Time or Times hereafter shall be sworn, admitted and inrolled a Solicitor in any of his Majesty's Courts of Equity at *Westminster*, in such Manner as by the said Act is directed, may be sworn, admitted and inrolled to be an Attorney of his Majesty's Court of *King's Bench* or *Common Pleas* at *Westminster*, without any Fee for the Oath, or any Stamp to be impressed on the Parchment whereon such Admission shall be written (his having been sworn, admitted and inrolled a Solicitor in any of the Courts of Equity afore-mentioned notwithstanding) if the Judges of the said Courts of *King's Bench* or *Common Pleas* for the time being, or any of them respectively, shall, upon examining such Solicitor, touching his Fitness and Capacity to act as an Attorney in the said respective Courts, be satisfied that such Solicitor is duly qualified to be sworn, admitted and inrolled an Attorney, pursuant to the said in Part recited Act, and other the Laws now in Force concerning Attornies and Solicitors.

CAP. XXVII.

An Act for the more easy and speedy Recovery of Small Debts within the City and Liberty of *Westminster*, and that Part of the Dutchy of *Lancaster* which adjoineth thereto.

Amended by 24 Geo. 2. c. 42.

'WHEREAS for want of an easy and speedy Method for the Recovery of Small Debts, many ill-'disposed Persons, who have contracted Small Debts within the City and Liberty of *Westminster*, 'and that Part of the Dutchy of *Lancaster* which adjoineth thereto, and refuse to pay the Debts which they 'have so contracted, to the Loss and Prejudice of their Creditors, and to the Detriment of useful Credit 'within the said City and Liberty of *Westminster*, and the said Part of the Dutchy aforesaid:' For the Remedy of the said Inconvenience, and for the providing an easy and speedy Method for the Recovery of Small Debts within the said City and Liberty of *Westminster*, and the said Part of the Dutchy aforesaid; May it please your most Excellent Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for all and every the Parishioners of the several and respective Parishes within the said City and Liberty of *Westminster*, and the said Part of the Dutchy aforesaid, who have a Right to assemble in Vestry, within their respective Parishes, and they are hereby respectively impowered and required to meet on the first Day of *May* in the Year of our Lord one thousand seven hundred and fifty, and so on the same Day in every succeeding Year, provided the same shall not fall on a *Sunday*; and if it should, then upon the next Day at ten of the Clock in the Forenoon, in the several and respective Vestries in every of their respective Parishes, and nominate and assign in the Whole, the Number of two hundred and forty-two of the most substantial and discreet Persons residing within their respective Parishes, who are to be Commissioners for the Purposes herein after-mentioned and expressed; to be appointed by such Parishioners of the said several Parishes, in Manner following; (that is to say) of the Parish of *Saint Margaret* to nominate and appoint thirty of the said Persons; of the Parish of *Saint John the Evangelist*, other twenty of the said Persons; of the Parish of *Saint James*, other forty-two of the said Persons; of the Parish of *Saint George*, *Hanover Square*, other thirty of the said Persons; of the Parish of *Saint Anne*, other twenty-four of the said Persons; of the Parish of *Saint Martin in the Fields*, other forty of the said Persons; of the Parish of *Saint Clement Danes*, as well within the Liberty of *Westminster* as without, other twenty-four of the said Persons; of the Parish of *Saint Mary le Strand*, other twelve of the said Persons; and of the Parish of *Saint Paul*, *Covent Garden*, other twenty of the said Persons: And the Churchwardens of each respective Parish for the time being, or one of them, shall, within two Days after such Nomination, cause two Lists to be made out of the several Persons so respectively nominated and appointed, as aforesaid; and shall cause one of the said Lists, or a true Copy thereof, to be fixed or stuck up on the Church Door of each respective Parish; and shall deliver, or cause to be delivered, the other of the said Lists to the High Bailiff of the said City and Liberty, or his Deputy, who shall forthwith cause a Copy of such Lists to be made and stuck up in the several Places where the said Commissioners shall assemble; which said Persons so nominated and returned by and for the said several Parishes respectively, as aforesaid, from time to time, shall be, and are hereby declared, constituted and appointed Commissioners to hear and determine all such Matters of Debt as are hereafter mentioned; and such Commissioners, so from time to time to be nominated and appointed, as aforesaid, are hereby constituted a Court of Justice, by the Name of *The Court of Requests for the City and Liberty of* Westminster, *and that Part of the Dutchy of* Lancaster, *which adjoineth thereto*; and the said Commissioners, or any three or more of them, are hereby authorized, impowered and required to assemble, sit and hold the said Court, in and for the said several Parishes, in such several Divisions, and on such Days, and in such Manner, as is herein after-mentioned; *videlicet*, The Commissioners of the Parishes of *Saint Margaret* and *Saint John the Evangelist*, on every *Tuesday* in every Week, or oftner, if necessary, in some convenient Part of the said Parish of *Saint Margaret*; the Commissioners of the Parishes of *Saint George Hanover Square*, *Saint James*, and *Saint Anne*, on every *Wednesday* in every Week, or oftner, if necessary, in some convenient Part of the said Parish of *Saint James*; and the Commissioners of *Saint Martin in the Fields*, *Saint Paul Covent Garden*, *Saint Clement*

The Parishioners of Westminster, to meet in their Vestries on 1 May yearly, and nominate 242 Commissioners, viz. St. Margaret 30, St. John 20, St. James 42, St. George Hanover Square 30, St. Anne 24, St. Martin in the Fields 40, St. Clement Danes 24, St. Mary le Strand 12, St Paul Covent Garden 20.

Churchwardens to make 2 Lists, and affix one on the Church Door, and deliver the other to the High Bailiff.

Commissioners constituted a Court of Justice: Three to hold the Court, in St. Margaret, every Tuesday; in St. James's, every Wednesday; and in St. Paul Covent Garden, every Thursday;

Clement Danes and *Saint Mary le Strand*, on every *Thursday* in every Week, or oftner, if neceſſary, in ſome convenient Part of the ſaid Pariſh of *Saint Paul Covent Garden*; and ſuch Commiſſioners, ſo to be nominated and appointed as aforeſaid, for the time being, or any three or more of them, ſhall have Power and Authority, by virtue of this Act, to hear and determine, in their reſpective Diviſions, all ſuch Cauſes as are herein after-mentioned, and to pronounce ſuch Judgment, and make ſuch Decree, and to award Execution thereupon, with Coſts, againſt the Bodies, or againſt the Goods and Chattles of all and every the Perſon or Perſons againſt whom they ſhall give ſuch Judgment, or make ſuch Decree, as to them ſhall ſeem juſt in Law or Equity; ſo as no Perſon ſhall remain in Priſon upon an Execution, for a longer Space than forty Days.

Repealed as to the three Diviſions, by 24 Geo. 2. c. 42. ſect. 2. and to pronounce Judgment, &c. None to be impriſoned upon an Execution, longer than 40 Days.

II. Provided always, and it is hereby enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner, in the Execution of the Powers given by this Act, unleſs ſuch Perſon, at the Time of his Nomination, and alſo during the Time he ſhall ſo act as a Commiſſioner, in the Execution of the Powers given by this Act, ſhall be ſeiſed of Lands, Tenements or Hereditaments, of the yearly Value of twenty Pounds, clear of all Incumbrances, or be poſſeſſed of a Perſonal Eſtate of the Value of five hundred Pounds.

Qualification of Commiſſioners.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſummoned by virtue of this Act, ſhall not perform ſuch Order as the ſaid Commiſſioners, or any three or more of them ſhall make and ſet down for or concerning ſuch Debts as aforeſaid, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, after perſonal Service of the ſaid Order, and due Proof thereof made, to commit ſuch Perſon or Perſons to one of his Majeſty's Gaols within the City and Liberty of *Weſtminſter*, there to remain until he, ſhe or they ſhall perform ſuch Order, ſo as no Perſon ſo impriſoned ſhall remain in Priſon for a longer Space of Time than forty Days.

Perſons ſummoned, not conforming, may be committed.

IV. And for the more orderly and regular Proceeding in the ſaid Court, and to prevent any undue Preference or Delay, in ſummoning the ſaid Commiſſioners to attend the Buſineſs of the ſaid Court, Be it further enacted by the Authority aforeſaid, That the ſaid High Bailiff, who is hereby impowered and required from time to time ſo to do, ſhall, within two Days next after ſuch ſeveral Liſts ſhall be returned to him as aforeſaid, ſummon, or cauſe to be ſummoned, the firſt ſeven Perſons named in each Liſt containing forty-two and forty, the firſt five in each Liſt containing thirty, the firſt four in each Liſt containing twenty-four and twenty, and the firſt two in each Liſt containing twelve, to attend as Commiſſioners of the ſaid Court, in their reſpective Diviſions, for the Month of *May*, and ſo the like Number of Perſons out of every Liſt, as they ſhall ſtand in Order and Rotation therein reſpectively, to ſerve as Commiſſioners in their reſpective Diviſions, from Month to Month, during the Term for which they are choſen Commiſſioners.

The High Bailiff to ſummon a certain Number of Commiſſioners monthly.

V. Provided always, That nothing herein before contained ſhall extend, or be conſtrued to extend, to exclude or debar any of the Perſons who ſhall be nominated and returned for Commiſſioners as aforeſaid (although they be not in Rotation) from ſitting in the ſaid Court, in each reſpective Diviſion, but that all ſuch Commiſſioners ſhall and may, as often as they ſhall reſpectively think fit, ſit and give Judgment therein; any thing herein before contained to the contrary thereof notwithſtanding.

Such Commiſſioners as are not in Rotation, may ſit.

VI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and fifty, it ſhall and may be lawful to and for every Reſiant and Inhabitant within the ſaid City and Liberty, or the ſaid Part of the ſaid Dutchy aforeſaid, and to and for all and every Perſon and Perſons renting or keeping any Shop, Shed, Stall or Stand, or ſeeking a Livelihood within the ſaid City and Liberty of *Weſtminſter*, or in the ſaid Part of the ſaid Dutchy aforeſaid, who now have, or hereafter ſhall have, any Debt or Debts due or owing unto him, her or them, not amounting to the Sum of forty Shillings, by any Perſon or Perſons whatſoever, inhabiting or ſeeking a Livelihood within the ſaid City and Liberty of *Weſtminſter*, or in that Part of the ſaid Dutchy aforeſaid, to apply to the ſaid Clerks of the ſaid Court, or one of them, who ſhall cauſe ſuch Debtor or Debtors ſo inhabiting or ſeeking a Livelihood as aforeſaid, to be warned or ſummoned by the ſaid High Bailiff, or his Officer or Officers (who are hereby appointed, authorized and required, to execute all Warrants, Precepts and Proceſs of the ſaid Court of Requeſts) by Writing left at the Dwelling-houſe, or Place of Abode, Shop, Shed, Stall, Stand or any other Place of Dealing of ſuch Debtor or Debtors, to appear before the Commiſſioners of the ſaid Court, to be held in and for ſuch Diviſion, where ſuch Debtor or Debtors ſhall inhabit or reſide as aforeſaid; and that the ſaid Commiſſioners, or any three or more of them, ſhall, after the Return of ſuch Summons as aforeſaid, have full Power and Authority by virtue of this Act, to make, or cauſe to be made, ſuch Acts, Order or Orders, Decrees, Judgments and Proceedings, between ſuch Party or Parties, Plaintiffs, and his, her or their Debtor or Debtors, Defendants, touching ſuch Debts, not amounting to the Sum of forty Shillings, as they ſhall find to ſtand with Equity and good Conſcience; and all ſuch Acts, Decrees, Judgments and Proceedings, Order or Orders, ſhall be entered and regiſtered in a Book to be kept for that Purpoſe by the Clerk or Clerks of the ſaid Court; and ſhall be obſerved, performed and kept in all Parts, as well by the Plaintiff as by the Debtor or Defendant.

Power given to Reſiants to ſue for Debts under 40 s.

Clerks to ſummon the Debtor.

Upon Return of the Summons, the Commiſſioners to give Judgment.

Orders, &c. to be regiſtered and obſerved.

VII. And for the more ſolemn Determination of Matters and Cauſes which ſhall be depending in the ſaid Court intended to be eſtabliſhed by this Act, it is hereby further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any three or more of them, to adminiſter an Oath to the Plaintiff or Defendant, and to ſuch Witneſs or Witneſſes, as ſhall be produced by each Party; and alſo to all the Officers of the ſaid Court, for or concerning any Buſineſs relative thereunto, if the ſame Commiſſioners, or any three or more of them, ſhall think it meet.

Commiſſioners may adminiſter Oaths to the Parties, &c.

VIII. And be it further enacted by the Authority aforeſaid, That if any Action of Debt, or Action on the Caſe upon an *Aſſumpſit* for the Recovery of any Debt to be ſued or proſecuted againſt any Perſon or Perſons aforeſaid, in any of the King's Courts at *Weſtminſter*, or elſewhere, out of the ſaid Court of Requeſts, the Plaintiff ſhall declare for any Sum of Money, not amounting to the Sum of forty Shillings, the Defendant may plead generally in Bar of ſuch Action, That at the Time of commencing ſuch Action, the

In an Action for a Debt under 40 s. ſued for in any other Court, the Defendant may plead this Act in Bar, &c.

the Defendant was Inhabitant and Reſiant within the ſaid City and Liberty of *Weſtminſter*, or that Part of the Dutchy aforeſaid, and was liable to be warned or ſummoned before the ſaid Court of Requeſts, without pleading any other Matter ſpecially; and in caſe the Plaintiff, in any ſuch Action, ſhall declare for the Sum of forty Shillings, or any Sum of Money exceeding the Sum of forty Shillings, the Defendant may plead generally (over and above ſuch Matters as aforeſaid) that the Defendant was not, at the Time of commencing ſuch Action, indebted to the Plaintiff in any Sum or Sums of Money amounting to the Sum of forty Shillings, without pleading any other Matter ſpecially, whereto the Plaintiff ſhall or may reply generally, and deny the Matters pleaded as aforeſaid; and if the Plaintiff be nonſuited, or diſcontinue his Action, or Verdict paſs againſt him, or Judgment be given on Demurrer, the Defendant ſhall have full Coſts.

Full Coſts.

Plaintiff may afterwards ſue for the Debt in the Court of Requeſts.

IX. Provided always, That it ſhall and may be lawful to and for the Plaintiff, in ſuch Action, afterwards to proſecute the ſaid Defendant for the Recovery of his ſaid Debt in the ſaid Court of Requeſts; ſuch Verdict or Judgment obtained againſt him as aforeſaid, in any wiſe notwithſtanding.

Method of Proceeding and Puniſhment, when any ſhall inſult the Court.

X. And for the more effectual eſtabliſhing of the ſaid Court of Requeſts, and the better enforcing the Orders and Decrees which ſhall be made by the ſaid Commiſſioners; and that the ſaid Commiſſioners may be inveſted with proper Power and Authority, and be free and exempt from any Inſult or Abuſes; Be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall contemptuouſly affront, inſult or abuſe all or any of the Commiſſioners of the ſaid Court, during their ſitting in the ſaid Court, it ſhall and may be lawful to and for the ſaid High Bailiff, or his Deputy, Officer or Officers, by Order of the ſaid Commiſſioners then ſitting, or any three or more of them, to take ſuch Perſon or Perſons ſo offending as aforeſaid into Cuſtody, and carry him, her or them, before one or more of his Majeſty's Juſtice or Juſtices of the Peace for the ſaid City and Liberty of *Weſtminſter*, to anſwer ſuch Affront, Inſult or Abuſe; and upon the Fact alledged being duly proved, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, againſt him, her or them, then, and in ſuch Caſe, the ſaid Juſtice or Juſtices ſhall proceed to puniſh ſuch Perſon or Perſons ſo offending as aforeſaid, by Fine or Impriſonment, or both; provided that the Fine on any one Perſon do not exceed the Sum of twenty Shillings; and that the Impriſonment be for no longer Time than ten Days.

Fine not to exceed 20 s. nor the Impriſonment 10 Days.

The Fine to be levied by Diſtreſs and Sale,

XI. And be it further enacted by the Authority aforeſaid, That upon the Nonpayment of the ſaid Fine, ſo to be impoſed or ſet upon every Perſon convicted of offending as aforeſaid, it ſhall and may be lawful for the ſaid Juſtice or Juſtices to iſſue a Warrant or Warrants, under his or their Hands and Seals, for levying the ſaid Fine or Fines ſo impoſed, upon the Goods and Chattles of every ſuch Offender or Offenders, being then reſiant or inhabiting within the ſaid City and Liberty of *Weſtminſter*, or that Part of the Dutchy aforeſaid, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed in five Days, rendering the Overplus, if any, to the Owner upon Demand, after deducting the reaſonable Charges of ſuch Sale; which

towards the Support of the Poor;

Fine or Fines, when levied or received by virtue of this Act, ſhall be immediately paid over into the Hands of the Churchwardens or Overſeers of the Poor of the Pariſh wherein every ſuch Offender ſhall, at the Time of ſuch Offence committed, inhabit, dwell or ſeek a Livelihood, towards the Support and Maintenance of the Poor of the ſame Pariſh; and if ſuch Offender or Offenders ſhall not be reſiant or inhabiting within the ſaid City and Liberty of *Weſtminſter*, or that Part of the Dutchy aforeſaid, or ſhall not have any Goods or Chattles within the ſaid City and Liberty of *Weſtminſter*, or that Part of the Dutchy aforeſaid, whereof ſuch Fine or Fines can be levied as aforeſaid; then and in ſuch Caſe, and upon the Nonpayment of ſuch Fine or Fines, it ſhall and may be lawful for the ſaid Juſtice or Juſtices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit ſuch Offender or Offenders to one of his Majeſty's Gaols within the City or Liberty of *Weſtminſter*, there to remain for the Space of one Calendar Month,

Where the Offender is not reſiant, &c. he is to be committed.

On Payment of the Fine the Perſon to be diſcharged.

unleſs he, ſhe or they, ſooner pay the ſaid Fine or Fines ſo impoſed as aforeſaid; in which Caſe, he, ſhe or they, on Payment of ſuch Fine or Fines, are to be forthwith diſcharged out of Cuſtody; and ſuch Fine or Fines, when levied or received, ſhall be immediately paid over into the Hands of the ſaid Churchwardens or Overſeers of the Poor for the Purpoſes aforeſaid.

Copy of the 2 laſt Clauſes to be ſtuck up in the Courts.

XII. And be it further enacted by the Authority aforeſaid, That the Clerks of the ſaid Court, or one of them, ſhall fix, or cauſe to be fixed or ſtuck up, in the moſt publick Part of the reſpective Places where ſuch Court ſhall be held in the ſeveral Diviſions aforeſaid, or other Place where the ſaid Commiſſioners ſhall ſit to do Buſineſs as aforeſaid, a true Copy of the two laſt preceding Clauſes of this Act, to the end that no Perſon or Perſons ſhall or may pretend Ignorance in the Premiſſes.

Penalty of Perjury.

XIII. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall make Oath, or give Evidence, in any Cauſe depending in the ſaid Court of Requeſts, whereby he, ſhe or they, ſhall commit any wilful or corrupt Perjury, and ſhall thereof be duly convicted according to Law, then every ſuch Perſon or Perſons ſhall incur and ſuffer the like Pains and Penalties as any other Perſon or Perſons convicted of wilful Perjury according to the Laws and Statutes of this Realm.

Clerks of the Court,

and their Office.

XIV. And be it further enacted by the Authority aforeſaid, That *Thomas Smith*, *Stephen Popham*, *Harman Vereliſt* and *John Spranger*, Gentlemen, ſhall be, and are hereby conſtituted and appointed Clerks of the ſaid Court of Requeſts during their reſpective good Behaviour; who ſhall and are hereby impowered and required to iſſue out and regiſter all Summons, Warrants, Precepts, Acts, Orders, Decrees, Judgments, Attachments and Proceedings of the ſaid Court; and ſhall keep proper Books, wherein ſhall be entered and regiſtered all Acts, Orders and Proceedings of the ſame Court; and that no Clerk of the ſaid Court ſhall act as a Juſtice of the Peace within the Limits of the Juriſdiction of the ſaid Court.

No Clerk to act as a Juſtice.

On the Death, Removal or Reſignation of the Clerks, the Commiſſioners to be ſummoned, and elect another.

XV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners who ſhall be ſitting and acting in Court, on the next Court Day after the Death, Reſignation or Removal of any of the ſaid Clerks appointed by this Act, or ſo ſoon after as the ſame is publickly known, or the major Part of them, to cauſe the whole Number of Commiſſioners to be ſummoned to meet at ſome convenient Place to be appointed for that Purpoſe, within four Days next after their being ſummoned as aforeſaid; and ſuch Commiſſioners at ſuch Meeting, or the major Part of them then preſent, are hereby authorized

authorized and required to elect another Person or Persons in the Room of such of the said Clerks so dying, resigning or being removed as aforesaid, for the Use and Purposes in this Act contained; and so from time to time, upon every Vacancy of the said Office of Clerk, for ever.

Commissioners to be sworn.

XVI. And be it further enacted by the Authority aforesaid, That no Person or Persons shall be capable of acting as Commissioner or Commissioners, in the Execution of the Powers given by this Act, until such Time as he and they shall have respectively taken an Oath to the Effect following:

The Oath,

'I *A. B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Judgment, hear and determine such Matters and Things as shall be brought before me, by virtue of an Act of Parliament (intituled, *An Act for the more easy and speedy Recovery of Small Debts within the City and Liberty of* Westminster, *and that Part of the Dutchy of* Lancaster *which adjoineth thereto)* without Favour or Affection to either Party; and that I am now seised of Lands, Tenements or Hereditaments, of the yearly Value of twenty Pounds, clear of all Incumbrances; or that I am possessed of a Personal Estate of the Value of five hundred Pounds.'

to be administered by a Clerk, and registered.

Which Oath the said Clerks, or one of them, are or is hereby impowered and required to administer in open Court; a Memorial whereof shall be entered in the Registers of the said Court.

Fees allowed to be taken by the High Bailiff and Clerks.

XVII. And be it further enacted by the Authority aforesaid, That the several Fees hereafter limited and expressed, and no other Fee or Fees, shall and may be taken for the respective Services of the said High Bailiff and Clerks; that is to say,

For issuing out every Summons, to the Clerk or Clerks, three Pence.
For the Service of such Summons, to the High Bailiff, three Pence.
For every Hearing, to the Clerk or Clerks, three Pence; to the High Bailiff, one Penny.
For an Attachment against the Defendant for not appearing to the Summons, to the Clerk or Clerks, six Pence; to the High Bailiff, one Shilling and two Pence.
For an Execution, to the Clerk or Clerks, ten Pence; to the High Bailiff, one Shilling and two Pence.
For paying Money into Court, to the Clerk or Clerks, seven Pence.
For acknowledging Satisfaction in full, to the Clerk or Clerks, four Pence.
For searching the Books, to the Clerk or Clerks, two Pence.
For calling the Defendant before the Court, when he refuses to appear, to the Clerk or Clerks, two Pence; to the High Bailiff, two Pence.
For a Nonsuit on the Plaintiff's not appearing, to the Clerk or Clerks, two Pence:

Table of the Fees to be hung up in the Courts.

A Table of which Fees shall be hung up by the Clerks of the said Court, or one of them, in some publick or conspicuous Part of every Place where the said Commissioners shall meet for the Purposes aforesaid; to the end that all Persons may at all Times see and read the same.

Penalty on the High Bailiff, &c. taking greater Fees, &c.

XVIII. And be it further enacted, That if the said High Bailiff for the time being, or any of his Officers, or the said Clerks, or any of them, shall take or demand any greater or other Fee or Fees than as above-mentioned, or otherwise misbehave, that then, upon Complaint made to the said Commissioners sitting in Court, of the said Offence or Offences, such Complaint being duly proved upon the Oath or Oaths of one or more credible Witness or Witnesses, against him or them so offending, as aforesaid, the said Commissioners shall proceed to punish such Person or Persons so offending, as aforesaid, by Fine, not exceeding the Sum of five Pounds for any Offence, to be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hands and Seals of the said Commissioners, or any three of them (rendering to the Owner the Overplus, after the Charges of such Distress and Sale are deducted) and to be paid over by the said Commissioners, and applied to the Use of the Sick in the *Westminster* Infirmary.

Application of the Penalty.

Method of Proceeding against Clerks where the Offence deserves a greater Punishment.

XIX. And be it further enacted by the Authority aforesaid, That if upon Complaint made by any Person or Persons of the Misbehaviour of any Clerk or Clerks appointed or to be appointed by virtue of this Act, or of any Clerk or Clerks taking or demanding any greater or other Fees than as above-mentioned, it shall appear to the Commissioners then present, that such Offence deserves a greater Punishment than is before provided, it shall and may be lawful for the Commissioners then sitting in Court, or the major Part of them, in case they shall so think fit, to cause the whole Number of Commissioners to be summoned to meet as soon as conveniently may be, by publick Notice to be given in the several Parish Churches aforesaid, by the Parish Clerks thereof (which Notice the said Parish Clerks are hereby required and directed to give without Fee or Reward) immediately after Divine Service, on the *Sunday* Morning next before such Meeting is to be held (such *Sunday* to be at least three Days before the Day appointed for such Meeting) to examine into the Merits of such Complaint; and if it shall then appear to the Commissioners, being not less than sixty present, or to the major Part of them, that such Clerk or Clerks hath or have been guilty of a gross Misbehaviour, or Breach of Duty in his or their Office, that then it shall and may be lawful to and for the said Commissioners, or the major Part of them, to suspend or remove such Clerk or Clerks from his or their said Office, and to elect another Person or Persons in the Room of the Person or Persons so removed.

Certain Debts not liable to be sued by this Act.

XX. Provided always, That this Act, or any thing herein contained, shall not extend to any Debt for any Rent upon any Lease of Lands or Tenements, or any other real Contract, nor to any Debt which shall arise by reason of any Cause concerning Testament or Matrimony, or any thing concerning, or properly belonging to the Ecclesiastical Court, albeit the same shall be under forty Shillings; any thing herein before contained to the contrary in any wise notwithstanding.

No Suit for Debts recoverable by this Act, to be brought in any other Court.

XXI. And be it further enacted by the Authority aforesaid, That no Action or Suit for any Debt not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought against any Person residing or inhabiting within the Jurisdiction thereof, in any other Court whatsoever.

'XXII. And whereas the four Council of the ancient Court of the *Marshalsea*, and Court of his Ma-'jesty's Palace of *Westminster*, who hold their Offices for the Terms of their natural Lives respectively, and 'who have been made chargeable by Parliament, and actually assessed to the Land Tax for their Freeholds 'in their said Offices, will sustain great Loss by this present Act, unless a Compensation shall be made to 'them for the same;' Be it therefore enacted by the Authority aforesaid, That the said High Bailiff, and the Clerks of the said Court of Requests for the time being, shall, and they are hereby required, out of the Fees limited or to be limited to him and them, by virtue of this present Act, to pay, or cause to be paid, in equal Proportions, unto *John Lawson*, *Lomax Martyn*, *George Weller* and *John Le Gross Spelman*, Esquires, the present Council of the said Court of the *Marshalsea*, and Court of his Majesty's Palace of *Westminster*, as a Compensation for the Loss they will sustain in their said Offices by this present Act, for and during the Terms of their respective natural Lives, the yearly Sum of twenty Pounds apiece, of lawful Money of *Great Britain* (free and clear of and from all Charges and Deductions whatsoever) to be paid to them severally and respectively, yearly and every Year, at or upon the several Feast Days following; that is to say, The Feast of Saint *Michael* the Archangel, the Feast of the Nativity of our Lord, the Feast of the Annunciation of the Blessed Virgin *Mary*, and the Feast of the Nativity of Saint *John* the Baptist, by even and equal Portions; the first Payment thereof to begin and to be made at or upon the Feast Day of Saint *Michael* the Archangel in the Year of our Lord one thousand seven hundred and fifty.

20 l. per Annum to be paid yearly, to each of the four Council of the Court of Marshalsea.

Limitation of Actions.

XXIII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Matter or Thing done or to be done in pursuance of this Act, then, and in such Case, such Action or Suit shall be brought or commenced within three Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereon: And if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his or their Action or Actions, Suit or Suits, or if, upon Verdict or Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall or may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any other Cases by Law.

General Issue.

Treble Costs.

Publick Act.

XXIV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act, and be judicially taken Notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

CAP. XXVIII.

An Act to explain Part of an Act passed in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, for the Uniformity of Publick Prayers, and Administration of Sacraments; and also Part of an Act passed in the thirteenth Year of the Reign of Queen ELIZABETH, for the Ministers of the Church to be of Sound Religion.

13 & 14 Car. 2. c. 4. § 6.

'WHEREAS by an Act passed in the thirteenth and fourteenth Years of the Reign of the late 'King CHARLES the Second, intituled, *An Act for the Uniformity of Publick Prayers, and Administration of Sacraments, and other Rites and Ceremonies; and for establishing the Form of Making, Ordaining, and consecrating Bishops, Priests and Deacons, in the Church of* England; it was enacted, That every 'Person who should thereafter be presented or collated, or put into any Ecclesiastical Benefice or Promotion, within *England*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, should, in the Church, 'Chapel, or Place of Publick Worship, belonging to his said Benefice or Promotion, within two Months 'next after that he shall be in the actual Possession of the said Ecclesiastical Benefice or Promotion, upon 'some Lord's Day, openly, publickly and solemnly read the Morning and Evening Prayers appointed to 'be read by and according to the Book of Common Prayer, at the Times thereby appointed or to be appointed; and after such reading thereof, should openly and publickly, before the Congregation there assembled, declare his unfeigned Assent and Consent to the Use of all Things therein contained and prescribed, 'according to the Form therein before appointed; and that all and every such Person who should (without 'some lawful Impediment, to be allowed and approved by the Ordinary of the Place) neglect or refuse to 'do the same within the Time aforesaid, (or, in case of such Impediment, within one Month after such 'Impediment removed) should *(ipso facto)* be deprived of all his said Ecclesiastical Benefices and Promotions; 'and that from thenceforth, it should and might be lawful to and for all Patrons and Donors of all and singular the said Ecclesiastical Benefices and Promotions, or any of them, according to their respective Rights 'and Titles, to present or collate to the same, as though the Person or Persons so offending or neglecting 'were dead: And it was by the said Act (amongst other Things) further enacted, That every Parson, Vicar, Curate, Lecturer, and every other Person in Holy Orders, should, before his or their respective Admission to be Incumbent, or have Possession of any Parsonage, Vicarage or any Curate's Place or Lecture, 'subscribe the Declaration or Acknowledgment therein directed, before the respective Archbishop, Bishop, 'or Ordinary of the Diocese; upon Pain that all and every of the Persons afore-mentioned, failing in such 'Subscription, should lose and forfeit such respective Parsonage, Vicarage, Curate's Place or Lecture, and 'should be utterly disabled and *(ipso facto)* deprived of the same; and that every such respective Parsonage, 'Vicarage, Curate's Place or Lecture, should be void, as if such Person so failing were naturally dead; 'and that after such Subscription made, every Parson, Vicar, Curate or Lecturer should procure a Certificate under the Hand and Seal of the respective Archbishop, Bishop or Ordinary of the Diocese (who 'were thereby enjoined and required, upon Demand, to make and deliver the same) and should publickly 'and openly read the same, together with the Declaration or Acknowledgment therein mentioned, upon 'some Lord's Day within three Months then next following, in his Parish Church where he was to officiate,

'ciate, in the Presence of the Congregation there assembled, in the Time of Divine Service; upon Pain, 'that every Person failing therein, should lose such Parsonage, Vicarage or Benefice, Curate's Place or Lec-'turer's Place respectively, and should be utterly disabled and *(ipso facto)* deprived of the same; and that 'the said Parsonage, Vicarage or Benefice, Curate's Place or Lecturer's Place should be void, as if he were 'naturally dead: And whereas Doubts have arisen, whether the Allowance and Approbation of any lawful 'Impediment before-mentioned doth extend to both the said before-recited Cases, or whether any Arch-'bishop, Bishop or other Ordinary, hath Power by the said Act to allow and approve of any lawful Impe-'diment, as to reading the said last-mentioned Certificate and Declaration, within the Time limited by the 'said Act:' For the obviating thereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Allowance and Approbation of any lawful Impediment already given and declared, or which shall hereafter be given and declared, in pursuance of the said Act, by any Archbishop, Bishop or Ordinary, to any Person for or in respect of not reading in the Church, Chapel or Place of Publick Worship, belonging to his Benefice or Promotion, within two Months next after that he shall be in the actual Possession of the said Benefice or Promotion, upon some Lord's Day, openly, publickly and solemnly, the Morning and Evening Prayers, appointed to be read by and according to the said Book of Common Prayer, and for or in respect of not openly and publickly, before the Congregation there assembled, declaring his unfeigned Assent and Consent to the Use of all Things therein contained and prescribed, shall extend, and be construed to extend, to the not reading the said last-mentioned Certificate and Declaration, although the same be not mentioned in the said Allowance and Approbation, for the like Time as the said Allowance and Approbation shall extend to.

Allowance of a lawful Impediment extended to the not reading the Certificate and Declaration, within the Time limited.

'II. And whereas by an Act passed in the thirteenth Year of the Reign of Queen ELIZABETH, in-'tituled, *An Act for the Ministers of the Church to be of Sound Religion*; it was (amongst other Things) en-'acted, That every Person who should be admitted to a Benefice with Cure, except that within two Months 'after his Induction, he should publickly read the Articles therein mentioned, in the same Church whereof 'he should have Cure, in the Time of Common Prayer there, with Declaration of his unfeigned Assent 'thereunto, should be, upon every such Default *(ipso facto)* immediately deprived: And whereas it hath 'happened, and may hereafter happen, through Sickness, or other lawful Impediment, that divers Persons 'have been, and may be hindered from reading the said Articles, and making the said Declaration, within 'the Time directed by the said Act, and yet such Person, after such Sickness, or other lawful Impediment 'removed, hath read, and may hereafter read the said Articles, and make the said Declaration; and it is 'reasonable that such Persons should be deemed to have complied with the true Intent and Meaning of the 'said Act;' Be it therefore further enacted by the Authority aforesaid, That every Person who hath already read, or who shall hereafter read the said Articles, and hath made, or shall hereafter make the said Declaration, at the same Time that he did read, or shall hereafter read the Morning and Evening Prayer, and declare his unfeigned Assent and Consent to the Use of all Things therein contained and prescribed, according to the Directions of the said in Part recited Act of the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, shall be, and is hereby declared and adjudged to have complied with the true Intent and Meaning of the said Act of the thirteenth Year of the Reign of Queen ELIZABETH, although the same were not, or may not be read within the Space of two Months after such Person's Induction into any Benefice with Cure; and that every such Person shall, and he is hereby declared to be freed and discharged from any Deprivation, or other Forfeiture by virtue of the said Act; any thing therein contained to the contrary notwithstanding.

13 Eliz. c. 12.

Persons who shall read the Articles and Declaration at the Time of reading the Morning and Evening Prayer, are declared to have complied with the Intent of 13 Eliz.

III. Provided always, That this Act shall not extend to restore any Person to any Parsonage, Vicarage or Benefice, Curate's Place or Lecturer's Place, which, for want of reading such Certificate and Declaration, within the Time directed by the said first in Part recited Act, or of reading the said Articles and Declaration concerning the same, according to the said last-mentioned Act, hath been forfeited or become void, and is already filled up or enjoyed by any Person or Persons whatsoever.

Limitation of this Act.

CAP. XXIX.

An Act to encourage the Importation of Pig and Bar Iron from his Majesty's Colonies in *America*; and to prevent the Erection of any Mill or other Engine for Slitting or Rolling of Iron; or any Plateing Forge to work with a Tilt Hammer; or any Furnace for making Steel in any of the said Colonies.

'WHEREAS the Importation of Bar Iron from his Majesty's Colonies in *America*, into the Port of 'London, and the Importation of Pig Iron from the said Colonies, into any Port of *Great Britain*, and 'the Manufacture of such Bar and Pig Iron in *Great Britain*, will be a great Advantage not only to the said 'Colonies, but also to this Kingdom, by furnishing the Manufacturers of Iron with a Supply of that useful 'and necessary Commodity, and by Means thereof large Sums of Money, now annually paid for Iron to 'Foreigners, will be saved to this Kingdom, and a greater Quantity of the Woollen, and other Manu-'factures of *Great Britain*, will be exported to *America*, in Exchange for such Iron so imported;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, the several and respective Subsidies, Customs, Impositions, Rates and Duties, now payable on Pig Iron, made in and imported from his Majesty's Colonies in *America*, into any Port of *Great Britain*, shall cease, determine and be no longer paid; and that from and after the said twenty-fourth Day of *June*, no Subsidy, Custom, Imposition, Rate or Duty whatsoever, shall be payable upon Bar Iron made in and imported from the said Colonies

For former Laws concerning Iron, refer to 28 *Ed.* 3. c. 5. 2 *Ed.* 6. c. 27. 5 *W.* & *M.* c. 17. 7 *W.* 3. c. 10. 2 *Ann.* c. 9. *sect.* 12. 9 *Ann.* c. 6. *sect.* 55.

Pig Iron made in the British Colonies in America, may be imported free; and Bar Iron into the Port of London.

lonies into the Port of *London*; any Law, Statute or Uſage to the contrary thereof in any wiſe notwithſtanding.

Penalty of exporting, or carrying Bar Iron Coaſtwiſe, except for the King's Yards.

II. And be it further enacted by the Authority aforeſaid, That no ſuch Bar Iron ſo imported into the Port of *London*, ſhall be afterwards exported, or ſhall be carried Coaſtwiſe to be landed at any other Port or Place of *Great Britain*, except for the Uſe of his Majeſty's Dock Yards; upon Pain, that all ſuch Bar Iron ſo exported or carried Coaſtwiſe, and every Ship or Veſſel, on Board of which any ſuch Bar Iron ſhall be ſo exported, or carried Coaſtwiſe, ſhall be ſubject to ſuch Forfeiture and Seizure, as any prohibited or uncuſtomed Goods, or any Goods clandeſtinely exported or imported, or any Ship or Veſſel on Board of which any ſuch Goods ſhall be exported or imported, are now liable by Law; and alſo upon Pain, that every Perſon, ſo exporting ſuch Bar Iron, or ſending the ſame Coaſtwiſe, and the Maſter or Commander, and Mariners of every Ship or Veſſel, on Board of which any ſuch Bar Iron ſhall be ſo exported or carried Coaſtwiſe, ſhall be ſubject to ſuch and the like Puniſhments and Penalties as the Maſter or Commander, or Mariners of any Ship or Veſſel, laden with any prohibited or uncuſtomed Goods, or Goods clandeſtinely exported or imported, are now liable to by Law; and that no Officer of his Majeſty's Cuſtoms ſhall ſign or grant any Cocquet, Sufferance, Tranſire, Let-paſs, Warrant or Certificate whatſoever, for exporting or carrying Coaſtwiſe, except for the Uſe of his Majeſty's Dock Yards, any ſuch Bar Iron ſo imported into the Port of *London*, upon Pain, that every Officer of his Majeſty's Cuſtoms, ſo offending, ſhall forfeit and pay the Sum of two hundred Pounds, to be ſued for and recovered by Action, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, and to be applied, one Moiety to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Perſon or Perſons as ſhall ſue for the ſame, and ſhall alſo loſe and forfeit his Office, and be incapable of ſerving his Majeſty, his Heirs or Succeſſors, in any Office of Truſt or Profit whatſoever; and that if any ſuch Cocquet, Sufferance, Tranſire, Let-paſs, Warrant or Certificate whatſoever, ſhall be ſigned or granted, the ſame ſhall be void, and of no Effect whatſoever.

Officer granting any Cocquet for exporting thereof,

to forfeit 200 l.

and his Office.

No Bar Iron to be carried Coaſtwiſe, unleſs the Duty be paid.

III. And be it further enacted by the Authority aforeſaid, That no Bar Iron whatſoever ſhall be permitted to be carried Coaſtwiſe, unleſs Mention be made in the Certificate to be granted for that Purpoſe, of the Day on which the Subſidies, Cuſtoms, Impoſitions, Rates and Duties, payable upon the Importation thereof, were paid, and of the Name of the Perſon or Perſons by whom the ſame were paid.

Penalty of carrying by Land any ſuch Iron beyond 10 Miles from London.

IV. And it is hereby further enacted, That no Bar Iron imported into the Port of *London*, by virtue or in purſuance of this Act, ſhall be carried or conveyed by Land Carriage to any Place beyond ten Miles from any Part of the Port of *London*, except to his Majeſty's Dock Yards for the Uſe of his Majeſty, his Heirs and Succeſſors; and if any Perſon or Perſons ſhall carry and convey, or cauſe or procure to be carried or conveyed upon Horſeback, or in any Waggon, Cart or other Carriage, any Iron ſo imported, to any Place beyond the Limits preſcribed by this Act, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of twenty Shillings for every hundred Weight of ſuch Iron.

Oath to be made of the Place where the Iron was made, and to whom conſigned.

V. And that the Importers of Foreign Pig and Bar Iron, not made in and imported from the ſaid Colonies, may not, upon any Pretence whatſoever, claim the Exemption hereby granted; Be it further enacted by the Authority aforeſaid, That every Merchant, Trader, Factor or other Perſon, loading any Pig or Bar Iron on Board any Ship or Veſſel in any of his Majeſty's Colonies in *America*, ſhall, before the clearing out of the ſaid Ship or Veſſel for any Port of *Great Britain*, make Oath before the Governor or Lieutenant Governor, Collector and Comptroller of the Cuſtoms, and Naval Officer, or any two of them (which Oath every ſuch Governor or Lieutenant Governor, Collector and Comptroller of the Cuſtoms, and Naval Officer, is hereby impowered and required to adminiſter without Fee or Reward) that the Pig or Bar Iron ſo ſhipped, the true Weight whereof ſhall in ſuch Oath be expreſſed, was made at within the Colony of in which Oath alſo the Name or Names of the Perſon or Perſons to whom the ſaid Iron ſhall be ſold or conſigned, ſhall be expreſſed; and thereupon the ſaid Governor, Lieutenant Governor, Collector and Comptroller of the Cuſtoms, and Naval Officer, or any two of them, ſhall deliver to ſuch Merchant, Trader, Factor or other Perſon, ſo making Oath as aforeſaid, a Certificate, under their Hands and Seal of Office, of ſuch Oath having been made before them.

Certificate to be given.

Rules to be obſerved in the Importation of Iron.

VI. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons importing any Pig or Bar Iron into *Great Britain* from his Majeſty's Colonies in *America*, ſhall import the ſame Duty-free as aforeſaid, unleſs ſuch Pig or Bar Iron ſhall be ſtamped with ſome Mark denoting the Colony or Place where the ſame was made; and unleſs ſuch Perſon or Perſons ſhall produce ſuch Certificate to the Chief Officer of the Cuſtoms at the Port in *Great Britain* where the ſame ſhall be imported; and unleſs Oath ſhall be made before the ſaid Chief Officer of the Cuſtoms, by the Maſter or Commanding Officer of the Ship or Veſſel, importing ſuch Pig or Bar Iron (which Oath ſuch Chief Officer is hereby impowered and required to adminiſter without Fee or Reward) that the Iron ſo imported is the ſame Iron mentioned in the ſaid Certificate.

Iron not marked, and certified, to pay the Duties.

VII. Provided always, and be it enacted by the Authority aforeſaid, That all Pig or Bar Iron imported into *Great Britain*, which ſhall not be ſo ſtamped and certified as aforeſaid, to be made in his Majeſty's Colonies in *America*, ſhall be ſubject to the Payment of the ſame Subſidies, Cuſtoms, Impoſitions, Rates and Duties, to which ſuch Iron was liable before the making of this Act.

Penalty of falſe Certificates,

VIII. And be it further enacted by the Authority aforeſaid, That if any Governor, Lieutenant Governor, Collector or Comptroller of the Cuſtoms, Naval Officer or Chief Officer of the Cuſtoms as aforeſaid, ſhall falſely make any ſuch Certificate, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of two hundred Pounds, and alſo forfeit and loſe his Office, and be incapable of ſerving his Majeſty, his Heirs and Succeſſors, in any Office of Truſt or Profit; or if any Merchant, Factor, Trader and Maſter, or Commanding Officer of any Ship or Veſſel, ſhall falſely make any Oath required by this Act, every ſuch Offender ſhall incur the Puniſhment inflicted by the Laws of this Realm for wilful and corrupt Perjury; and if any Perſon ſhall knowingly counterfeit any ſuch Stamp, or ſhall counterfeit any ſuch Certificate, or publiſh the ſame, knowing it to be counterfeit, every ſuch Perſon ſo offending ſhall incur the Puniſhment inflicted by the Laws of this Realm for Forgery.

or Oaths;

and of counterfeiting the Stamps, or Certificate.

IX. And,

IX. And, that Pig and Bar Iron made in his Majesty's Colonies in *America* may be further manufactured in this Kingdom, Be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, no Mill or other Engine for Slitting or Rolling of Iron, or any Plateing Forge to work with a Tilt Hammer, or any Furnace for making Steel, shall be erected, or after such Erection, continued, in any of his Majesty's Colonies in *America*; and if any Person or Persons shall erect, or cause to be erected, or after such Erection, continue, or cause to be continued, in any of the said Colonies, any such Mill, Engine, Forge or Furnace, every Person or Persons so offending shall, for every such Mill, Engine, Forge or Furnace, forfeit the Sum of two hundred Pounds of lawful Money of *Great Britain*.

No Mill for Slitting of Iron; or Plateing Forge; or Furnace for Steel to be erected, &c. in America. Penalty of 200 l.

X. And it is hereby further enacted by the Authority aforesaid, That every such Mill, Engine, Forge or Furnace, so erected or continued, contrary to the Directions of this Act, shall be deemed a common Nuisance; and that every Governor, Lieutenant Governor, or Commander in Chief of any of his Majesty's Colonies in *America*, where any such Mill, Engine, Forge or Furnace, shall be erected or continued, shall, upon Information to him made and given, upon the Oath of any two or more credible Witnesses, that any such Mill, Engine, Forge or Furnace, hath been so erected or continued (which Oath such Governor, Lieutenant Governor, or Commander in Chief, is hereby authorized and required to administer) order and cause every such Mill, Engine, Forge or Furnace, to be abated within the Space of thirty Days next after such Information given and made as aforesaid; and if any Governor, Lieutenant Governor, or Commander in Chief, shall neglect or refuse so to do, within the Time herein before limited for that Purpose, every such Governor, Lieutenant Governor, or Commander in Chief, so offending, shall for every such Offence forfeit the Sum of five hundred Pounds of lawful Money of *Great Britain*, and shall from thenceforth be disabled to hold or enjoy any Office of Trust or Profit under his Majesty, his Heirs or Successors.

to be deemed a common Nuisance; and the Governor to cause it to be abated. Penalty of 500 l. &c.

XI. And it is hereby further enacted by the Authority aforesaid, That the several Penalties and Forfeitures by this Act inflicted for falsely making any Stamp or Certificate, herein before directed, or for erecting or continuing any Mill, Engine, Plateing Forge or Furnace prohibited by this Act, or for refusing or neglecting to abate the same, shall and may be sued for and recovered by Action, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*, or in any of the Courts of Record in his Majesty's Colonies in *America* respectively, wherein the Offender shall dwell at the Time when the Offence shall be committed, or at the Time when such Action, Bill, Plaint or Information shall be brought; and every such Action, Bill, Plaint or Information, to be brought in *Great Britain*, shall be laid either in the County where any such Offence shall be committed, or where the Offender shall dwell at the Time when such Action, Bill, Plaint or Information shall be brought.

Method of recovering the Penalties.

XII. And be it further enacted by the Authority aforesaid, That all such Penalties and Forfeitures shall be applied, one Moiety to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as shall sue for the same.

Application of the Penalties.

XIII. And it is hereby further enacted by the Authority aforesaid, That all Bar Iron which shall be imported from any of his Majesty's Colonies in *America* into the Port of *London*, by virtue or under the Authority of this present Act, shall be entered at the Custom-house in *London*; and every Bar of the said Iron so entered, shall be marked or stamped with such Mark or Stamp as the Commissioners of his Majesty's Customs shall for that Purpose order or direct, in three different Parts of every such Bar (that is to say) two of the said Marks or Stamps at the Distance of one Yard from each End of such Bar, and the other of them at or near the Middle thereof.

Iron imported on this Act, to be entered at the Custom-house in London, and to be stampt in 3 different Parts.

XIV. And it is hereby further enacted, That if any Person shall counterfeit, or wilfully destroy or deface, any of the said Marks or Stamps, with an Intent to convey or carry the same to any Place ten Miles from any Part of the Port of *London*, contrary to the true Meaning of this Act, every Person so offending, and being thereof legally convicted, shall forfeit the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; one Moiety thereof to his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall sue for the same.

Penalty of counterfeiting or defacing the Stamps.

XV. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, every Governor or Lieutenant Governor, or Commander in Chief of any of his Majesty's Colonies in *America*, shall forthwith transmit to the Commissioners for Trade and Plantations, a Certificate under his Hand and Seal of Office, containing a particular Account of every Mill or Engine for Slitting and Rolling of Iron; and every Plateing Forge to work with a Tilt Hammer; and every Furnace for making Steel, at the Time of the Commencement of this Act, erected in his Colony; expressing also in the said Certificate such of them as are used, and the Name or Names of the Proprietor or Proprietors of each such Mill, Engine, Forge and Furnace, and the Place where each such Mill, Engine, Forge and Furnace is erected, and the Number of Engines, Forges and Furnaces in the said Colony; and if any Governor, Lieutenant Governor, or Commander in Chief, shall neglect or refuse so to do within six Months after the said twenty-fourth Day of *June*, every such Governor, Lieutenant Governor, or Commander in Chief so offending, shall be subject to such Penalties and Forfeitures, as any Governor, or Lieutenant Governor of any of the said Colonies is liable to for any Offence committed against this Act, to be recovered in like Manner, as is by this Act directed for the same.

Governors to transmit Certificates of Mills for slitting Iron, &c.

XVI. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon a Verdict or Demurrer against the Plaintiff, the Defendant

Limitation of Actions. General Issue.

Treble Costs.

dant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Publick Act.

XVII. And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Publick Act, and be judicially taken Notice of as such, by all Judges, Justices and other Persons whatsoever, without specially pleading the same.

See farther 30 *Geo.* 2. *c.* 16. *which extends the Liberty granted by this Act.*

CAP. XXX.

An Act for the more easy and speedy Recovery of small Debts within the *Tower Hamlets*.

'WHEREAS many Persons, Living, Residing, Trading or Dealing within the several Parishes, Liberties, Precincts, Hamlets and Places herein after mentioned, do contract several Debts, which in the Whole amount yearly to a great Sum of Money, and although such Debtors are well able to pay their respective Debts, yet often refuse so to do, presuming on the Discouragements their Creditors lie under from the Expence they are unavoidably put unto in suing for the same, and the Delays they meet with even after Judgment; and as providing an easy and speedy Method for recovering of Small Debts, will greatly contribute to the promoting Industry, and supporting and encouraging useful Credit;' May it therefore please your most Excellent Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for such Parishioners or Inhabitants of the several and respective Parishes, Liberties, Precincts, Hamlets and Places within the said *Tower Hamlets*, (the Precinct of the said *Tower-within* only excepted) as have a Right to assemble and meet for the Choice of Officers in their several and respective Vestries, or other Places of Meeting for transacting the Publick Business of such Parishes, Liberties, Precincts, Hamlets or Places, and they or the greater Number of them so assembled as aforesaid, are hereby respectively impowered and required on the *Tuesday* next after the Feast of *Easter*, or within one Month after *Easter* in the Year of our Lord one thousand seven hundred and fifty; and on every *Tuesday* next after the Feast of *Easter*, in every succeeding Year, to nominate, assign and appoint in the Whole, the Number of two hundred and forty of the most substantial and discreet Persons residing within their respective Parishes, Liberties, Precincts, Hamlets and Places, who shall each be seised of Lands, Tenements or Hereditaments, of the Value of twenty Pounds *per Annum*, clear of all Incumbrances, or possessed of a Personal Estate of the Value of five hundred Pounds or more, clear of all Incumbrances, to be Commissioners for the Purposes herein after mentioned and expressed in Manner following; *videlicet*, such Parishioners of the Parish of *Saint Mary Whitechapel*, to nominate, assign and appoint thirty-one of the said Persons; such Parishioners of the Parish of *Christ Church* other twenty-one; such Parishioners of the Parish of *Saint Leonard Shoreditch*, other twenty; such Parishioners of the Parish of *Saint John Hackney*, other eighteen; such Parishioners of the Parish of *Saint Matthew Bethnal Green*, other eight; such Parishioners of the Parish of *Saint Mary, Stratford Bow*, other four; such Parishioners of the Parish of *Bromley Saint Leonard*, other three; such Parishioners of the Parish of *Saint Anne*, other eight; such Parishioners of the Parish of *Saint Paul Shadwell*, other sixteen; such Parishioners of the Parish of *Saint George*, other eighteen; such Parishioners of the Parish of *Saint John Wapping*, other seventeen; such Parishioners of the Parish of *Saint Botolph without Aldgate*, commonly called the Liberty of *East Smithfield*, other fifteen; such Parishioners of the Parish of *Trinity Minories*, other three; such Parishioners or Inhabitants of the Hamlet of *Mile End Old Town*, other eight; such Parishioners or Inhabitants of the Hamlet of *Mile End New Town*, other three; such Parishioners or Inhabitants of the Hamlet of *Radcliffe*, other fifteen; such Parishioners or Inhabitants of the Hamlet of *Poplar* and *Blackwall*, other seven; (which said last-mentioned four Hamlets, are within the Parish of *Saint Dunstan Stebunheath*, otherwise *Stepney*, in the County of *Middlesex*) such Inhabitants of the Precinct of the *Tower-without*, other six; such Inhabitants of the Precinct of *Saint Katherine's*, other seven; such Inhabitants of the Precinct of *Well-Close*, other three; such Inhabitants of the Precinct of the *Old Artillery Ground*, other four; and such Inhabitants of the Liberty of *Norton Falgate*, other five; and the Churchwardens of each of the said respective Parishes or Hamlets, and the Overseers of the Poor of each of the respective Liberties, Precincts or Places aforesaid, for the time being, or one of them, shall, within two Days next after every such Nomination, cause two Lists to be made out, of the several Persons so respectively nominated, assigned and appointed as aforesaid; and the said respective Churchwardens shall cause one of the Lists, or a true Copy thereof, to be fixed and stuck up at the Church Door of each respective Parish; and the Overseers of the Poor of each Liberty, Precinct or Place aforesaid, not being a Parish of itself, shall also cause one of the said Lists, or a true Copy thereof, to be fixed and stuck up in some publick and convenient Place, in each of their respective Liberties, Precincts or Places aforesaid, not being a Parish of itself; and such Churchwardens and Overseers of the Poor respectively shall forthwith give or cause to be given Notice to all and every the Commissioners so nominated, assigned and appointed, for each of their respective Parishes, Liberties, Precincts, Hamlets and Places, of their being so appointed Commissioners as aforesaid; and shall also within two Days after every Nomination of Commissioners, pursuant to this Act, cause a true Copy of such Lists to be made and wrote fair in one compleat List, taking the several Parishes, Liberties, Precincts, Hamlets and Places in Order as they stand in this Act, and shall stick up the same in some convenient Part of the Court-House, or other convenient Place, to be provided by the said Commissioners, or the major Part of them, at some General Meeting to be held for that Purpose; which said Persons, so nominated and returned by the said several Parishes, Liberties, Precincts, Hamlets and Places respectively as aforesaid, from time to time, are hereby declared, constituted and appointed to be Commissioners to hear and determine all such Matters of Debt as are herein after-mentioned; and such Commissioners are hereby constituted a Court of Justice, by the Name of *The Court of Requests for the* Tower Hamlets; and the said Commissioners, or any three or more of them, are hereby authorized, impowered and required to assemble, sit and hold the said Court twice in

Parishioners to meet on Tuesday after Easter yearly, and to nominate 240 Commissioners, viz. St. Mary Whitechapel 31; Christ Church 21; St. Leonard Shoreditch 20; St. John Hackney 18; St. Matthew Bethnal Green 8; St. Mary, Stratford Bow 4; Bromley St. Leonard 3; St. Anne 8; St. Paul Shadwell 16; St. George 18; St. John Wapping 17; St. Botolph without Aldgate 15; Trinity Minories 3; Mile End Old Town 8; New Town 3; Radcliffe 15; Poplar and Blackwall 7; Tower without 6; St. Katherine's 7; Well Close 3; Old Artillery Ground 4; Norton Falgate 5;

Two Lists to be made out;

One to be fixed on the Church Door, and one in some publick Place.

Notice to be given to the Commissioners.

A List to be hung up in the Court-House.

Commissioners constituted a Court.

Three to sit Tuesday and Friday weekly,

in every Week, *videlicet*, on every *Tuesday* or *Friday*, or oftner, if need be, in a Court-House to be provided as aforesaid for that Purpose, in the said Parish of *Saint Mary Whitechapel*, or in some other convenient Place near or thereunto adjoining: And the said Commissioners, so to be assigned and appointed for the time being, or any three or more of them, shall have Power and Authority, by virtue of this Act, to give Judgment and Decree, and to award Execution thereupon, with Costs, against the Bodies, or against the Goods and Chattles of all and every the Person or Persons against whom they shall give any Judgment or Decree, as to them shall seem just in Law or Equity, so as no Person shall remain in Custody upon an Execution for any longer Space of Time than forty Days. and to give Judgment, &c.

II. And be it enacted by the Authority aforesaid, That if any Plaintiff or Creditor, Defendant or Debtor (after being duly warned or summoned to appear in the said Court, by one of the Beadles herein after directed to be chosen) shall, without some just Cause to be allowed by the said Commissioners in Court, or any three or more of them, refuse to appear in the said Court before the said Commissioners, or shall not perform such Order as the said Commissioners, or any three or more of them, shall make or set down for or concerning such Debts as aforesaid, it shall and may be lawful to and for the said Commissioners, or any three or more of them, to commit every such Person to the Common Gaol or House of Correction for the said County of *Middlesex*, or to the Gaol for the Liberty of the *Tower of London*, if such Person shall reside in the said Liberty, there to remain until he, she or they shall perform the Order of the said Commissioners, so as no Person shall remain in Custody for any longer Space of Time than forty Days. Persons not appearing on Summons, or not conforming, may be committed.

III And, for the more orderly and regular Proceeding in the said Court, and that no undue Preference may be made or given in summoning the said Commissioners to attend the Business of the said Court, Be it further enacted by the Authority aforesaid, That the said Beadles, or one of them, who are hereby impowered and required, from time to time, so to do, shall yearly summon, or cause to be summoned, the first five Persons out of the first sixty named in the said complete List, the first five Persons out of the second sixty named in the said complete List, the first five Persons out of the third sixty named in the said complete List, the first five Persons out of the fourth sixty named in the same List, (making in all twenty Persons) to attend as Commissioners of the said Court for one Calendar Month, to commence at and upon the first Day of *May* in each Year; and so the like Number of five Persons next standing, and successively following in each of the said sixty Names, as they shall stand in Order and Rotation upon the said complete List, to serve as Commissioners from Month to Month, during the Term for which they are so chosen Commissioners. Commissioners to attend monthly.

IV. Provided always, That nothing herein before contained shall extend, or be construed to extend, to exclude or debar any of the Persons who shall be nominated, appointed and returned for Commissioners as aforesaid, being duly qualified as aforesaid, from sitting in the said Court, although they be not in Rotation; but that all such Commissioners shall and may, so often as they shall respectively think fit, sit and give Judgment therein; any thing herein before contained to the contrary thereof in any wise notwithstanding. Commissioners not in Rotation may sit.

V. And be it enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and fifty, it shall and may be lawful to and for any Person or Persons who now have, or hereafter shall have any Debt or Debts owing unto him, her or them, not amounting to the Sum of forty Shillings, by any Person or Persons whatsoever, residing or inhabiting, or keeping any Shop, Shed, Stall or Stand, or seeking a Livelihood, or trading or dealing within the District herein before described, or any Part thereof, to cause such Debtor or Debtors, so resiant, inhabiting or keeping any Shop, Shed, Stall or Stand, or seeking a Livelihood, or trading or dealing, as aforesaid, to be warned or summoned by one of the said Beadles, who is hereby appointed, authorized and required to execute all Warrants, Precepts and Process of the said Court of Requests, by Personal Service, or by Writing left at the Dwelling-house or Place of Abode, Shop, Shed, Stall, Stand, or any other Place of Dealing of such Debtor or Debtors, to appear before the Commissioners of the said Court, to be held at or in the said Court-house, or other Place to be provided, as aforesaid; and that the said Commissioners, or any three or more of them, shall, after such Summons as aforesaid, have full Power and Authority, by virtue of this Act, from time to time, to make or cause to be made, such Acts, Order or Orders, Decrees, Judgments and Proceedings, between such Party or Parties, Plaintiffs, and his, her or their Debtor or Debtors, Defendants, touching such Debts, not amounting to the Sum of forty Shillings, as they shall find to stand with Equity and good Conscience; and all such Acts, Order or Orders, Decrees, Judgments and Proceedings, shall be entred and registred in a Book or Books, to be kept for that Purpose by the Clerks of the said Court, or one of them, and shall be observed, performed and kept in all Parts, as well by the Plaintiff, as the Debtor or Defendant. Power to sue Resiants for any Debt under 40 s. Beadle to summon the Debtor, &c. After Summons the Commissioners to give Judgment. Orders, &c. of the Court to be registred.

VI. And for the more due and regular Proceeding in the said Court intended to be established by this Act, it is hereby further enacted, That it shall and may be lawful for the said Commissioners, or any three or more of them, to administer an Oath to the Plaintiff or Defendant, and to such Witness or Witnesses as shall be produced by each Party, and also to all or any of the Officers of the said Court, for or concerning any Business relative thereunto, if the same Commissioners, or any three or more of them shall so think it meet. Commissioners may administer Oaths to the Parties.

VII. And be it further enacted by the Authority aforesaid, That if any Action of Debt, or Action on the Case upon an *Assumpsit* for Recovery of any Debt be sued or prosecuted against any Person or Persons aforesaid, in any of the King's Courts at *Westminster* or elsewhere, out of the said Court of Requests, and it shall appear to the Judge or Judges of the Court where such Action shall be sued or prosecuted, that the Debt to be recovered by the Plaintiff in such Action doth not amount to the Sum of forty Shillings, and the Defendant in such Action shall duly prove, by sufficient Testimony, to be allowed by any the Judge or Judges of the Court where such Action shall depend, that at the Time of commencing such Action, such Defendant was inhabiting and resiant within the District herein before described, or any Part thereof, and was liable to be warned or summoned before the said Court of Requests for such Debt; then, and in such Case, the said Judge or Judges shall not allow to the said Plaintiff any Costs of Suit; but shall award that the said Plaintiff shall pay so much ordinary Costs to the Party Defendant, as such Defendant shall justly prove before the said Judge or Judges it hath truly cost him in Defence of the said Suit. If Action for Debt under 40 s. shall be sued in any other Court, the Plaintiff to pay Costs;

unless the Judge certify there was a reasonable Cause of Action; then the Plaintiff to have Costs.

VIII. Provided always, and be it enacted by the Authority aforesaid, That where the Plaintiff shall upon any Action brought in any of the King's Courts at *Westminster*, or in any of the Courts of Great Session of *Wales*, or Counties Palatine, obtain a Verdict for less than forty Shillings, if the Judge or Judges, who shall try the said Cause, shall certify, that there was a probable or reasonable Cause of Action for forty Shillings or more, in every such Case, the Plaintiff shall not be liable to pay Costs, but shall recover his Costs of Suit, as if this Act had not been made.

Method of Proceeding when any shall insult the Court.

IX. And, for the more effectual establishing of the said Court of Requests, and the better enforcing the Orders and Decrees which shall be made by the said Commissioners; and that the said Commissioners may be invested with proper Power and Authority, and be free and exempt from any Insults or Abuses; Be it further enacted by the Authority aforesaid, That if any Person or Persons shall contemptuously affront, insult or abuse all or any of the Commissioners of the said Court, during their Sitting in the said Court, it shall and may be lawful to and for the said Beadles, or one of them, by Order of the said Commissioners then sitting, or the major Part of them, being three or more, to take such Person or Persons so offending as aforesaid, into Custody, and carry him, her or them before one or more of his Majesty's Justice or Justices of the Peace for the County of *Middlesex*, if the said Offence be committed within the said County; or before one or more Justice or Justices of the Peace for the Liberty of his Majesty's *Tower of London*, if the Offence be committed within that Liberty, to answer such Affront, Insult or Abuse; and upon the Fact alledged being duly proved, upon the Oath or Oaths of one or more credible Witness or Witnesses, against him, her or them, then, and in such Case, the said Justice or Justices shall proceed to punish such Person or Persons so offending as aforesaid, by Fine not exceeding twenty Shillings, which Fine shall be immediately paid into the Hands of the said Justice or Justices, before whom such Offender or Offenders shall be carried; and if such Offender or Offenders shall not so pay the said Fine in Manner as aforesaid, it shall and may be lawful for the said Justice or Justices for the said County of *Middlesex*, or the Liberty of the *Tower* aforesaid, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders to the common Gaol, or House of Correction for the said County of *Middlesex*, or to the said Gaol for the said Liberty, where the said Offence shall happen respectively to be committed, there to remain for any Time not exceeding the Space of one Calendar Month, or until he, she or they shall have paid the said Fine; and such Fine, when received by the said Justice or Justices, shall be immediately paid over into the Hands of the Churchwardens or Overseers of the Poor of the Parish, Liberty, Hamlet, Precinct or Place where such Offence shall be committed, or where the Party shall reside at the Time of committing such Offence, to be applied towards the Relief of the Poor of such Parish, Liberty, Precinct, Hamlet or Place.

Fine not to exceed 20 s.

nor the Imprisonment one Month.

Application of the Fine.

Copy of the preceding Clause to be hung up in the Court.

X. And be it further enacted by the Authority aforesaid, That the Clerks of the said Court, or one of them, shall fix, or cause to be fixed or stuck up, in the most publick Part of the Court-house aforesaid, for the said *Tower Hamlets*, or other Place where the said Commissioners shall sit to do Business as aforesaid, a true Copy of the preceding Clause of this Act, to the End that no Person or Persons shall or may pretend Ignorance in the Premisses.

Penalty of Perjury.

XI. And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall make Oath, or give Evidence, in any Cause depending in the said Court of Requests, whereby he, she or they shall commit any wilful or corrupt Perjury, and thereof be duly convicted according to Law, then every such Person or Persons shall incur and suffer the like Pains and Penalties, as any other Person or Persons convicted of wilful Perjury, according to the Laws and Statutes of this Realm.

Commissioners to meet on 1 May 1750,

XII. And be it enacted by the Authority aforesaid, That the Commissioners so nominated, assigned and appointed as aforesaid, shall and may meet at the said Court-House, or some other convenient Place in the said *Tower Hamlets*, on *Tuesday* the first Day of *May* in the Year one thousand seven hundred and fifty, or within one Month afterwards, in the Forenoon of the same Day; and then and there the said Commissioners, or the greater Number of them then present, shall and may, and they are hereby impowered and required by Ballot to choose Clerks of the said Court, not exceeding four, nor less than two; and also Beadles of the same Court, not exceeding four; who shall continue Clerks and Beadles of the said Court, during so long Time as they shall behave themselves well in their respective Offices.

and choose Clerks and Beadles.

Commissioners disqualified from being Clerks, &c.

XIII. Provided always, That no Commissioner shall be capable of holding the Office of Clerk, or any other Place of Profit belonging to the said Court.

On the Death or Resignation of any of the Clerks or Beadles, the Commissioners to elect others.

XIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners in Court, or the major Part of them then present, on the next Court Day after the Death or Resignation of the said Clerks or Beadles, or any or either of them, or so soon after as the same is publickly known; and they are hereby required to cause the whole Number of Commissioners to be summoned, who next before such Death or Resignation were nominated and returned as aforesaid (by giving them four Days Notice at least) to meet at the Place aforesaid, within twenty Days next after their being summoned as aforesaid; and such Commissioners at such Meeting are hereby authorized, impowered and required by Ballot to choose another Person or Persons, in the Room of such Clerks and Beadles, or any or either of them, so dying or resigning as aforesaid, for the Uses and Purposes in this Act contained; and so, from time to time, upon every such Vacancy of the said Office of Clerk or Beadle, for ever.

Commissioners to be sworn.

XV. And be it further enacted by the Authority aforesaid, That no Person or Persons shall be capable of acting as a Commissioner or Commissioners in the Execution of the Powers given by this Act, until such Time as he and they shall respectively have taken an Oath to the Effect following:

The Oath.

'I *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my Judgment, hear and determine such Matters and Things as shall be brought before me, by virtue of an Act of Parliament (intituled, *An Act for the more easy and speedy Recovery of Small Debts within the* Tower Hamlets) without Favour or Affection to either Party; and that I am now seised of Lands, Tenements or Hereditaments, of the Value of twenty Pounds *per Annum*, clear of all Incumbrances, or that I am possessed of a Personal Estate of the Value of five hundred Pounds, clear of all Incumbrances whatsoever.'

Which

Which Oath three of the Persons to be assigned, nominated and appointed Commissioners as aforesaid, are hereby impowered to administer, or cause to be administered, and a Memorial thereof shall be entered in the Register of the said Court.

The Fees of the Clerks and Beadles.

XVI. And be it further enacted by the Authority aforesaid, That the several Fees and Sums of Money hereafter limited and expressed, and no more or greater Fees shall and may be taken for the respective Services of the Clerks and Beadles; that is to say,

For every Summons, to the Clerks, three Pence; to the Beadles, two Pence.
For every Hearing, to the Clerks, three Pence.
For calling the Defendant before the Court, when he or she refuse to appear, to the Clerks, two Pence; to the Beadles, one Penny.
For an Attachment against the Defendant for not appearing to the Summons, to the Clerks, six Pence; to the Beadles, one Shilling.
For an Execution, to the Clerks, eight Pence; to the Beadles, one Shilling.
For paying Money into Court, to the Clerks, six Pence.
For acknowledging Satisfaction in full, to the Clerks, four Pence.
For acknowledging Satisfaction in part, to the Clerks, two Pence.
For searching the Books, to the Clerks, two Pence.
For a Nonsuit on the Plaintiff's not appearing, to the Clerks, two Pence.

An Account upon Oath, of the Fees, to be given yearly. If the same exceed 200 l. to each Clerk, or 60 l. to each Beadle, the Surplus to be divided, or the Fees reduced, &c.

XVII. Provided always, That a yearly Account shall be given upon Oath, by the said several Clerks and Beadles, before the said Commissioners, sitting in Court, or any three of them, of the Amount of the Fees by them severally received; and that if the Fees hereby appointed to be taken for the Services of the Clerks shall, in any one Year, exceed two hundred Pounds to each Clerk, clear of all Charges; and the Fees for the Services of the Beadles, exceed sixty Pounds to each Beadle, clear of all Charges, it shall and may be lawful for the Commissioners at a General Meeting to be held and summoned for that Purpose, to order the Surplus to be divided between the Clerks and Beadles in Proportion to their respective Sums of two hundred Pounds, and sixty Pounds *per Annum*, and to order for the future that the said Fees be reduced, so as to bring in, as near as may be, the said respective Sums of two hundred Pounds a Year to each of the Clerks, and the said respective Sums of sixty Pounds a Year to each of the Beadles; and if at any Time after such Reduction, the Business of the said Court shall decline, so as not to produce the said several Sums of two hundred Pounds a Year to each Clerk, and the said several Sums of sixty Pounds a Year to each Beadle, it shall be lawful for the said Commissioners at a General Meeting as aforesaid, to reduce the Number of Clerks, or increase the Fees again, so as they do not at any Time exceed the present settled Fees.

Table of the Fees to be hung up.

Penalty of taking greater Fees, &c.

XVIII. And be it enacted by the Authority aforesaid, That a Table of the aforesaid Fees shall be hung up by the Clerks of the said Court, or one of them, in some publick and conspicuous Part of the said Court-House, or other Place where the said Commissioners shall meet for the Purposes aforesaid, to the end that all Persons concerned may at all Times see and read over the same; and if the said Clerks or Beadles, or either of them, for the time being, shall take or demand any greater or other Fees than as above-mentioned, or shall otherwise misbehave himself or themselves in the Execution of his or their Office, then he or they for every such Offence shall forfeit and pay such Fine, not exceeding the Sum of twenty Pounds, as the said Commissioners, or any three of them shall assess, to be applied to the Use of the Sick, in the *London* Infirmary.

Proceeding against Clerks, &c. where the Offence deserves a greater Punishment.

XIX. And be it further enacted by the Authority aforesaid, That upon Complaint made by any Person or Persons, of the Misbehaviour or Breach of Duty of the Clerks or Beadles, or any or either of them, to be appointed by virtue of this Act, or of any Clerk or Clerks, Beadle or Beadles, in taking or demanding any greater or other Fees than as above-mentioned; and if it shall appear to the said Commissioners, or the major Part of them then present, that such Complaint deserves a greater Punishment, then such Commissioners so sitting in Court are hereby directed and required to cause the whole Number of Commissioners to be summoned to meet as soon as conveniently may be, by Notice in Writing to be given to all the said Commissioners respectively by the Beadles aforesaid, or any other Person or Persons the Commissioners shall direct, at least four Days before the holding of such Meeting; and the said Commissioners so summoned, and then present, being not less than sixty, shall and may examine into the Merits of such Complaint; and if it shall then appear to the said Commissioners, or the major Part of them, that such Clerks or Beadles, or any or either of them, have or hath been guilty of Misbehaviour or Breach of Duty as aforesaid, in his or their Office, or in taking any greater or other Fees than above-mentioned, that then it shall and may be lawful to and for the said Commissioners, or the major Part of them, to suspend or remove such Clerks and Beadles, or any or either of them, from his or their said Office, and to call another General Meeting of the whole Commissioners, by giving two Days Notice at least, in Writing, as aforesaid, and within eight Days next after the Removal of such Clerks or Beadles, or any or either of them; at which Meeting all the Commissioners, or the greater Part of them, shall and may choose by Ballot a Clerk or Clerks, Beadle or Beadles of the said Court, in the Room of such Clerk or Clerks, Beadle or Beadles so removed as aforesaid.

Certain Debts excepted.

XX. Provided always, That this Act, or any Thing herein contained, shall not extend to any Debt for any Rent upon any Lease of Lands or Tenements, or any other real Contract, nor to any other Debt that shall arise by reason of any Cause concerning Testament or Matrimony, or any thing concerning or properly belonging to the Ecclesiastical Court, albeit the same shall be under forty Shillings; any thing herein before contained to the contrary notwithstanding.

No Suit for Debts recoverable by this Act, to be in any other Court.

XXI. And be it further enacted by the Authority aforesaid, That no Action or Suit for any Debt not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought against any Person residing or inhabiting within the Jurisdiction thereof, in any other Court whatsoever.

'XXII. And whereas the Four Council of the ancient Court of the *Marshalsea*, and of the Court of 'his Majesty's Palace of *Westminster*, who hold their Office for the Terms of their Natural Lives respec- 'tively, and who have been made chargeable by Parliament, and actually assessed to the Land Tax for 'their Freeholds in their said Offices, will sustain great Loss by this present Act, unless a Compensation shall 'be made to them for the same;' Be it therefore enacted by the Authority aforesaid, That the Clerks of the said Court of Requests for the time being shall, and they are hereby required out of the Fees limited or to be limited to the said Clerks by virtue of this present Act, to pay or cause to be paid unto *John Lawson*, *Lomax Martyn*, *George Weller*, and *John Le Gross Spelman*, Esquires, the present Council of the said ancient Court of the *Marshalsea*, and the Court of his Majesty's Palace of *Westminster*, as a Compensation for the Loss they will sustain in their said Offices by this present Act, for and during the Terms of their respective natural Lives, the yearly Sum of thirty Pounds apiece, of lawful Money of *Great Britain*, (free and clear of and from all Charges and Deductions whatsoever) to be paid to them severally and respectively, yearly and every Year, at or upon the several Feast Days following; that is to say, the Feast of Saint *Michael* the Archangel; the Feast of the Nativity of our Lord *Christ*; the Feast of the Annunciation of the Blessed Virgin *Mary*; and the Feast of the Nativity of Saint *John the Baptist*, by even and equal Portions; the first Payment thereof to begin and to be made at or upon the Feast Day of Saint *Michael* the Archangel, in the Year of our Lord one thousand seven hundred and fifty.

30 l. per Ann. to be paid yearly to each of the Four Council of the Marshalsea.

XXIII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to restrain the ancient Court of Record, held for and within the Liberty of the *Tower of London*, from holding Plea of any Personal Action, the Cause of which shall arise within the Precinct of the Fortress of the said *Tower*, commonly called *The Precinct of the Tower within*, or from holding Plea of any Personal Action (other than Actions for Debts not amounting to the Value of forty Shillings, the Cause of which shall arise in any Part of the Liberty of the said *Tower*, out of the said Precinct of the *Tower within*) or to take away or abridge any Jurisdiction, Authority, Privilege, Immunity or Exemption, which the Chief Governor of the said *Tower*, or his Deputy or Deputies, or any Officers or Ministers, or Inhabitants within the said Liberty, enjoys or enjoy, or ought to enjoy by virtue of any Law, Usage, Custom, Prescription, Grant, Charter or Commission; any thing in this Act to the contrary thereof in any wise notwithstanding.

This Act not to extend to the Precinct of the Tower-within, &c.

XXIV. And be it enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Matter or Thing done or to be done in pursuance of this Act, then and in such Case such Action or Suit shall be brought or commenced within three Calendar Months next after the Fact committed, and not afterwards, and the Defendant or Defendants in such Action or Suit to be brought shall and may plead the General Issue, and give this Act, and the said Special Matter in Evidence, at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her or their Action or Actions, Suit or Suits; or if upon Verdict or Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

XXV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act, and be judicially taken Notice of as such by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

Publick Act.

CAP. XXXI.

An Act for extending and improving the Trade to *Africa*.

'WHEREAS the Trade to and from *Africa* is very advantageous to *Great Britain*, and necessary for 'the supplying the Plantations and Colonies thereunto belonging with a sufficient Number of Ne- 'groes, at reasonable Rates; and for that Purpose the said Trade ought to be free and open to all his Ma- 'jesty's Subjects:' Therefore be it enacted, and it is hereby enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for all his Majesty's Subjects to trade and traffick to and from any Port or Place in *Africa*, between the Port of *Sallee* in *South Barbary*, and the *Cape of Good Hope*, when, and at such Times, and in such Manner, and in or with such Quantity of Goods, Wares or Merchandizes, as he or they shall think fit, without any Restraint whatsoever, save as is herein after expressed.

See 25 *Geo.* 2. *c.* 40.

Free Trade to Africa.

II. And be it enacted by the Authority aforesaid, That all his Majesty's Subjects, who shall trade to or from any of the Ports or Places of *Africa*, between *Cape Blanco*, and the *Cape of Good Hope*, shall for ever hereafter be a Body Corporate and Politick, in Name and in Deed, by the Name of *The Company of Merchants trading to* Africa; and by the same Name shall have perpetual Succession, and shall have a Common Seal; and by that Name shall and may sue, and may be sued, and do any other Act, Matter and Thing, which any other Body Corporate or Politick, as such, can or may lawfully do.

Traders incorporated, &c.

Their Name.

III. And the better to uphold, maintain and defend, all such Forts, Factories and Settlements, on the Coast of *Africa*, as now are erected, or hereafter shall be thought necessary to be erected, for the securing and better carrying on the said Trade, Be it further enacted by the Authority aforesaid, That all and every the *British* Forts, Settlements and Factories on the Coast of *Africa*, beginning at *Cape Blanco* aforesaid, and extending from thence to the *Cape of Good Hope* inclusive, and all other the Regions, Countries, Dominions, Territories, Continents, Coasts, Ports, Bays, Rivers and Places, lying and being within the aforesaid Limits, and the Islands near adjoining to those Coasts, and comprehended within those Limits, which are now claimed by, or are in the Possession of the *Royal* African *Company of* England, or which may be hereafter in the Possession of the Company hereby established, shall, from and after the passing of an Act of Parliament for divesting the *African* Company of their Charter, Forts, Castles, and Military Stores, Canoe Men, Castle Slaves, and all other their Property on the Coast of *Africa*, their Goods and Merchandizes only

The Forts, Settlements and Factories, &c. of the Royal African Company vested in the new Company.

only excepted, be absolutely vested in the said new Company established by this Act, and their Successors, to the Intent and Purpose that the said Forts, Settlements and Premisses, shall be employed at all Times hereafter, only for the Protection, Encouragement and Defence, of the said Trade.

Company prohibited to trade in their joint Capacity, &c.

IV. And it is hereby further enacted by the Authority aforesaid, That it shall not be lawful for the Company established by this Act, to trade to or from *Africa* in their corporate or joint Capacity, or to have any joint or transferrable Stock, or to borrow or take up any Sum or Sums of Money, on their Common Seal.

A Committee of nine to be chosen annually to manage the Affairs of the Company.

V. And be it further enacted by the Authority aforesaid, That the Direction and Management of the Affairs of the said Company hereby established, shall be in and by a Committee of nine Persons, to be chosen annually, as hereafter is mentioned, who are to meet and assemble together, from time to time, as often as shall be necessary, at some Place in the City of *London*; and the Committee-men for the time being, or any five or more of them, or the major Part of them so assembled, shall, from and after the passing such Act of Parliament for divesting the *African* Company of their Charter, Forts, Castles and Military Stores, Canoe Men, Castle Slaves, and all other their Property on the Coast of *Africa*, as aforesaid, or before the passing such Act, so far as the said *African* Company shall consent thereto, have full Power, from time to time, to make Orders for the governing, maintaining, preserving and improving the Forts and Factories already built, or which hereafter shall be built, within the Limits aforesaid; and to appoint Governors, Deputy Governors, or any other Officers, Civil or Military, of or for the said Forts and Settlements, and them to remove and displace when they shall see fit; and to make Orders and Regulations for the better Government of the said Officers and Servants abroad, and to take Security from them for their good Behaviour, and for their paying due Obedience to the Regulations established by this Act, and to such other Orders and Regulations as the said Committee shall, from time to time, think proper to make; so as no Orders or Regulations, to be made by the said Committee, shall tend to lay any Restraint whatsoever on the said Trade or Traders to and from *Africa*, contrary to the true Intent and Meaning of this Act.

No Restraint to be laid on the Trade, or Traders.

Traders who shall pay 40s. for their Freedom in the Company, to meet on 10 July, and choose the first Committee;

VI. And be it further enacted by the Authority aforesaid, That the Traders or Persons intending to trade to or from *Africa*, who, in order to be admitted into the Freedom of the said Company, shall, on or before the thirtieth Day of *June* one thousand seven hundred and fifty, have paid into the Hands of the Chamberlain of the City of *London*, the Sum of forty Shillings each for their Freedom in the said Company, shall or may meet and assemble on the tenth Day of *July* one thousand seven hundred and fifty, in the Guildhall of the said City; and they, or the major Part of them so assembled, shall or may choose three Persons: And that in like Manner such other of the Traders to or from *Africa*, who, in order to be admitted into the Freedom of the said new Company, shall, on or before the said thirtieth Day of *June* one thousand seven hundred and fifty, have paid into the Hands of the Clerk of the Merchants Hall in the City of *Bristol*, the Sum of forty Shillings each for their Freedom of the said Company, shall or may assemble on the tenth Day of *July* one thousand seven hundred and fifty, in some convenient Place in the City of *Bristol*; and they, or the major Part of them so assembled, shall choose three other Persons; and that in like Manner such other of the Traders to or from *Africa*, who, in order to be admitted into the Freedom of the said new Company, shall, on or before the said thirtieth Day of *June* one thousand seven hundred and fifty, have paid into the Hands of the Town Clerk of *Liverpool*, the Sum of forty Shillings each for their Freedom in the said Company, shall or may assemble on the said tenth Day of *July* one thousand seven hundred and fifty, in the Town Hall of *Liverpool*; and they, or the major Part of them, who shall be so assembled, shall and may choose three other Persons; and the nine Persons so to be chosen in the Manner before expressed, shall be the first annual Committee for managing the Affairs of the said Company, and shall continue in Office for one Year, and until others shall be chosen in their Room respectively, as is herein after mentioned.

who are to continue for one Year.

Elections to be on 3 July yearly.

VII. And it is hereby further enacted by the Authority aforesaid, That in all future Elections, the said Committee of nine Persons shall annually, on the third Day of *July* in every Year, be nominated and chosen as follows; that is to say, Three of the said Committee shall be nominated and chosen by the major Part of the Freemen of the said Company, admitted to the Freedom of the said Company in *London*, who shall assemble for that Purpose at *London*; Three other Persons to be of the said Committee, shall be chosen and nominated by the major Part of the Freemen of the said Company admitted to the Freedom of the said Company in *Bristol*, who shall assemble for that Purpose at *Bristol*; and Three other Persons to be of the said Committee, shall be chosen and nominated by the major Part of the Freemen of the said Company admitted to the Freedom of the said Company in the Town of *Liverpool*, who shall assemble for that Purpose at *Liverpool*.

Power to choose other Committee-men in the Room of those who shall die, &c.

VIII. And be it further enacted, That it shall and may be lawful for the major Part of the Freemen of the said Company, made free at *London*, assembled for that Purpose at *London*, from time to time, at their Will and Pleasure, to choose and supply one or more Committee-man or Committee-men, in the Place or Places of any of the Committee-men by them chosen, that shall happen to die, be removed, or refuse to act; and in like Manner, that it shall and may be lawful for the major Part of the Freemen of the said Company, made free at *Bristol*, assembled for that Purpose at *Bristol*, from time to time, at their Will and Pleasure, to choose and supply one or more Committee-man or Committee-men, in the Place or Places of any of the Committee-men by them chosen, that shall happen to die, be removed, or refuse to act: And that it shall and may be lawful for the major Part of the Freemen of the said Company, made free at *Liverpool*, assembled for that Purpose at *Liverpool*, from time to time, at their Will and Pleasure, to choose and supply one or more Committee-man or Committee-men, in the Place or Places of any of the Committee-men by them chosen, that shall happen to die, be removed, or refuse to act: And publick Notice shall be inserted in the *London Gazette*, previous to every such Election, by the Committee for managing the Affairs of the said Company, of the Time and Place when and where such Election is to be had, ten Days at least before the Time appointed for such Election.

10 Days Notice of such Election to be given in the London Gazette.

If no Election be made by the Traders of one Town, such as shall be elected

IX. Provided always, and be it further enacted by the Authority aforesaid, That in case at the Time appointed for the first and other Elections of the said Committee-men, the Traders admitted to their Freedom, in any one or more of the said Cities and Towns respectively, shall neglect to proceed to such Choice; in that Case, such other of the Persons who shall be chosen by the Traders admitted to their Freedom in the other

by the other, shall manage the Affairs.

other of the said Cities or Towns, or the major Part of them, though less in Number than nine, shall or may act as the Committee for managing the Affairs of the said Company, until the next annual Election; and that all Elections of Committee-men for managing the Affairs of the said Company, shall be determined by the Majority of Votes then present; and that in all Cases, where the third Day of *July* shall happen to fall or be on a *Sunday*, the annual Election of Committee-men shall be had and made on *Monday* the fourth Day of *July*.

Where 3 July shall be a Sunday, the Election to be on the 4th.

In Equality of Votes, the Mayor to determine.

X. Provided always, That in case of an Equality of Votes, the Lord Mayor of *London*, the Mayor of *Bristol*, and the Mayor of *Liverpool* respectively, shall and may determine which of such Persons shall be the Committee-man or Committee-men.

First Meeting of the Committee.

XI. And be it further enacted by the Authority aforesaid, That the said Committee for managing the Affairs of the said new Company, shall meet together for the first Time on the first *Monday* in *August* one thousand seven hundred and fifty, and shall then settle the Manner of their future Meetings, and of the Notices and Summons to be sent for that Purpose, from time to time, to the Members of the said Committee;

No Orders of the Committee, to which all are not consenting, to be valid, unless confirmed at a subsequent Meeting.

and no Order or Resolution of the said Committee, to which all the Members of the said Committee present at the making thereof, shall not be consenting, shall be valid or binding, unless the same shall be approved and confirmed at a subsequent Meeting of the said Committee, at which all the Members of the said Committee shall be present, or of which, such of them as shall happen to be absent, shall have had the usual Notice.

Chairman to be chosen.

XII. And be it further enacted by the Authority aforesaid, That on every Meeting of the said Committee, when the Time prefixed for entering on Business shall be come, and the said nine Committee-men, or so many of them as are necessary to make a Committee, shall be present, before they enter upon Business, a Chairman shall be chosen by Lot out of the Committee-men then present, who shall take the Chair for that Meeting; and shall not be permitted to give his Vote that Day on any Question before the said Committee, unless there shall happen to be an Equality of Votes on any Question or Questions; in all which Cases the said Chairman shall be at Liberty to give his Vote on which Side of the Question he shall judge to be right:

Committee-men absent at the Choice of the Chairman, not to vote.

And to prevent any of the said Committee-men from being designedly absent when a Chairman is to be chosen, every Committee-man, who shall not be present at the Choice of a Chairman, shall not be permitted to vote on any Question before the Committee that Day; but shall be at Liberty to be present, and give his Opinion in all Matters whatsoever, as any other Committee-man may do: And all Matters which shall be decided by a Plurality of Votes of such Committee-men as shall be intitled to vote, shall be deemed and taken to be decided by a Majority of Committee-men present; any thing in this Act to the contrary notwithstanding.

Traders paying 40 s. on or before 30 June 1750, to be the first Members, &c.

XIII. And be it further enacted by the Authority aforesaid, That such of his Majesty's Subjects who shall, on or before the said thirtieth Day of *June* one thousand seven hundred and fifty, pay to the Chamberlain of *London*, the Clerk of the Merchants Hall in *Bristol*, or the Town Clerk of *Liverpool* respectively, the Sum of forty Shillings each, for their Freedom in the said Company, shall be the first Freemen and Members of the said new Company established by this Act: And that, from and after the said thirtieth Day of *June* one thousand seven hundred and fifty, any other of his Majesty's Subjects, trading, or intending to trade to or from *Africa*, shall and may be admitted to be a Freeman or Member of the said Company at *London*, *Bristol*, or *Liverpool*, upon his Payment of the Sum of forty Shillings for the same, to such Person or Persons, as the Committee for managing the Affairs of the said Company shall, and are hereby required, from time to time, to appoint to receive the same in *London*, *Bristol*, or *Liverpool*, respectively.

Persons admitted after 30 June, not to vote at an Election for 1 Year.

XIV. Provided always, That no Persons so admitted, after the said thirtieth Day of *June* one thousand seven hundred and fifty, shall be intitled to vote for the Election of any Committee-man, until one Year after such Admission.

Certificates to Persons admitted.

XV. And be it further enacted by the Authority aforesaid, That the Chamberlain of *London*, the Clerk of the Merchants Hall in *Bristol*, the Town Clerk of *Liverpool*, and such other Persons, whom the Committee for managing the Affairs of the said Company shall, at any Time hereafter, appoint to receive the said Sums of forty Shillings for the Admission of Persons into the Freedom of the said Company, shall, upon their receiving the same, sign and deliver a Certificate to the Person paying the same, certifying his having paid the Sum of forty Shillings for his being admitted into the Freedom of the said Company; for which

Fee of the Certificate.

Certificate there shall be paid to the Person appointed to receive the said Sums of forty Shillings, the Sum of two Shillings and six Pence, and no more, as a Fee or Reward for his Trouble therein;

Names of the Company to be entered.

and the Names and Places of Abode of every Person paying the said Sum of forty Shillings, shall be entered in a Book or Books, which the Person receiving the same is hereby required to keep for that Purpose.

Sums received for Freedoms, to be paid to the Order of the Committee, &c.

XVI. And be it further enacted by the Authority aforesaid, That the Chamberlain of *London*, the Clerk of the Merchants Hall at *Bristol*, and the Town Clerk of *Liverpool*, shall respectively pay over the several Sums of forty Shillings, which shall have been paid to them for Freedoms of the said Company, to such Person or Persons whom the Committee of the said Company shall authorize to receive the same; and shall, at the same Time, deliver over the Books, in which the Names and Places of Abode of the Persons who shall have respectively paid the said Sums of forty Shillings each for their Freedoms in the said Company, shall have been entered, to such Person or Persons as the said Committee shall appoint to receive the same.

Receivers to pay the same annually, and to deliver Lists of the Names.

XVII. And be it further enacted by the Authority aforesaid, That the Person or Persons who shall, from time to time, be appointed by the said Committee at *London*, *Bristol*, and *Liverpool*, to receive the said Sums of forty Shillings, payable by Persons on their being admitted into the Freedom of the said Company, shall annually, or oftener, if required by the said Committee, pay and deliver over all such Sums, which shall have been paid to them respectively for Freedoms in the said Company, together with Lists of the Names and Places of Abode of the Persons from whom they shall have respectively received the same, to the said Committee, or as they shall, from time to time, direct.

List of the Company to be kept at the Office,

XVIII. And be it further enacted by the Authority aforesaid, That a true and exact List shall, from time to time, be made and kept at the Office or Place where the said Committee shall transact their Business in *London*, of the Names and Places of Abode of all Persons admitted into the Freedom of the said Company,

distinguish-

distinguishing the Place where each Person was admitted; which List shall annually, ten Days at least before the annual Elections, be printed and delivered, without Fee or Reward, to such of the Persons admitted into the Freedom of the said Company, who shall desire the same. and to be printed annually before the Elections.

XIX. And be it further enacted by the Authority aforesaid, That no Person shall be capable of being chosen, or acting as a Committee-man, above three Years successively; and two or more Persons, who shall be in Copartnership in Trade, shall not be capable to be chosen or act as Committee-men, during the same Time or Year: And the said nine Persons, or any of them, shall not, during such Time as they shall be of the said Committee, in any Manner, directly or indirectly, trade jointly, or in Copartnership, to *Africa*, or lade, or cause to be laden, any Goods or Merchandizes on Board the same Ship, in which any one of the said nine Committee-men shall, for that Voyage, have before laden Goods to be carried to any Place in *Africa*. None to be chosen into the Committee, above 3 Years successively, &c. or to trade in Partnership, &c.

XX. And be it further enacted, That the said Committee shall and may, from time to time, invest such Part of the Money in their Hands, as they shall judge necessary, in the Purchase of Goods and Stores, which, after the same are insured, which they are hereby impowered and required to procure to be done, are to be sent and exported to *Africa*, there to be sold, disposed of and applied, for the sole Use, Preservation and Improvement of the Forts and Settlements there, and for the Payment of the Salaries and Wages to the Officers, and other Persons employed for keeping and preserving the said Forts and Settlements, and not otherwise: But it shall not be lawful for the said Committee to carry, or cause to be carried, or exported from *Africa*, any Negroes, or other Goods, in Return for the said Goods they shall so export from *Great Britain*, or in any other Manner to carry on any Trade to or from *Africa*: And a just and true Account of the said Committee's Receipts and Payments shall, from time to time, be kept in a Book or Books for that Purpose; which Book or Books shall be open at the Office or Place where the said Committee shall transact the Affairs and Business of the said Company in *London*, to be perused at all seasonable Times by any Person admitted to the Freedom of the said Company, without Fee or Reward. Committee may vest the Money in the Purchase of Goods, to be sent to Africa, for the Use of the Settlements; but not carry on a Trade to and from Africa. Books of the Receipts and Payments to be open.

XXI. And be it further enacted by the Authority aforesaid, That the Commissioners for Trade and Plantations are hereby authorized and impowered, from time to time, in case any of the said Committee-men, or any Officer or Servant appointed by them, shall be guilty of any Misbehaviour, contrary to the true Intent and Meaning of this Act, to remove any of the said Committee-men, Officers or Servants, from their Employments, giving Notice of such Removal, and specifying the Causes thereof, to the said Committee; and when a Committee-man shall be so removed, the said Committee shall give Notice forthwith to the Mayor of the City or Town by whom the said Committee-man was chosen, to elect another in the Room or Stead of him so removed; and if an Officer or Servant shall be so removed, the said Committee are hereby impowered to appoint another in the Room or Stead of him or them so removed. The Commissioners for Trade may remove any of the Committee-men, Officers, &c. On Removal of a Committee-man, Notice to be given.

XXII. Provided nevertheless, That whenever any Committee-man shall be charged with Misbehaviour in his Employment, the Commissioners for Trade and Plantations shall summon such Committee-man to appear before them, and shall, in case he attends, hear such Committee-man; and upon his Attendance or Default, examine into the Truth of the said Charge, before they shall remove him from his Employment as aforesaid; any thing herein contained to the contrary notwithstanding. Commissioners to summon and hear any Committee-man charged with Misbehaviour.

XXIII. And be it further enacted by the Authority aforesaid, That the said Committee shall, and they are hereby required to render a just and perfect Account of all their Transactions once a Year, to the Commissioners for Trade and Plantations, or oftener, if thereunto required by the said Commissioners, or any three or more of them; in which shall be contained an Account of all the Monies received and disbursed by the said Committee, or their Order; and also an Account of all the Orders and Instructions given by the said Committee, as well as to their Officers and Servants in *Great Britain*, as on the Coast of *Africa*; and all the Answers given thereto by the said Officers and Servants employed by the said Committee; and of all other Matters and Things whatsoever which shall be transacted by the said Committee. Committee to give the Commissioners an Account yearly of their Proceedings, &c.

XXIV. And be it further enacted by the Authority aforesaid, That the said Committee, out of the Monies they shall receive, shall deduct annually a Sum, not exceeding the Sum of eight hundred Pounds, for defraying, in the first Place, the Salaries of their Clerks and Agents at *London*, *Bristol*, and *Liverpool*, the House-Rent of their Office in *London*, and all other Charges of Management, Commission or Agency, in *England*; and the Residue of the said eight hundred Pounds shall be shared and divided amongst themselves, as they shall judge proper, as a Compensation for their Trouble and Attendance in the said Office of Committee-men; and the rest of the Monies which the said Committee shall receive for the Admission of Persons into the Freedom of the said Company, or otherwise, shall be applied and appropriated wholly to the Maintenance, Support and Improvement of the Forts and Settlements already built, or which hereafter shall be built, on the Coast of *Africa*, which shall be in the Possession of the said Company; and for keeping them in good Repair; and for providing Ammunition, and other Stores, and Officers and Soldiers to defend the same; and for paying the said Officers and Soldiers; and to and for no other Use or Purpose whatsoever. Application of the Monies received by the Committee.

XXV. And be it further enacted by the Authority aforesaid, That the said Committee shall, within one Month after the Expiration of the Year for or during which they shall have been chosen Committee-men, lay before the Cursitor Baron of the Court of *Exchequer*, an Account of all the Money received by the Committee during the preceding Year, and of the Application thereof, upon Oath; and the said Cursitor Baron shall, within one Month after the said Account shall be laid before him, examine, pass and audite the same; and for the better discovering the Truth of such Account, the said Cursitor Baron is hereby impowered to examine any of the said Committee-men, and such other Person or Persons as he shall judge necessary, upon Oath, touching the Articles or Particulars in such Account expressed, or such of them as the said Cursitor Baron shall think fit; which Account, so audited and passed by the Cursitor Baron, shall be final and conclusive, and shall be a full and absolute Discharge to the said Committee-men, without their being compelled to give or render any further or other Account thereof; and the said Committee shall, every Session of Parliament, lay before the Parliament a Copy of such annual Account, audited as aforesaid, and of all Orders and Regulations made by them in the preceding Year, relating to the said Forts and Settle- Committee at the Expiration of the Year, to lay their Accounts before the Cursitor Baron; and a Copy thereof, and of their Proceedings before the Parliament,

Settlements, or the Government of their Officers or Servants employed therein; and Copies of every ſuch annual Account, Orders and Regulations, ſhall be annually laid before a General Meeting of the Members of the ſaid Company, to be had in *London*, *Briſtol*, and *Liverpool* reſpectively; of which fourteen Days Notice ſhall be previouſly given in the *London Gazette*.

and before a General Meeting.

Traders not to be obſtructed.

XXVI. And be it further enacted by the Authority aforeſaid, That no Officer, or any other Perſon to be employed by the ſaid Committee, at any of the Forts or Settlements built or to be built in *Africa*, ſhall at any Time hereafter, in any Manner, or on any Pretence, obſtruct or hinder any of his Majeſty's Subjects in Trading; and that the Forts, Warehouſes and Buildings, already erected, or which ſhall hereafter be erected, by the ſaid Company, ſhall and may at all Times hereafter be free and open to all his Majeſty's Subjects, to be uſed as Warehouſes for depoſiting Gunpowder, Gold, Elephants Teeth, Wax, Gums and Drugs, and no other Goods.

The Buildings to be free for Warehouſes;

and for Safety of their Perſons.

XXVII. Provided nevertheleſs, That the ſaid Forts, Warehouſes and Buildings, may and ſhall, in caſe of Neceſſity or Danger, be free and open to all his Majeſty's Subjects, for the Safety of their Perſons, and Security of all their Effects whatſoever.

Traders may build Houſes under the Protection of the Forts.

XXVIII. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any of his Majeſty's Subjects trading to *Africa*, for the Security of their Goods or Slaves, to erect Houſes and Warehouſes, under the Protection of the ſaid Forts, or elſewhere in any other Part of *Africa* within the Limits aforeſaid, for the better carrying on of his or their Trade there; which Houſes and Warehouſes ſhall be the Property of the Perſon or Perſons who ſhall build the ſame; but ſhall not be diſpoſed of, or lett, to any Foreigner whatſoever.

Penalty on Maſters of Veſſels committing Violence, &c. on the Natives.

XXIX. And be it further enacted by the Authority aforeſaid, That no Commander or Maſter of any Ship trading to *Africa*, ſhall by Fraud, Force or Violence, or by any other indirect Practice whatſoever, take on Board, or carry away from the Coaſt of *Africa*, any Negro or Native of the ſaid Country, or commit, or ſuffer to be committed, any Violence on any Natives, to the Prejudice of the ſaid Trade; and that every Perſon ſo offending ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds of lawful Money of *Great Britain*; one Moiety thereof to the Uſe of the ſaid Company hereby eſtabliſhed, and their Succeſſors, for and towards the maintaining the ſaid Forts and Settlements, and the other Moiety to and for the Uſe of him or them who ſhall inform or ſue for the ſame.

Inſtructions to be given to Captains of Men of War, to inſpect the Condition of the Forts.

Reports to be laid before Parliament.

XXX. And be it further enacted by the Authority aforeſaid, That the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the time being, ſhall, from time to time, give Inſtructions to the Captains of ſuch of his Majeſty's Ships of War as ſhall be ſtationed or ordered to cruiſe within the Limits aforeſaid, from time to time, to inſpect and report to them the State and Condition in which the ſaid Forts and Settlements ſhall be; and the Officers of ſuch Forts are required to permit ſuch Captains to view and inſpect the ſame; and Copies of all ſuch Reports ſhall, every Seſſion of Parliament, be laid before Parliament.

Officers of the Navy to inquire into the Condition of Forts, &c.

XXXI. And be it further enacted by the Authority aforeſaid, That ſuch Commiſſion Officers of his Majeſty's Navy, as the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, for the time being, ſhall appoint for that Purpoſe, ſhall inſpect and examine the State and Condition of the Forts and Settlements on the Coaſt of *Africa*, in the Poſſeſſion of the ſaid Royal *African* Company, and of the Number of Soldiers therein, and alſo the State and Condition of the Military Stores, Caſtles, Slaves, Canoes and other Veſſels and Things, belonging to the ſaid Company, and neceſſary for the Uſe and Defence of the ſaid Forts and Settlements, and ſhall with all poſſible Diſpatch report how they find the ſame, to the ſaid Lord High Admiral, or Commiſſioners for executing the ſaid Office; and the ſaid Company, and their Officers and Servants, are hereby required to permit the ſaid Officers of the Navy to make ſuch Inſpection and Examination, and to aſſiſt them therein; a Copy of which Report ſhall be laid before Parliament at the Beginning of the next Seſſion.

Commiſſioners appointed to examine the Claims of the Creditors, &c.

XXXII. And be it further enacted by the Authority aforeſaid, That the Accountant General of the High Court of *Chancery* for the time being, and ſuch two of the other Maſters of the ſaid Court, as the Lord High Chancellor of *Great Britain* for the time being, or Lord Keeper of the Great Seal of *Great Britain* for the time being, or the Lords Commiſſioners for the Great Seal of *Great Britain* for the time being, ſhall, from time to time, nominate for that Purpoſe, ſhall be, and they are hereby conſtituted and appointed Commiſſioners for examining into the Claims of the Creditors of the ſaid Royal *African* Company: And ſuch Commiſſioners, or any two of them, are hereby impowered and required, by the Examination of the Parties intereſted, or the Teſtimony of Witneſſes upon Oath, or by the Inſpection and Examination of the Books, Deeds, Writings and Accounts of the ſaid Company, and their Creditors reſpectively, or otherwiſe, according to their Diſcretion, to examine into the ſaid Claims, and to enquire and ſtate how and when the ſame were reſpectively incurred, and for what Conſideration the ſame were originally, really, and *bona fide*, contracted, or became due; and upon what Conſideration, and when the Claimants became reſpectively intitled thereto, together with their Opinion of the Juſtneſs and Reaſonableneſs of ſuch Debts reſpectively; and for that Purpoſe all and every the Creditors of the ſaid Company are hereby required on or before the reſpective Days and Times hereafter limited and appointed for that Purpoſe, to deliver or cauſe to be delivered in Writing under their reſpective Hands, or the Hands of Perſons by them reſpectively authorized, unto ſuch Officer or Officers, and at ſuch Place within the City of *London*, as the ſaid Commiſſioners, or any two of them ſhall appoint, of which Notice ſhall be given in the *London Gazette*, a juſt and true Account of their reſpective Claims upon the ſaid Company, together with a true Copy of the Securities by which they reſpectively claim the ſame, and ſuch of the ſaid Creditors as reſide in *Great Britain* or *Ireland*, ſhall make their reſpective Claims on or before the thirtieth Day of *Auguſt* one thouſand ſeven hundred and fifty, and ſuch of them as are reſident on the Coaſt of *Africa*, or elſewhere beyond the Seas, ſhall make their reſpective Claims on or before the thirtieth Day of *December* one thouſand ſeven hundred and fifty; and the Directors and Officers of the ſaid Company, and all other Perſons whatſoever, whom the ſaid Commiſſioners, or any two of them ſhall think fit to examine, touching the Matters aforeſaid, are hereby ſtrictly required and enjoined to attend the ſaid Commiſſioners, from time to time, and at all ſuch Times and Places

as

as the said Commissioners, or any two of them, shall under their Hands require or appoint, and to give the best and truest Information they can, touching the said Claims, and to produce all Books, Papers, Deeds or Records relating thereto, in their respective Custody or Power, as the said Commissioners, or any two of them shall direct; and the said Commissioners, or any two of them, are hereby authorized to administer an Oath, for the better Discovery of the Truth of the Facts, touching which such Examination or Inquiry shall be made; and they are hereby required to close and finish their Examinations of all the Claims that shall be made by such of the said Creditors, who reside in *Great Britain* or *Ireland*, at the farthest, on or before the thirty-first Day of *January* one thousand seven hundred and fifty, and of all the Claims that shall be made by such of the said Creditors who reside in *Africa*, or any other Parts beyond the Seas, on or before the twenty-eighth Day of *February* one thousand seven hundred and fifty; and the said Commissioners shall lay Accounts of their Proceedings before the Parliament with all convenient Speed.

Time for closing their Examinations.

Accounts to be laid before Parliament.

XXXIII. And be it further enacted by the Authority aforesaid, That in case any Person or Persons summoned to appear before the said Commissioners, shall wilfully neglect or refuse to appear and be examined touching the Matters and Things by this Act directed to be inquired into, or shall refuse to answer, or shall not fully answer to the Satisfaction of the Commissioners present at the Time of such Examination, or any two of them, all Questions put to him, her or them, by the said Commissioners, or any two of them, as well by Word of Mouth as by Interrogatories in Writing; or shall refuse or wilfully neglect to produce, from time to time, to the said Commissioners, or any two of them, all Books of Accounts, Papers and Writings, in their Custody or Power, relating to the Matters herein directed to be inquired into by the said Commissioners, as the said Commissioners, or any two of them, shall, from time to time direct; then and in every such Case it shall and may be lawful to and for the said Commissioners, or any two of them, by Warrant under their Hands and Seals, to commit him, her or them, to such Prison, as the said Commissioners, or any two of them, shall think fit, there to remain, without Bail or Mainprize, until such Person or Persons shall submit him, her or themselves, to the said Commissioners, and produce before them such Books of Accounts, Papers and Writings, upon Oath, and full Answer make, to the Satisfaction of the Commissioners, to all such Questions as shall be put to him, her or them, as aforesaid, according to the true Intent and Meaning of this Act; and the said Commissioners, in every Case where any Person or Persons shall be by them committed for refusing to answer, or for not fully answering any Question or Questions put to him, her or them, by the said Commissioners, by Word of Mouth, or upon Interrogatories, shall in their Warrants of Commitment specify such Question or Questions.

Persons summoned not appearing, &c. to be committed.

XXXIV. And be it further enacted by the Authority aforesaid, That the said Royal *African* Company, their Directors, Officers and Servants, and every of them, shall, for the Space of one Year, to be computed from the seventeenth Day of *March* one thousand seven hundred and forty-nine, be, and they are hereby restrained and disabled from assigning, transferring or disposing of all or any their Military Stores, Ammunition, Slaves, Canoes, Vessels and Things necessary for the Use or Defence of their Forts and Settlements; and all Actions, Suits and Process, depending, or which shall be hereafter commenced or prosecuted by any Person or Persons for Recovery of any Debt or Sum of Money due, or pretended to be due, from the said Company, or from any Person or Persons, for or in respect of any Debt or Debts contracted for or on Behalf of the said Company, shall be, and the same are hereby stayed for the Space of one Year, to be computed from the said seventeenth Day of *March* one thousand seven hundred and forty-nine.

The African Company restrained from disposing of Stores, &c.

Suits for Money due by them, stayed for 1 Year.

'XXXV. And whereas *David Crichton*, late one of the Chief Agents of the said Company at *Cape Coast Castle*, now a Prisoner for Debt in the Custody of the Sheriffs of the City of *London*, did, with two others of the said Company's Agents or Servants there (to wit) *Thomas Chalmer* and *James Craik*, in the Year one thousand seven hundred and forty-five, contract a Debt at *Cape Coast Castle* aforesaid, of fourteen hundred Pounds, for and on the Behalf of the said Company, for the Support and Maintenance of their Forts and Servants: And whereas the said *David Crichton* now stands charged in the Custody of the said Sheriffs, in Execution, on a Judgment given in the Court of *King's Bench*, at the Suit of one *William Stead*, for the Debt aforesaid, which, together with Costs of Suit, and Interest thereon, amounts in the Whole to the Sum of sixteen hundred and four Pounds sixteen Shillings and six Pence, upon a Judgment obtained against him in his Majesty's Court of *King's Bench*, by the said *William Stead*;' Be it therefore enacted by the Authority aforesaid, That the said *David Crichton* be forthwith discharged out of the Custody of the said Sheriffs, upon the said *David Crichton*'s giving a new Judgment to the said *William Stead*, for the said Sum of sixteen hundred and four Pounds sixteen Shillings and six Pence, with Stay of Execution thereon, for one Year, to be computed from the said seventeenth Day of *March* one thousand seven hundred and forty-nine: And further, That the said *David Crichton* do enter into a Bond to the said *William Stead*, with two Sureties, to be approved of by one of the Judges of the Court of *King's Bench*, in Double the Penalty of the said Sum of sixteen hundred and four Pounds sixteen Shillings and six Pence, with which the said *David Crichton* stands charged in Custody, with Condition that he the said *David Crichton* will not withdraw himself out of *England*, but will always be ready, either in *London* or *Middlesex*, at the Expiration of the said Year, to be subject to any Process the said *William Stead* shall think proper to take out against him.

David Crichton in Custody for a Debt on Behalf of the Company, to be discharged.

XXXVI. And be it further enacted by the Authority aforesaid, That the Expences of obtaining and passing this Act, shall be defrayed and paid by the said Committee for managing the Affairs of the said New Company, out of the first Monies they shall receive for the Admissions of Persons into the Freedom thereof; and the Expences of the said Commissioners, their Officers and Servants, and of the Inquiry to be made in pursuance of this Act, shall be defrayed, in the first Place, out of such Compensation as shall be hereafter granted by Parliament, on the said Royal *African* Company's being divested of their Charter, Lands, Forts, Castles, Slaves and other Effects.

Expences of this Act, and of the Commissioners.

XXXVII. And be it further enacted by the Authority aforesaid, That the Penalties inflicted by this Act may be sued for and recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in any of the Courts of his Majesty's Plantations or Colonies in *America*, wherein no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance, shall be allowed;

Penalties how to be recovered.

lowed; and all and every Offence and Offences which any Perſon or Perſons ſhall be guilty of on the High Sea, or on Shore, within the Limits before mentioned, contrary to this Act, ſhall be enquired of and determined in his Majeſty's Court of *King's Bench* at *Weſtminſter*, or before ſuch Commiſſioners, and in ſuch County of this Realm, as ſhall be aſſigned by his Majeſty's Commiſſion, and by good and lawful Men of the ſame County.

Limitation of Actions.

XXXVIII. And it is hereby further enacted by the Authority aforeſaid, That if any Action or Actions ſhall be commenced or brought againſt any Perſon or Perſons for what he or they ſhall do, or cauſe to be done, in purſuance of this Act, then, and in every ſuch Caſe, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence; any Law or Uſage to the contrary thereof in any wiſe notwithſtanding.

General Iſſue.

Publick Act.

XXXIX. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Publick Act, and ſhall be taken Notice of as ſuch, by all Judges, Juſtices and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XXXII.

An Act for granting to his Majeſty certain Duties upon ſuch Species of Sail Cloth as are therein mentioned, which ſhall be imported from *Ireland* into *Great Britain*, during the Time therein limited.

Former Proviſions.
1 *Jac.* 1. *c.* 24.
7 & 8 *W.* 3. *c.* 30 & 39. 12 *Ann. ſtat.* 1. *c.* 16. 4 *Geo.* 2. *c.* 27.
9 *Geo.* 2. *c.* 37.
10 *Geo.* 2. *c.* 27.
19 *Geo.* 2. *c.* 27.
23 *Geo.* 2. *c.* 21.

WHEREAS large Bounties have been granted and allowed by the Parliament of *Ireland* on Sail Cloth of the Manufacture of that Kingdom, which hath encouraged the Importation of conſiderable Quantities of the ſaid Manufacture into *Great Britain*, which may tend to the Prejudice of the ſaid Manufacture in this Kingdom:' We your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, do give and grant unto your Majeſty, your Heirs and Succeſſors, ſuch Duties on Sail Cloth imported from *Ireland* as are herein after-mentioned; and do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty, the ſeveral Duties following ſhall be levied and paid to his Majeſty, his Heirs and Succeſſors, upon all Canvas or Sail Cloth of the Manufacture of *Ireland*, imported into *Great Britain* (on which the ſeveral Bounties of four Pence, and two Pence a Yard reſpectively, granted by an Act of Parliament made in *Ireland* in the nineteenth Year of his preſent Majeſty's Reign, ſhall have been allowed) that is to ſay, For each Yard of all ſuch Canvas or Sail Cloth imported as aforeſaid, of the Value of fourteen Pence a Yard, and upwards, a Duty of four Pence; and for each Yard of ſuch Canvas or Sail Cloth, imported as aforeſaid, of the Value of ten Pence a Yard, and under fourteen Pence a Yard, a Duty of two Pence: Which reſpective Duties ſhall be levied, recovered and paid, by ſuch Means and Methods, and under ſuch Penalties and Forfeitures, and ſhall be applied to the ſame Uſes and Purpoſes, as the Duties now payable upon the Importation of Foreign Sail Cloth are collected, levied and applied.

Duties on the Importation of Iriſh Canvas or Sail Cloth.

Method of levying and applying the Duties;

and for aſcertaining upon what Canvas or Sail Cloth, the Bounties ſhall have been paid.

II. And be it enacted by the Authority aforeſaid, in order to prevent Frauds, and to aſcertain upon what Canvas or Sail Cloth the ſaid Bounties of four Pence and two Pence ſhall have been paid, That no Canvas or Sail Cloth ſhall be imported from *Ireland* into this Kingdom but in whole or entire Bolts or Pieces; and if the Loops or Double Threads of the ſaid Bolts or Pieces ſo imported, which by the ſaid Act of Parliament made in *Ireland*, in the nineteenth Year of his preſent Majeſty's Reign, are directed to be Part of the Warp at the Middle of that End of the Web which is laſt in Weaving, ſhall be cut off; or if ſuch Bolts or Pieces be ſtamped with an Impreſſion, importing the Payment of either of the ſaid Bounties, then, and in either of the ſaid Caſes, ſuch Canvas or Sail Cloth ſhall be deemed to have received the ſaid Bounty, and be liable to the Payment of the reſpective Duties laid and made payable by virtue of this Act.

Duties to be paid as long as the Bounties ſhall continue.

III. And be it further enacted by the Authority aforeſaid, That the ſaid ſeveral Duties of four Pence and two Pence a Yard by this Act impoſed, ſhall continue and be paid on all ſuch Canvas and Sail Cloth imported into *Great Britain*, for ſo long Time as the reſpective Bounties allowed by virtue or in conſequence of the ſaid Act of the Parliament of *Ireland* ſhall continue, and no longer.

Officer of the Cuſtoms may examine the Pieces on Importation, &c.

IV. And be it further enacted by the Authority aforeſaid, That upon the Importation of any Canvas or Sail Cloth from *Ireland* into this Kingdom, it ſhall be lawful for the Collector, Comptroller or other proper Officer of the Cuſtoms, to open, view and examine the ſame; and if it ſhall appear that either of the ſaid Bounties has been paid, and no regular Entry of ſuch Canvas or Sail Cloth has been made at ſuch Port where the ſame was ſo imported, then, and in ſuch Caſe, all the Canvas or Sail Cloth ſo omitted to be entered as aforeſaid, ſhall be forfeited and ſeized by any Officer of the Cuſtoms.

Method of aſcertaining the Duties.
See farther 26 *Geo.* 2 *c.* 32. *and* 32 *Geo.* 2. *c.* 23.

V. And be it further enacted by the Authority aforeſaid, That if any Diſpute ſhall ariſe touching the Duty which ought to be paid upon ſuch Canvas or Sail Cloth, ſuch Duty ſhall be aſcertained in the ſame Manner, and under the ſame Forfeitures and Penalties, as Duties upon Goods and Commodities imported into this Kingdom, and ſubject to Payment of Duties *ad Valorem*, are aſcertained.

CAP. XXXIII.

An Act for preventing Delays and Expences in the Proceedings in the County Court of *Middleſex*; and for the more eaſy and ſpeedy Recovery of Small Debts in the ſaid County Court.

'WHEREAS Sheriffs in their ſeveral County Courts hold Plea of all perſonal Actions where the Debt or Damages do not amount to forty Shillings: And whereas the Proceedings in the County Courts, in ſuch Actions, have been found to be vexatious, expenſive and dilatory:' For Remedy thereof in the County of *Middleſex*, and for the more eaſy and ſpeedy Recovery of Small Debts within the ſaid County; May it pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in

in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, it shall and may be lawful to and for the Suitors of the County Court of *Middlesex*, together with the County Clerk of the said County in County Court assembled, or the major Part of them the said County Clerk and Suitors so assembled, upon any Plaint to be entered in the said County Court in any Suit where the Debt or Damages shall not amount to the Sum of forty Shillings, to proceed in a summary Way, and from time to time to make such Order or Decree, Orders or Decrees, as shall seem to them, or the major Part of them so assembled, to be just and agreeable to Equity and good Conscience; and for the better Discovery of the Truth, and more speedy obtaining the End of such Suits, be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Suitors and County Clerk in the County Court aforesaid, to examine the Plaintiff or Plaintiffs, Defendant or Defendants, and their Witnesses, *viva voce*, upon their several corporal Oaths.

Suitors of the County Court, and the County Clerk, may determine Suits for Debt under 40 s. in a summary Way; and examine Parties upon Oath.

II. And be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, it shall and may be lawful for the Sheriff of *Middlesex*, by his County Clerk, to hold his County Court, for the Proceeding in Pursuance of and under the Authority of this Act, on *Thursday* in every Week, at some convenient Place, within the Hundred of *Ossulston* in the County of *Middlesex*, and on the first *Tuesday* in every Month, at some convenient Place within the Hundreds of *Isleworth* or *Elthorne*, and on the last *Tuesday* in every Month, at some convenient Place within the Hundred of *Edmonton*; provided always, That the monthly Court of the said Sheriff shall nevertheless be held and kept as has been accustomed.

Times and Places appointed for holding the County Court.

III. And be it enacted by the Authority aforesaid, That such Persons, and such Persons only, shall be deemed and taken to be Suitors of the said County Court to be held by and under the Authority of this Act, as are qualified to serve on Juries on Trials at *Nisi Prius* in the Courts of *King's Bench*, *Common Pleas* and *Exchequer* at *Westminster*, by virtue of the Laws in Being.

Who shall be deemed Suitors.

IV. And be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, no Plaint to be entered in the said County Court, as aforesaid, nor any Order or Orders or other Proceedings to be had thereupon by virtue of this Act, shall be removed out of the said Court by any Writ of *Recordari facias Loquelam*, *Certiorari*, or false Judgment, or otherwise howsoever; but such Order or Orders so to be made by the said Suitors and County Clerk shall be final and conclusive to all Parties whatsoever; provided nevertheless, That all Plaints in Replevin shall be proceeded in, and removeable in the same Manner, as if this Act had not been made; provided also, That no Person or Persons shall be liable to be summoned to the said County Court at the Suit of any Plaintiff or Plaintiffs, other than such Person or Persons as was or were liable to be summoned to the County Court of *Middlesex*, before this Act was made, and that this Act shall not extend to give the said County Court any Jurisdiction to hold Plea of, or to hear or determine any Action, Cause or Suit, other than such Action, Cause or Suit, as the County Court of *Middlesex* might have held Plea of by Plaint before the making of this Act.

No Plaints or Orders of the Court, may be removed; except Plaints in Replevin.

Who may be summoned to the Court.

Jurisdiction of the County Court, not extended by this Act.

V. And be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, after any Plaint shall have been entered as aforesaid, and the Defendant or Defendants shall have been duly summoned, and either the Plaintiff or Plaintiffs in the said Plaint named, or the Defendant or Defendants shall neglect or refuse to abide by and perform such Order or Orders, as the said Suitors and County Clerk shall, from time to time, make, pronounce and set down in Writing; then it shall and may be lawful to and for the County Clerk for the time being, by Warrant in Writing under his Seal, to commit such Plaintiff or Plaintiffs, Defendant or Defendants, to the County Gaol of the said County, or any other common Gaol within the said County, there to remain for the Space of three Calendar Months, or any shorter Space of Time, at the Discretion of the said Suitors and County Clerk; provided nevertheless, that if the Person or Persons so committed shall, before the Expiration of the Time for which he, she or they shall be committed, perform such Order or Orders, then he, she or they shall forthwith be discharged.

Parties not conforming, may be committed.

VI. And be it enacted by the Authority aforesaid, That in any Case where the said Suitors and County Clerk shall have made any Order or Decree for the Payment of Money, it shall and may be lawful for the said County Clerk, at the Prayer of the Party prosecuting such Order or Decree, to issue a Precept under his Seal in the Nature of a Writ of *Fieri Facias*, which Precept shall be directed to one of the Bailiffs attending the said Court, who is hereby authorized to levy the Sum or Sums of Money mentioned in such Precept, in the same Manner as any Sheriff may levy Money by virtue of any Writ of *Fieri Facias* issuing out of any of his Majesty's Courts of Record at *Westminster*.

Where an Order for Payment of Money shall be made, the County Clerk may issue a Precept for levying.

VII. And be it enacted by the Authority aforesaid, That the Under Sheriff of *Middlesex* for the time being, after the said twenty-fourth Day of *June*, shall, six Days before the End of every Month, deliver to the County Clerk of the said County three several Lists, each List containing the Names and Places of Abode of twelve Persons, to be by the said Sheriff taken from the Freeholders Book of the said County of *Middlesex*, as Suitors to attend the said County Court for the succeeding Month for the several Divisions hereafter named; that is to say, one List for the Hundred of *Ossulston*, one for the Hundred of *Isleworth* and *Elthorne*, and one for the Hundred of *Edmonton*; and the County Clerk of the said County shall cause the said Persons in the said several Lists named, to be summoned to attend the said Court at the Time and Place to be mentioned in the said Summons; for each of which Lists the said County Clerk shall pay the said Under Sheriff the Sum of four Pence, and no more; and no other Suitor, except the Persons so summoned, shall have any Voice in the said County Court, held under the Authority of this Act; and no Person shall be liable to be put upon such List to attend the said Court as a Suitor thereof, oftener than once in every Year.

Under Sheriff to deliver every Month, three Lists of 12 Freeholders, to attend.

None to attend but once in a Year.

VIII. And be it further enacted, That if any Suitor so qualified as aforesaid, after having been duly summoned to attend the said Court, shall neglect or refuse to attend according to such Summons, and there shall not be a sufficient Number of Suitors to proceed in the Business of the said Court, then it shall and may be lawful for the said County Clerk to amerce such Suitor as shall not attend in any Sum not exceeding twenty Shillings, to the Use of the Poor of the Parish where the said Court shall sit, to be recovered by the Overseers of the Poor of the said Parish for the time being, or any one of them, by Plaint in the said County Court, in the same Manner as any other Debt or Demand may be recovered in the said Court under the Authority of this Act.

Suitors not attending, to be amerced 20 s.

Where the Inhabitants of particular Places shall be liable to attend.

IX. Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons residing or dwelling within the Hundreds of *Goare*, *Elthorne*, *Spelthorne* or *Isleworth*, shall be liable or obliged to attend the said County Court, either as a Suitor or Defendant, in any other Place than within the said Hundreds of *Isleworth* or *Elthorne*; and no Person or Persons residing or dwelling within the Hundred at *Edmonton*, shall be liable or obliged to attend the said Court in any other Place than within the said Hundred of *Edmonton*.

Suitors to be sworn.

X. And be it further enacted, That every Suitor attending the said Court, before he enters on the hearing or determining any Matter in Controversy, shall take the following Oath to be administered by the said County Clerk or his Deputy, who is hereby authorized to administer the same, that is to say,

The Oath.

'I Swear, That I will impartially and truly hear and determine the several Matters in Controversy which 'shall be brought before me, as a Suitor of this Court, according to the Evidence, and the best of my 'Skill and Judgment.'

So help me God.

Penalty on Contempt or Disturbance of the Court.

XI. And be it enacted by the Authority aforesaid, That if any Person or Persons shall be guilty of any Contempt or Disturbance of the said Court, sitting the Court, then it shall and may be lawful for the said Suitors and County Clerk to order such Person or Persons to be taken into the Custody of any Officer or Officers attending the said Court, which Officer or Officers is and are hereby required and authorized to detain such Person or Persons in his or their Custody during the sitting of the said Court, and the said Suitors and County Clerk may, if they think fit, amerce such Person or Persons, in any Sum, not exceeding forty Shillings, to the Use of the Poor of the Parish where the said Court shall sit, to be recovered by the Overseers of the Poor of the said Parish for the time being, or any one of them, by Plaint, in the said County Court, in the same Manner as any other Debt or Demand may be recovered in the said Court under the Authority of this Act.

County Clerks, and Officers Fees.

XII. And be it further enacted, That the County Clerk for the time being, and the other Officers of the said Court, shall receive and take the Fees under-written, and no other or greater Fees, that is to say,

The County Clerk for entering the Plaint, four Pence.
For every Warrant, four Pence.
For every Summons, four Pence.
For every Order, eight Pence.
For entering every Order, four Pence.
For Hearing, six Pence.
For Execution, four Pence.
For entering the Appearance of the Defendant or Defendants, six Pence.
The Crier for every Call, one Penny.
The Officer for summoning, four Pence.
The Officer for Execution on the Goods, two Shillings.
On the Person, three Shillings.

Table of Fees to be hung up.

A Table of which Fees shall be publickly hung up in every Place where the said County Court shall be held.

William Whitaker Esquire, continued County Clerk.

Sheriff to appoint future County Clerks.

XIII. And be it enacted by the Authority aforesaid, That *William Whitaker* of the *Middle Temple*, *London*, Esquire, the present County Clerk of the said County of *Middlesex*, shall continue County Clerk of the said County, so long as he shall behave himself well in the said Office; and from and after the Resignation, Removal or Death of the said *William Whitaker*, and so often as the said Office shall become vacant, the Sheriff of the County of *Middlesex* for the time being, shall appoint a sufficient Person to be County Clerk of the said County, who at the Time of such Appointment shall be of the Degree of an utter Barrister of three Years standing at the Bar, and be approved by the Lord High Chancellor, Lord Keeper or Commissioners of the Great Seal, the Lord Chief Justice of the Court of *King's Bench*, and the Lord Chief Justice of the Court of *Common Pleas* for the time being, or any two of them, which Person so appointed and approved shall continue County Clerk so long as he shall behave himself well.

County Clerk to be sworn.

XIV. And be it enacted by the Authority aforesaid, That the said *William Whitaker* shall, within one Month after the said twenty-fourth Day of *June*, and every succeeding County Clerk of the said County, within one Month after his Appointment and Approbation as aforesaid, take the following Oath in the County Court aforesaid, that is to say,

The Oath.

'I *A. B.* do swear, That I will well and truly execute the Office of County Clerk of the County of *Mid-* '*dlesex*, according to the best of my Skill and Knowledge, and that I will not deny or delay Justice, 'and will not myself, or knowingly by any Deputies, Clerks or Servants under me, or by any other 'Person or Persons, receive or take, or cause or permit, or suffer to be received or taken, any greater or 'other Fees in my said Office of County Clerk, than such as are directed to be taken in and by an Act 'made in the twenty-third Year of the Reign of his Majesty King GEORGE the Second, intituled, *An Act* '*for preventing Delays and Expences in the Proceedings in the County Court of* Middlesex, *and for the more easy* '*and speedy Recovery of Small Debts within the said County Court.*'

So help me God.

Oath to be registered.

Which Oath shall and may be administered by any two Suitors present, and shall be entered in the County Court Book, and signed by the said County Clerk, and attested by the Suitors present at the Administration thereof.

County Clerk may appoint his Deputy.

XV. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the County Clerk of the said County for the time being, to appoint his sufficient Deputy to act for him in the said Office of County Clerk, which Deputy, in the Absence of the said County Clerk, shall have the same Authority as if himself were present; provided nevertheless that such Deputy be of the Degree of an utter Barrister of three Years standing at the Bar, and provided such Deputy be nominated by the said County Clerk in open Court, three Weeks at the least before his Appointment, and the Majority of the Suitors present at the said Appointment assent thereto; and the said Deputy shall at every Court before he proceeds to the hearing or determining any Matter in Controversy, take the Oath herein before directed to be taken by the

Deputy to be sworn.

Suitors of the said Court; except the Words, *As a Suitor of this Court*, which Oath shall and may be administered by any two of the Suitors present.

Method of proceeding against the County Clerk, for Misbehaviour.

XVI. And be it enacted by the Authority aforesaid, That if the said County Clerk, or any other County Clerk of the said County, shall not behave himself well in his said Office, it shall and may be lawful for any twenty-four or more Freeholders of the said County, to apply by Petition to the Lord High Chancellor, Lord Keeper or Commissioners of the Great Seal for the time being, thereby complaining of the Misbehaviour of the said County Clerk, and upon such Petition it shall and may be lawful for the said Lord High Chancellor, Lord Keeper or Commissioners of the Great Seal, the Lord Chief Justice of the Court of *King's Bench*, and the Lord Chief Justice of the Court of *Common Pleas* for the time being, or any two of them, to meet together, and to hear and determine the said Complaint in a summary Way; and in case the said County Clerk shall be found, upon due Examination and Proof before them, to have been guilty of any such Misbehaviour in the said Office, then and in such Case, it shall and may be lawful for the said Lord High Chancellor, Lord Keeper or Commissioners, and the said Chief Justices, or any two of them, to amove the said County Clerk from his said Office.

Penalty of Perjury.

XVII. And be it enacted by the Authority aforesaid, That if any Person or Persons shall make Oath, or give Evidence in any Cause depending in the said County Court, whereby he, she or they shall commit wilful and corrupt Perjury, and thereof be duly convicted, then every such Person or Persons shall incur and suffer the like Pains and Penalties, as any other Person or Persons convicted of wilful and corrupt Perjury is or are liable to by the Laws and Statutes now in Being.

Officers, &c. sued for acting, may plead the General Issue.

XVIII. And be it enacted by the Authority aforesaid, That in Case any Action or Suit shall at any Time hereafter be commenced or brought against any Member, Officer or Minister of the said County Court, or against any other Person or Persons, for or in respect of his or their acting in pursuance of or under the Authority of this Act, That it shall and may be lawful for such Person in every such Action or Suit to plead the General Issue, and give this Act and the Special Matter in Evidence, and the Warrant or Precept under the Seal of the said County Clerk, being duly proved in any such Action or Suit, shall be deemed a sufficient Proof of the Authority of the said County Court, and of all other Proceedings in the said Court, previous to the issuing of such Warrant or Precept; and in case the Plaintiff or Plaintiffs in such Action or Suit shall have a Verdict pass against him or them, be nonsuit, or discontinue his, her or their Action or Suit, the Defendant or Defendants shall, in any of the said Cases, be allowed Double Costs.

Double Costs.

In Suits prosecuted at Westminster, which are liable to be sued in the County Court, the Defendant to have Double Costs.

XIX. And be it further enacted, That in case any Action of Debt, or Action upon *Assumpsit*, shall be commenced and prosecuted after the said twenty-fourth Day of *June*, in any of his Majesty's Courts of Record at *Westminster*, and the Defendant or Defendants, at the Time of such Action brought, shall live or reside in the said County of *Middlesex*, and be liable to be summoned to the said County Court, and the Jury upon the Trial of such Cause shall find the Damages for the Plaintiff under the Value of forty Shillings, unless the Judge shall in open Court certify on the Back of the Record, that the Freehold, or Title to the Plaintiff's Land, principally came in Question, or that an Act of Bankruptcy principally came in Question at such Trial, then, and in such Case, no Costs shall be awarded to the Plaintiff in such Action, but the Defendant or Defendants shall be intitled to, and recover Double Costs of Suit.

This Act not to extend to the Tower, or the Tower Hamlets, or to the City and Liberty of Westminster.

XX. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to his Majesty's *Tower* of *London*, or the several Parishes, Liberties, Precincts, Hamlets and Places, within the *Tower Hamlets*.

XXI. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained, shall extend, or be construed to extend, to the City and Liberty of *Westminster*, and the Precincts of the same, and so much of the several Parishes of Saint *Clement Danes*, and Saint *Mary le Strand*, in the County of *Middlesex*, as lies without the City and Liberty of *Westminster*; and also in the Precincts of the *Savoy*, adjoining thereto.

Publick Act.

XXII. And be it further enacted, That this Act shall be deemed a Publick Act.

CAP. XXXIV.

An Act for permitting Raw Silk of the Growth or Produce of *Persia*, purchased in *Russia*, to be imported into this Kingdom from any Port or Place belonging to the Empire of *Russia*.

'WHEREAS by an Act made in the fourteenth Year of his present Majesty's Reign (intituled, *An Act for opening a Trade to and from* Persia *through* Russia) it is (amongst other Things) enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and forty-one, it shall and may be lawful to and for any Person or Persons, free or to be free, of the Fellowship of *English* Merchants for Discovery of new Trades, commonly called *The* Russia *Company*, exclusive of all others, to bring and import into this Kingdom, in *British* built Shipping, navigated according to Law, from any Port or Place of or belonging to the Czar or Emperor of *Russia*, Raw Silk, or any other Goods, or Commodities of the Growth, Produce or Manufacture of *Persia* (provided such Manufacture be made of the Growth or Produce of *Persia*) being purchased by Barter with Woollen, or other Manufactures, Goods, or Commodities, exported from *Great Britain* to *Russia*, and from thence carried into *Persia*, (Gold and Silver in Coin or Bullion excepted) or with the Produce arising from the Sales of such Manufactures, Goods or Commodities, so exported to *Russia*, and carried into *Persia*, as aforesaid, and not otherwise: And it is by the said Act also further enacted, That no Silk, or other Produce, Commodities or Manufactures of *Persia*, shall be imported into *Great Britain* through *Russia*, by virtue of the said Act, unless the Importer or Importers thereof do take an Oath, or (being the People called *Quakers*) a solemn Affirmation, before the Collector, Customer or Comptroller of his Majesty's Customs (who are by the said Act impowered to administer the same) at the Port or Place of Importation, that, to the best of his or their Knowledge and Belief, the Silk and other the Produce, Commodities or Manufactures of *Persia*, contained in his or their Entry or Entries, was or were really and truly purchased by Barter with Woollen, or other Manufactures, Goods or Commodities, exported from *Great Britain* to *Russia*, and from thence carried into *Persia*

14 Geo. 2. c. 36.

10 & 11 W. 3. c. 6.

'sia (not being Gold or Silver in Coin or Bullion) or with the Produce arising from the Sales of such 'Woollen or other Manufactures, Goods or Commodities, so exported as aforesaid, and not otherwise; 'and that in Default of taking such Oath or Affirmation, all such Silk, or other the Produce, Commodities 'or Manufactures of *Persia*, so imported from *Russia*, shall be liable to be seized and forfeited in like 'Manner, as if the same had been imported contrary to the Act made in the twelfth Year of the Reign of 'King CHARLES the Second, intituled, *An Act for encouraging and increasing of Shipping and Navigation*: 'And whereas, soon after the Commencement of the said Act made in the fourteenth Year of his present 'Majesty's Reign, a very beneficial Trade between *Great Britain* and *Persia*, through *Russia*, was opened, 'by Means whereof great Quantities of Raw Silk, and other the Goods and Commodities, of the Growth, 'Produce or Manufacture of *Persia*, were imported into this Kingdom, in Return for the Woollen and 'other Manufactures, Goods and Commodities of *Great Britain*, upon much easier and more advantageous 'Terms than such Silk and other Goods and Commodities of the Growth, Produce or Manufacture of *Per-* 'sia could have been otherwise procured: But whereas the said Trade between *Great Britain* and *Persia* 'through *Russia*, hath been, for some Time past, interrupted, the Subjects of *Great Britain* not having 'been of late permitted to transport *British* Manufactures, Goods and Commodities into *Persia*, through the 'Dominions or Territories of or belonging to the Empire of *Russia*, in consequence whereof the Importa- 'tion of Raw Silk, and other Commodities of the Growth, Produce or Manufacture of *Persia*, from *Russia*, 'hath been discontinued: And whereas it would be of great Advantage to the Trade of this Kingdom in 'general, as well as contribute to the Increase and Improvement of the Silk Manufactures in particular, if 'Raw Silk of the Growth or Produce of *Persia*, purchased in *Russia*, were permitted to be imported from 'any of the Countries, Dominions or Territories of the Empire of *Russia*, in Return for Woollen and 'other Manufactures exported from *Great Britain* to *Russia*, although the same be not carried from thence 'into *Persia*;' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *December* one thousand seven hundred and fifty, it shall and may be lawful to and for any Person or Persons, free or to be free, of the said Fellowship of *English* Merchants for Discovery of new Trades, commonly called *The* Russia *Company*, exclusive of all others, to bring and import into this King-dom, in *British* built Shipping, navigated according to Law, from any Port or Place within the Countries, Territories or Dominions of or belonging to the Empire of *Russia*, Raw Silk of the Growth or Produce of *Persia*, which shall be purchased by Barter with Woollen or other Manufactures, Goods or Commodities exported from *Great Britain* to *Russia*, although the same be not carried from thence into *Persia*, (Gold and Silver in Coin or Bullion excepted) or with the Produce arising from the Sale of such Manufactures, Goods or Commodities, exported from *Great Britain* to *Russia* as aforesaid, and not otherwise, upon paying or se-curing to be paid, the Customs and other Duties now payable for the same, by any Law now in Force, ac-cording to such Rules, Methods and Directions, and in the same Manner and Form, and with such Al-lowances, Abatements, Discounts and Drawbacks, and under such Penalties, Forfeitures and Disabilities, as are by Law prescribed and practised, on the Importation of Raw Silk of the Growth or Produce of *Persia*, imported into this Kingdom from any Port or Place in the *Levant* Seas, by any Person or Persons free of the *Levant* or *Turkey* Company; any thing in the said Act made in the fourteenth Year of his present Majesty's Reign, or in the said Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for encouraging and increasing of Shipping and Navigation*, to the contrary notwithstanding.

An exclusive Right granted to the Russia Com-pany, to import from Russia, Raw Silk of the Produce of Per-sia.

Importers to make Oath of the Silk being purchased by Barter with Goods exported from Great Bri-tain to Russia.

II. Provided always, and be it further enacted by the Authority aforesaid, That no Silk of the Growth or Produce of *Persia*, shall be imported into *Great Britain*, from any of the Countries, Dominions or Territo-ries of or belonging to the Empire of *Russia*, by virtue of this Act, unless the Importer or Importers thereof do make Oath before the Collector, Customer or Comptroller of his Majesty's Customs (who are hereby impowered and required to administer such Oath) at the Port or Place of Importation, that to the best of his or their Knowledge and Belief the Silk contained in his or their Entry or Entries was really and truly purchased by Barter with Woollen or other Manufactures, Goods or Commodities, exported from *Great Britain* to *Russia* (not being Gold or Silver in Coin or Bullion) or with the Produce arising from the Sale of such Woollen, or other Manufactures, Goods or Commodities, so exported as aforesaid, and not other-wise; and in Default of making such Oath, all such Silk so imported from any of the Countries, Dominions or Territories of or belonging to the Empire of *Russia*, shall be liable to be seized and forfeited, in like Manner as if the same had been imported contrary to the said Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for encouraging and increasing of Shipping and Navigation.*

Rights of the East India Com-pany reserved.

III. Provided also, That nothing herein contained shall extend, or be construed to extend, to deprive the Corporation of the United Company of Merchants of *England* trading to the *East Indies*, of any of the Powers, Privileges, Franchises and Benefits which do or shall belong to them, or which they could or might have had and enjoyed in any Manner whatsoever, if this Act had not been made; any thing herein con-tained to the contrary notwithstanding.

Publick Act.

IV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, with-out specially pleading the same.

CAP. XXXV.

An Act for making a better and more effectual Provision for the Relief of the Poor, for the cleansing the Streets, and for keeping a Nightly Watch, within the Parish of Saint *Martin in the Fields*, within the Liberties of the City of *Westminster*. P R.

CAP. XXXVI.

An Act for settling a Stipend or Maintenance upon the Rector of the Parish of Saint *George the Martyr*, in the Borough of *Southwark*, in the County of *Surry*, and his Successors, in lieu of Tythes. P R.

CAP.

CAP. XXXVII.

An Act for building a Bridge cross the River of *Thames*, from *Hampton Court* in the County of *Middlesex*, to *East Moulsey* in the County of *Surry*. PR.

'WHEREAS many Mischiefs and Inconveniencies would be prevented, and great Benefit would arise to the Inhabitants of the Counties of *Middlesex* and *Surry*, and to the Publick in general, if a Bridge were built cross the River of *Thames*, from *Hampton Court* in the County of *Middlesex*, to the opposite Shore at *East Moulsey* in the County of *Surry*: And whereas by virtue of Letters Patent, under the Great Seal, bearing Date the twelfth Day of *March* in the twenty-ninth Year of the Reign of King CHARLES the Second, *James Clarke* Esquire is become possessed of the Manor of *East Moulsey*, with the Appurtenances, in the County of *Surry*; and also all that Passage of Water upon the River of *Thames*, called *Hampton Court Ferry*, between *East Moulsey* and *Hampton Court*, and is intitled to the Premisses for the Term of twenty-six Years, or thereabouts, now remaining unexpired, and yet to come, of the Term of Years granted by the said Letters Patent: And forasmuch as the said *James Clarke* hath made his most humble Suit to your Majesty, that your Majesty would be graciously pleased to give Leave, that he the said *James Clarke* may build a Bridge cross the said River, from *East Moulsey* to *Hampton Court*; and your Majesty hath been graciously pleased to signify your Consent thereto;' May it therefore please your Majesty, that it may be enacted, *&c.*

" *James Clarke* Esquire impowered to build a Bridge cross the *Thames* from *Hampton Court* to *East Moulsey*; " and to turn and make a Highway or Bridge leading to the same; making Satisfaction for the Damage. " Five Commissioners of the Land Tax for *Middlesex* and *Surry*, to settle the Damage in case of Dispute. " If the Parties shall be dissatisfied, or refuse to treat, the Commissioners are to issue their Precept to the " Sheriff, to return a Jury, to inquire and assess the Recompence; their Verdicts, and the Judgments of the " Commissioners thereon, to be binding. Upon Payment, or Tender of the Money, the Premisses may " be used. Commissioners may fine the Sheriff, and others, making Default 40 *s.* If in building the Bridge " any Damage shall be done, for which no Recompence has been made, the Commissioners are to ascertain the same by a Jury. Care to be taken that there be no Overflowing occasioned by the Bridge. Meeting of the Commissioners not to be above 6 Miles distant from the Place in Question. The Bridge vested " in *James Clarke* Esquire and his Heirs. Tolls: For every Coach, *&c.* drawn by 6 Horses, 2 *s.* 6 *d.* By 4 " Horses, 1 *s.* 6 *d.* by less than 4 Horses 1 *s.* For every Waggon, *&c.* drawn by 4 Horses, 1 *s.* 6 *d.* and by " less than 4 Horses 1 *s.* For every Horse, *&c.* not drawing, *d.* For every Foot Passenger on *Sundays* 1 *d.* " and on other Days one Halfpenny. For every Drove of Neat Cattle 12 *d. per* Score. For every Drove " of Calves Hogs, Sheep or Lambs, 6 *d. per* Score. If after Expiration of the Term granted by Letters " Patent to *James Clarke* Esquire, the King shall pay the Expences of building the Bridge, the Right of the " said *Clarke* and the Tolls are to cease, and the Bridge is to vest in his Majesty. A Passage of 260 Feet to " be left for the Water. Wilful damaging the Bridge, Felony. When the Bridge shall be dangerous, a " Ferry may be provided; to continue no longer than the Bridge be repaired. Masters to make good the " Damage which their Boatmen shall do to the Bridge. Bridge not rateable, *&c.*

CAP. XXXVIII.

An Act for Repairing the Road from the City of *York* over *Skipbridge* to *Boroughbridge* in the County of *York*. PR.

Certain Tolls granted for 21 Years.

CAP. XXXIX.

An Act for the more effectual repairing and preserving the Piers and Harbour of *Whitby* in the County of *York*. PR.

'WHEREAS by an Act of Parliament made and passed in the first Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the rebuilding and repairing the Piers of the Town and Port of* Whitby *in the County of* York, several Duties were granted and laid upon all Ships and Vessels entering within the Piers of the said Port, and upon certain Goods and Merchandizes therein particularly mentioned, landed within the Haven or Piers of the said Port of *Whitby*, and shipped off from *Whitby* aforesaid; and also a Duty of one Farthing *per* Chalder on all Coals loaded at *Newcastle upon Tyne*, or at *Sunderland*, *Blythe*, *Seaton-sluice*, *Cullercoates*, or any other Harbour, Colliery, or Place that was, or was reputed to be, a Member of the said Port of *Newcastle upon Tyne*, for the Term of nine Years, to commence from the first Day of *May* one thousand seven hundred and two; with such Provisions for the due collecting, accounting for, and applying of the said Duties, and other Powers, Matters and Things relating thereto, and for keeping clear the said Harbour, as in the same Act is particularly mentioned and contained: And whereas by another Act of Parliament, made and passed in the seventh Year of her said late Majesty's Reign, the said Act made in the first Year of her Reign, and all the Powers, Matters and Clauses contained therein, and all the Duties and Sums of Money thereby granted, and made payable, were continued and made payable, and to be in full Force and Virtue, until the first Day of *May*, which should be in the Year of our Lord one thousand seven hundred and twenty-three: And whereas by another Act of Parliament made and passed in the seventh Year of the Reign of his late Majesty King GEORGE the First, (intituled, *An Act for the better preserving and keeping in Repair the Piers of the Town and Port of* Whitby *in the County of* York; *and for explaining and making more effectual the several Acts passed for lengthening and repairing the Piers of* Bridlington *alias* Burlington *in the said County*;) all and every the said Duties and Sums of Money granted and imposed by the said Act of the first Year of her said late Majesty, and continued by the said Act of the seventh Year of her Reign as aforesaid, (save and except the said Duty of one Farthing *per* Chalder) were made perpetual, and enacted to be paid to the Trustees therein named, and their Successors for ever, to the end that the Piers and Harbours of *Whitby* aforesaid might be preserved, kept and continued in good Repair: And whereas by another Act of Parliament made

1 Annæ, st. 1, c. 19.

7 Annæ, private.

7 Geo. 1. c. 16.

' and

8 Geo. 2. c. 10. ‘ and passed in the eighth Year of his present Majesty's Reign, (intituled, *An Act for lengthening the West Pier of the Harbour of* Whitby *in the County of* York; *and for improving the said Harbour*) reciting the said ‘ former Acts; and also reciting, that by and with the said several Duties and Sums of Money collected ‘ and received by virtue thereof, the said Piers had been rebuilt, finished and completed, and had been pre- ‘ served, kept and continued in good Repair; but that nevertheless, for some Years then past, the Entrance ‘ into the Port of *Whitby* had been rendered very narrow and difficult, by reason of a Bank of Sand which ‘ was then, and for some Time past had been gathering about the Head of the West Pier of the said Har- ‘ bour of *Whitby*, and would in Time, if not prevented, intirely stop and choak up the same; and inas- ‘ much as the said Sand-bed, and the further Increase thereof, in the Judgment and Understanding of expe- ‘ rienced Persons, might and could only be remedied and prevented by lengthening and extending the said ‘ West Pier one hundred Yards further into the Sea; therefore that the said Piers and Harbour might be ‘ improved, and made as secure for Colliers and Coasting Vessels as might be, and for lengthening and ex- ‘ tending the said West Pier, it was enacted, That from and after the first Day of *June* one thousand seven ‘ hundred and thirty-five, the said Duty of one Farthing *per* Chalder, granted by the said Act of the First ‘ Year of the Reign of her said late Majesty Queen ANNE, and continued by the said Act of the seventh ‘ Year of her Reign (but which had ceased from the first Day of *May* one thousand seven hundred and ‘ twenty-three) should be paid to the Trustees nominated and appointed in or by virtue of the said Act of ‘ the seventh Year of his said late Majesty's Reign for the Term of thirty-one Years, to commence and be ‘ computed from the first Day of *June* one thousand seven hundred and thirty-five, for the Purposes afore- ‘ said; and the said Act of the first Year of her said late Majesty's Reign, and all and every the Clauses, ‘ Provisions, Penalties, Matters and Things therein contained, touching the said Duty of one Farthing *per* ‘ Chalder thereby granted (save and except as to the Powers and Authorities thereby vested in the Trustees ‘ therein named, and to be named pursuant thereto, and a Clause therein contained touching the ceasing ‘ of the said Duty on raising six thousand Pounds, as therein mentioned) were revived and continued for the ‘ same Term of thirty-one Yerrs, with several other Powers and Clauses relating to the said Duty, and ‘ Work proposed to be done, and the regulating the said Harbour as by the said several Acts, Relation ‘ thereunto respectively being had, may more at large appear: And whereas pursuant to the said last men- ‘ tioned Act of the eighth Year of the Reign of his present Majesty, and by and with the several Duties ‘ and Sums of Money collected and received by virtue thereof, and of the other Acts aforesaid, the said ‘ West Pier of the said Harbour of *Whitby* hath been lengthened one hundred Yards, and terminated with ‘ a strong circular Head, whereon is erected a commodious Battery, with a strong Parapet, and Embrazures ‘ for five Pieces of Cannon, which protects the Entrance of the said Harbour, as also such Ships as may be ‘ obliged to take Shelter in the Road from an Enemy; but for carrying on the said Work, the Trustees no- ‘ minated and appointed in and by virtue of the said several Acts of the seventh Year of his late Majesty, ‘ and eighth Year of his present Majesty, have been necessitated to borrow at Times, several Sums of Mo- ‘ ney on the said Fund of one Farthing *per* Chalder, amounting to six thousand two hundred Pounds, which ‘ now remains charged thereon; and the said Trustees have employed the rest of the Duties granted as ‘ aforesaid, as they arose, in rebuilding and repairing other Parts of the said Piers, and in getting up Quar- ‘ ries at the Mouth of the said Harbour, in order to deepen the Channel; which has had so good an Effect, ‘ that it has encouraged the Inhabitants of *Whitby* aforesaid, and others, to build in the said Harbour much ‘ larger Ships than were formerly used: And whereas the West and East Piers have been greatly shaken ‘ with the Seas; and the Marle or soft Rock, on which they are built, is worn away in several Places, by ‘ the great Quantity of Sand scoured out of the said Harbour, which has occasioned their sinking, and the ‘ Walls thereof to bulge out; and the Communication between the Town and the West Pier is in a great ‘ Measure interrupted; and it is absolutely necessary for the Security of the said Harbour, that the said Parts ‘ of the said East and West Piers should be rebuilt, or repaired and raised; and it would be a great Improve- ‘ ment of the said Harbour, and tend very much to the Advantage and Safety of all Colliers and Coasting ‘ Vessels, if the remaining Part of the Stone Rock at the Entrance of the said Harbour was taken away, ‘ and the Way repaired and made sufficient, from the said Town of *Whitby* to the said West Pier, with ‘ proper Moorings for Ships along the same; but as the Expence of the said Works cannot be provided for ‘ without some additional Duty, the said perpetual Fund granted by the said Act of the seventh Year of his ‘ late Majesty's Reign, producing yearly only one hundred and forty Pounds, or thereabouts; and the said ‘ Duty of one Farthing *per* Chalder will raise little, if any thing, more than will pay the Principal Monies ‘ borrowed thereon, and the Interest thereof now due, and which may incur during the Remainder of the ‘ said Term of thirty-one Years:' To the End therefore that the said West and East Piers may be rebuilt or repaired, and raised where needful, and the remaining Part of the Stone Rock at the Entrance of the said Harbour may be taken away, and the Way from the West Pier to the said Town of *Whitby* may be repaired and made sufficient, and proper Moorings for Ships may be placed thereon, as shall be judged expedient, and the said Harbour may be further improved; May it please your Majesty, that it may be enacted, *&c.*

“ An Additional Duty of one Farthing a Chalder laid on Coals for 31 Years. Powers given by the recited “ Act, to be exercised by the Trustees with regard to the present Duty. Trustees may borrow Money on “ the Credit of the Duties; and contract for the Work and Materials; and for the Purchase of Houses “ and Grounds, for making the Way from the West Pier to the Town more convenient. Owners refusing “ to treat, Justices to impanel a Jury, who are to assess the Recompence. Upon Payment of the Money, “ the Lands, *&c.* to vest in the Trustees. The West and East Piers, *&c.* vested in the Trustees. Person “ to be appointed, who is to direct the Mooring, *&c.* of Ships. Vessels belonging to *Great Yarmouth* ex- “ empted from Duties.

CAP. XL.

An Act for repairing and widening the Roads leading from *Egremont* to *Dudden Bridge*, *Santon Bridge* and *Salthouse*, in the County of *Cumberland*. P R.

Certain Tolls granted for 21 Years.

Anno

Anno Regni GEORGII II. Regis Magnæ Britanniæ, Franciæ & Hiberniæ, viceſimo quarto.

'AT the Parliament begun and holden at *Weſtminſter*, the tenth Day of *November*, *Anno Domini* one thouſand ſeven hundred and forty-ſeven, in the twenty-firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the ſeventeenth Day of *January* one thouſand ſeven hundred and fifty. Being the fourth Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-one. EXP.

CAP. II.

An Act for granting to his Majeſty the Sum of two millions one hundred thouſand Pounds, to be raiſed by Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament.

MOST Gracious Sovereign; We your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies which we have chearfully granted to your Majeſty in the eaſieſt manner we are able for the Benefit of your Subjects, have freely and voluntarily given and granted, and by this Act do give and grant unto your Majeſty the Sum of two millions one hundred thouſand Pounds, to be raiſed in ſuch Manner and Form as is herein after directed; and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Annuities which by this Act ſhall be granted and made payable in reſpect of the ſaid principal Sum of two millions one hundred thouſand Pounds, until Redemption thereof by Parliament, in manner herein after mentioned, ſhall be charged and chargeable upon, and payable out of the Monies which ſhall from Time to Time ariſe and be remaining in the Receipt of his Majeſty's Exchequer of or for the Surpluſſes, Exceſſes or Overplus Monies, commonly called the *Sinking Fund*; and the ſaid Surpluſſes, Exceſſes or Overplus Monies are hereby appropriated for that Purpoſe accordingly.

Annuities on the Sum of 2,100,000 l. to be raiſed by this Act, charged on the Sinking Fund.

II. And for or towards raiſing the ſaid Sum or Sums of Money not exceeding in the whole the ſaid Sum of two millions one hundred thouſand Pounds for the Purpoſes aforeſaid, it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, advance and pay unto the Firſt or Chief Caſhier or Caſhiers of the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, and other Parts of *America*, and for encouraging the Fiſhery, commonly called the *South-Sea Company*, at or before the reſpective Days and Times by this Act limited in that Behalf, any Sum or Sums of Money not exceeding one million four hundred thouſand Pounds, in part of the ſaid whole Sum of two millions one hundred thouſand Pounds, for the abſolute Purchaſe of any certain Annuity or Annuities, to commence from the ſeveral and reſpective Times herein after appointed for the Payment of the ſeveral and reſpective Sums by them ſubſcribed or contributed, and to be paid and payable to ſuch Contributor or Contributors, or ſuch as he, ſhe or they ſhall nominate, his, her or their Executors, Adminiſtrators, Succeſſors and Aſſigns reſpectively, in manner herein after mentioned, ſo as ſuch Caſhier or Caſhiers do firſt give Security to the good liking of any three or more of the Commiſſioners of the Treaſury now being, or the High Treaſurer, or Commiſſioners of the Treaſury for the Time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer, for the publick Uſe, the Monies ſo to be advanced and contributed, and to account duly for the ſame; which Annuities before mentioned ſhall be computed at the Rate of three Pounds *per annum* for every one hundred Pounds, and proportionably for any greater or leſs Sum ſo to be advanced and paid; and the Purchaſe-money for every ſuch Annuity at the Rate aforeſaid, is hereby appointed to be paid unto the ſaid Caſhier or Caſhiers as aforeſaid, at or before the reſpective Days and Times herein after limited; that is to ſay, ten Pounds *per Centum* Part thereof by way of Depoſit, on or before the fifteenth Day of *March* in the Year of our Lord one thouſand ſeven hundred and fifty; fifteen Pounds *per Centum*, other Part thereof, on or before the fifteenth Day of *May* one thouſand ſeven hundred and fifty-one then next enſuing; fifteen Pounds *per Centum*, other Part thereof, on or before the ſeventeenth Day of *June* then next enſuing; twenty-five Pounds *per Centum*, other Part thereof, on

Natives or Foreigners may pay to the Chief Caſhier of the South-Sea Company, *See farther c.* 11. *and* 26 *Geo.* 2. *c.* 16.

1,400,000 l. for the Purchaſe of Annuities,

at the Rate of 3 l. per Cent. per Ann.

Times for Payment.

on or before the twelfth Day of *Auguſt* then next enſuing; ten Pounds *per Centum*, other Part thereof, on or before the twenty-eighth Day of *October* then next enſuing; ten Pounds *per Centum*, other Part thereof, on or before the twentieth Day of *November* then next enſuing; and the remaining fifteen Pounds *per Centum*, on or before the twentieth Day of *December* then next following; all which Annuities ſo to be purchaſed ſhall be paid and payable at two of the moſt uſual Feaſts or Days of Payment in the Year; that is to ſay, the Feaſt of the Nativity of *St. John the Baptiſt*, and of the Birth of our Lord Chriſt, or within ſix Days after every of the ſaid Feaſt Days; the firſt Payment thereof to be computed and paid at the Rate of three Pounds *per Centum per Annum*, on the whole Sum to be paid by ſuch Contributors for the Purchaſe of any Part of the ſaid Annuities, from the ſaid ſeveral and reſpective Times of paying and advancing the ſame as aforeſaid, unto the Feaſt of the Birth of our Lord Chriſt, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-one, or within ſix Days after the ſaid Feaſt Day: Neverthleſs the ſaid Annuities ſhall be redeemable according to the Purport and true Meaning of a Proviſo or Condition herein after contained in that Behalf, and not otherwiſe; and the ſaid Caſhier or Caſhiers of the ſaid Governor and Company for the Time being is or are hereby authorized and required upon the advancing and paying to him or them any ſuch Sum or Sums of Money as aforeſaid, forthwith to give a Receipt in Writing ſigned by himſelf or themſelves for each Payment to the Contributor or Payer thereof (which Receipts ſhall be aſſignable by Indorſement thereupon, made at any Time before the ſaid twentieth Day of *December* one thouſand ſeven hundred and fifty-one, and no longer) and, from Time to Time, to pay into the Receipt of his Majeſty's Exchequer, all the Monies which he or they ſhall receive of or for the ſaid Sum not exceeding one million four hundred thouſand Pounds, as faſt as he or they ſhall receive the ſame, or any Part thereof, or within five Days afterwards at the fartheſt; and to account for all the Monies ſo to be advanced and paid to him or them in his Majeſty's Court of Exchequer, according to the due Courſe thereof.

Caſhier to give Receipt for each Payment, which ſhall be aſſignable by Indorſement.

III. And it is hereby enacted, That in the Office of the Accomptant General of the ſaid Governor and Company for the Time being, there ſhall be provided and kept a Book or Books, in which there ſhall be fairly entred the Names of all who ſhall be Contributors for ſuch Annuities, after the Rate of three Pounds *per Centum per Annum* as aforeſaid, and of all Perſons by whoſe Hands the ſaid Contributors ſhall pay in any of the ſaid Sums upon this Act, and alſo the Sum ſo paid; to which Book or Books it ſhall be lawful for the ſaid reſpective Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, from Time to Time at all ſeaſonable Times to have Reſort, and to inſpect the ſame without any Fee or Charge; and the ſaid Accomptant General for the Time being, ſhall on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and fifty-three, tranſmit an atteſted Duplicate, fairly written on Paper, of the ſaid Book or Books into the Office of the Auditor of the Receipt of his Majeſty's Exchequer, there to remain for ever.

Contributors Names to be entred in a Book,

and a Copy tranſmitted to the Exchequer.

IV. And it is hereby enacted by the Authority aforeſaid, That all and every Contributor and Contributors upon this Act, duly paying the whole Conſideration or Purchaſe-money, at the Rate aforeſaid, at or before the reſpective Days and Times in this Act before limited in that Behalf, for ſuch Annuity or Annuities as aforeſaid, or ſuch as he, ſhe or they ſhall appoint, his, her or their reſpective Executors, Adminiſtrators, Succeſſors and Aſſigns ſhall have, receive and enjoy, and be intitled, by virtue of this Act, to have, receive and enjoy the reſpective Annuity and Annuities ſo to be purchaſed out of the Monies by this Act appropriated or appointed for Payment thereof as aforeſaid, and ſhall have good and ſure Eſtates and Intereſts therein for ever, ſubject only to the Proviſo or Condition of Redemption in this Act herein after contained concerning the ſame; and that the ſeveral and reſpective Annuities payable in purſuance of this Act, after the Rate of three Pounds *per Centum per Annum*, and all and every the principal Sums for which the ſame are to be payable, ſhall be free from all Taxes and Impoſitions whatſoever.

Contributors paying the Conſideration-money,

to have Eſtates in the Annuities,

free from Taxes.

V. Provided alſo, That in caſe any ſuch Contributor as aforeſaid, who ſhall, on or before the ſaid fifteenth Day of *March* one thouſand ſeven hundred and fifty, have advanced to the ſaid Caſhier or Caſhiers ten Pounds *per Centum*, by way of Depoſit as aforeſaid, in part of his, her or their Purchaſe-money; and ſuch Contributor, his, her or their Executors, Adminiſtrators, Succeſſors or Aſſigns, ſhall not advance and pay to the ſaid Caſhier or Caſhiers fifteen Pounds *per Centum*, other Part thereof, on or before the fifteenth Day of *May* then next enſuing; and fifteen Pounds *per Centum*, other Part thereof, on or before the ſeventeenth Day of *June* then next enſuing; and twenty-five Pounds *per Centum*, other Part thereof, on or before the twelfth Day of *Auguſt* then next enſuing; and ten Pounds *per Centum*, other Part thereof, on or before the twenty-eighth Day of *October* then next enſuing; and ten Pounds *per Centum*, other Part thereof, on or before the twentieth Day of *November* then next enſuing; and the remaining fifteen Pounds *per Centum*, on or before the twentieth Day of *December* then next following; then, and in every ſuch Caſe reſpectively, ſo much of the Conſideration-money as ſhall have been actually paid in part thereof only, to the ſaid Caſhier or Caſhiers for ſuch reſpective Annuity, ſhall be forfeited for the Benefit of the Publick; any Thing in this Act contained to the contrary notwithſtanding.

Contributors not making good their Payments within the Times,

forfeit all they have paid in part.

VI. Provided always, That in caſe any Contributor or Contributors for the Purchaſe of any of the ſaid Annuities, ſhall after Payment of ten Pounds *per Centum*, in part of his, her or their Purchaſe-money, deſire that the ſubſequent Payments to be made by him, her or them, at the reſpective Times limited in that Behalf, may immediately be made Stock in the Book or Books directed to be kept for that Purpoſe in the Office of the ſaid Accomptant General; and that the principal Money, and the Annuity attending the ſame, be immediately transferrable (except the ten Pounds *per Centum*, which is to remain as a Depoſit till Payment of the whole Sum by him, her or them ſubſcribed for, is fully compleated) it ſhall be lawful for the ſaid Accomptant General, and he is hereby required, upon ſuch Requeſt made by any ſuch Contributor

Accomptant General to give Credit in the Books for the Sums paid.

butor or Contributors, to give Credit in the said Book or Books for each respective principal Sum by him, her or them subscribed and paid as aforesaid; any Thing herein contained to the contrary notwithstanding.

Purchasers to pay 10 l. per Cent by 15 March 1750.

VII. And it is hereby enacted and declared, That no Person or Persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any of the Annuities at the Rate aforesaid upon this Act, unless the whole, or ten Pounds *per Centum*, Part at least of the Consideration-money for the same, be advanced and paid to the said Cashier or Cashiers, on or before the said fifteenth Day of *March* one thousand seven hundred and fifty.

700,000 l. to be raised by a Lottery,

'VIII. And whereas it is intended that the Sum of seven hundred thousand Pounds, being the Residue 'of the said Sum of two millions one hundred thousand Pounds, already charged by this Act upon the 'Monies to arise of or for the said Surplusses, Excesses and Overplus Monies, commonly called the *Sink-* '*ing Fund*, appropriated for Payment thereof, in manner before directed and appointed, shall be raised by 'way of a Lottery, for the Purchase of Annuities, after the Rate of three Pounds *per Centum per Annum*, 'in manner herein after mentioned;' Be it therefore enacted by the Authority aforesaid, That the Annuities becoming due and payable to the Contributors to the Lottery herein after mentioned, their Executors, Administrators and Assigns, at the said Rate of three Pounds *per Centum per Annum*, in respect of the said principal Sum of seven hundred thousand Pounds, in manner hereafter in this Act expressed, until Redemption thereof by Parliament, according to the Proviso herein after contained in that Behalf, shall be charged upon the said *Sinking Fund*, and shall commence and be computed from the respective Times of paying or advancing the same, or any Part thereof, as herein after-mentioned, and be paid unto the Feast Day of the Birth of our Lord Christ one thousand seven hundred and fifty-one; and shall from thenceforth be paid half-yearly at the Feasts of the Nativity of *St. John the Baptist*, and the Birth of our Lord Christ, by even and equal Portions; the first Payment thereof to be due and payable for the half Year ending at the Feast of the Nativity of *St. John the Baptist* one thousand seven hundred and fifty-two.

at 3 l. per Cent.

chargeable on the Sinking Fund.

Annuities payable half-yearly.

Any Persons may contribute 10 l. or more;

and thereby be interested in the Annuities.

Times of advancing the Sums.

IX. And be it further enacted by the Authority aforesaid, That for or towards raising the said Sum of seven hundred thousand Pounds, it shall and may be lawful for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to contribute, by paying at or before the respective Times by this Act limited in that Behalf, to any Receiver or Receivers to be appointed for that Purpose, as is herein after-mentioned, the Sum of ten Pounds, or divers entire Sums of ten Pounds, upon this Act; and that every such Contributor or Adventurer, for every such Sum of ten Pounds, which he, she or they shall so advance, shall be interested in such Lot or Share of and in the Joint Stock of Annuities established by this Act, as is herein after-mentioned and appointed in that Behalf; and the same entire Sums of ten Pounds each are hereby appointed to be paid unto such Receiver or Receivers at such Time or Times, and in such Proportions at a Time as are herein after-mentioned in that Behalf; that is to say, ten Pounds *per Centum* Part thereof, by way of Deposit, on or before the fifteenth Day of *March* in the Year of our Lord one thousand seven hundred and fifty; fifteen Pounds *per Centum*, other Part thereof, on or before the fifteenth Day of *May* then next ensuing; twenty-five Pounds *per Centum*, other Part thereof, on or before the twelfth Day of *July* then next ensuing; twenty-five Pounds *per Centum*, other Part thereof on or before the seventh Day of *September* then next ensuing; and the remaining twenty-five Pounds *per Centum*, on or before the seventh Day of *October* then next following.

" Commissioners of the Treasury to appoint Managers of the Lottery, and Receivers; and to take Secu-
" rity. Receivers shall deliver Tickets to the Contributors. There shall be printed 70,000 Tickets; and
" 10,000 Tickets shall be the fortunate Tickets, and shall be written upon in manner following, *viz.*
" upon two severally, 10,000 *l.* principal Money; upon four 5000 *l.* upon five 3000 *l.* upon eight 2000 *l.*
" upon twenty 1000 *l.* upon forty-one 500 *l.* upon two hundred 100 *l.* upon four hundred and twenty 50 *l.*
" upon nine thousand three hundred 20 *l.* Which Sums, with 500 *l.* to the first drawn Ticket, and 1000 *l.*
" to the last drawn, will amount to 340,000 *l.* which being added to 360,000 *l.* payable on the remaining
" 60,000 blank Tickets, at 6 *l.* each Blank, do amount to 700,000 *l.* being the total Principal in respect
" of the Lottery. Manner of drawing the Lottery. Prizes to be entred in a Book. When the Lottery
" is drawn, a List of the Prizes to be printed. Disputes to be determined by the Managers. Counter-
" feiting of Tickets or Certificates, shall be adjudged Felony. Tickets to be disposed of shall be delivered
" into the Exchequer. Guardians may adventure Infants Money, so as such Infants Names be in the
" Receipts and Tickets. Limitation of Sale of Chances, *&c.* Persons selling Shares in Tickets of which
" they are not possessed, *&c.* to forfeit 500 *l.* After the Drawing of the Lottery, the Tickets to be ex-
" changed for Certificates." EXP.

Accomptant General to give Credit for the Sums named in the Certificates;

which may be transferred,

XXVII. And be it further enacted by the Authority aforesaid, That the said Accomptant General of the *South-Sea* Company for the Time being, to whom the said Certificates are to be directed as aforesaid, shall, upon receiving and taking in the said Certificates, or any of them, give Credit to the Persons named therein, in the same Book or Books with the Contributors for the Purchase of the Annuities not exceeding one million four hundred thousand Pounds, herein before directed to be inserted in a Book or Books, or in any other Book or Books to be by him provided and kept for that Purpose, for the principal Sums contained in every such Certificate; and the Persons to whose Credit such principal Sums shall be entered in the said Book or Books, his, her or their Executors and Administrators, shall and may have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Bodies Politick or Corporate whatsoever, in other Books, to be prepared and kept by the said Accomptant

and carry 3 per Cent. Intereſt.

General for that Purpoſe; and the principal Sums ſo aſſigned or transferred, ſhall carry the ſaid Annuity of three Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authority herein after mentioned, until the Redemption thereof as aforeſaid; and the ſaid Accomptant General of the *South-Sea* Company for the Time being, is hereby authorized and directed to cancel and file the Certificates as they ſhall from Time to Time be received and taken in by him, and to give the Perſons bringing in the ſame a Note under his Hand, teſtifying the principal Money for which they have Credit in the ſaid Book or Books, by reaſon or means of the Certificates ſo received, taken in, and cancelled as aforeſaid, and of the Annuities attending the ſame.

Certificates to be cancelled, and Notes given in lieu thereof.

XXVIII. And for the more eaſy and ſure Payment of the ſeveral and reſpective Annuities, amounting in the whole to two millions one hundred thouſand Pounds, by this Act authorized to be purchaſed as aforeſaid; it is hereby further enacted by the Authority aforeſaid, That the ſaid Governor and Company, and their Succeſſors, ſhall, from Time to Time, until the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum* ſhall be redeemed according to this Act, appoint and employ one ſufficient Perſon, within their Office in the City of *London*, to be their chief Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office, to be their Accomptant General; and that ſo much of the Monies ariſing from Time to Time into the Receipt of the Exchequer, of or for the ſaid *Sinking Fund*, by this Act appropriated for this Purpoſe as aforeſaid, as ſhall be ſufficient from Time to Time to anſwer the ſaid ſeveral and reſpective Annuities, and other Payments directed to be paid or diſcharged out of the ſame, ſhall, by Order of the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or Commiſſioners of the Treaſury of his Majeſty, his Heirs or Succeſſors for the Time being, without any further or other Warrant to be ſued for, had or obtained in that Behalf, from Time to Time, at the reſpective Half-yearly Feaſt Days or Days of Payment, in this Act before appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer to the ſaid Chief Caſhier or Caſhiers of the ſaid Governor and Company, and their Succeſſors for the Time being, by way of Impreſt, and upon Account for the Payment of the ſaid ſeveral and reſpective Annuities to be purchaſed upon this Act, at ſuch Times, and in ſuch Manner and Form, as are by this Act preſcribed in that Behalf; and that all and every ſuch Caſhier or Caſhiers, to whom the ſaid Monies ſhall from Time to Time be iſſued, ſhall from Time to Time without Delay apply and pay the ſame accordingly, and render his Account thereof according to the due Courſe of the Exchequer; any Thing herein contained to the contrary notwithſtanding.

Chief Caſhier and Accomptant General to be appointed.

Monies for Payment of the Annuities to be iſſued from the Exchequer by way of Impreſt, &c.

XXIX. And it is hereby alſo enacted, That the ſaid Accomptant General for the Time being, ſhall from Time to Time inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all and every Perſon and Perſons whatſoever, who ſhall be entitled to any of the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a perſonal Eſtate, and the ſame ſhall not be deſcendible to the Heir, and ſhall not be liable to any foreign Attachment by the Cuſtom of *London*, or otherwiſe; any Law, Statute or Cuſtom to the contrary notwithſtanding.

Accomptant General to inſpect the Caſhiers Receipts.

Annuities to be a perſonal Eſtate, &c.

XXX. And be it further enacted by the Authority aforeſaid, That all the Monies to be advanced or contributed, or to which any Perſon or Perſons ſhall become entitled upon this Act, for or towards the ſaid Sum not exceeding two millions one hundred thouſand Pounds, ſhall be deemed, reputed and taken to be one Capital or Joint Stock, on which the ſaid ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be attending; and that all and every Perſon and Perſons, and Corporations whatſoever, in proportion to the Money by him, her or them advanced, or to which they ſhall become entitled as aforeſaid upon this Act, ſhall have and be deemed to have a proportional Intereſt and Share in the ſaid Stock, and in the Annuity attending the ſame, at the Rate aforeſaid; and that the ſaid whole Capital or Joint Stock, or any Share or Intereſt therein, and the proportional Annuity attending the ſame, ſhall be aſſignable and transferrable as this Act directs, and not otherwiſe; and that there ſhall conſtantly be kept at all ſeaſonable Times, in the Office of the ſaid Accomptant General for the Time being, within the City of *London*, a Book or Books, wherein all Aſſignments or Transfers of the ſaid whole Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the ſame, at the Rate aforeſaid, ſhall be entered and regiſtered; which Entries ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers, or if ſuch Parties be abſent, by his, her or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, to be atteſted by two or more credible Witneſſes; and that the Perſon or Perſons to whom ſuch Transfer ſhall be made, do underwrite his, her or their Acceptance thereof; and that no other Method of aſſigning or transferring the ſaid Stock, and the Annuities attending the ſame, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law; and that no Stamp Duties whatſoever ſhall be charged on the ſaid Transfers or any of them; any other Law or Statute to the contrary notwithſtanding.

The Monies contributed to be deemed a Joint Stock, &c. and transferrable.

Book to be kept for Transfers.

Entries to be ſigned by the Parties transferring and accepting.

XXXI. Provided always, and it is hereby enacted by the Authority aforeſaid, That the ſaid Governor and Company and their Succeſſors, (notwithſtanding the Redemption of all or any their own Funds, in purſuance of the Acts for eſtabliſhing the ſame, or any of them) ſhall continue a Corporation, with all the Powers, Privileges and Advantages thereunto belonging, for the Purpoſes in this Act expreſſed, till all the Annuities to be purchaſed on this Act ſhall be redeemed by Parliament, according to the Proviſo herein after contained in that Behalf; and that the ſaid Governor and Company, or any Members thereof, ſhall not incur any Diſability for or by reaſon of their doing any Matter or Thing in purſuance of this Act.

The Company to continue a Company till Redemption of the Annuities.

XXXII.

XXXII. Provided always, and be it enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power, and they are hereby authorized, out of the said Surpluses, Excesses or Overplus Monies, commonly called *The Sinking Fund*, by this Act granted and appropriated as aforesaid, to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances (out of the Contributions to the Lottery aforesaid) as they shall think just and reasonable, for the Service, Pains and Labour of the Receiver or Receivers of the Contributions to the said Lottery, for receiving and accounting for the same; as also for the Service, Pains and Labour of the Cashier or Cashiers of the said Governor and Company, for receiving and accounting for the Contributions to the Annuities granted by this Act; and also such further Allowances (out of the said *Sinking Fund*, by this Act appropriated as aforesaid) as they shall think just and reasonable, for receiving, paying and accounting for the several and respective Annuities payable in respect thereof; and also for the Service, Pains and Trouble of the Accomptant General of the said Governor and Company, for performing the Duty and Trust incumbent on him by this Act; all which Allowances hereby impowered to be made as aforesaid, in respect to the Service, Pains and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any Thing herein contained to the contrary notwithstanding. Commissioners of the Treasury to pay the Charges of executing this Act, out of the Duties, and appoint Salaries for the Cashiers, &c.

XXXIII. And it is hereby enacted by the Authority aforesaid, That no Fee or Gratuity shall be demanded or taken of any of his Majesty's Subjects, for receiving or paying the said Contribution-monies, or any of them, or for any Tallies or Receipts concerning the same, or for issuing the Monies for paying the said several Annuities, or any of them, or for paying the said Annuities or any of them; and that no Fee or Gratuity shall be demanded or taken for any Transfer, great or small, to be made in pursuance of this Act; upon pain that the Officer or Person offending, by taking or demanding any such Fee or Gratuity contrary to this Act, shall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*. No Fee for Payment of Contribution-money. Transfers to be made gratis. Penalty.

XXXIV. Provided also, and it is hereby enacted by the Authority aforesaid, That any Time upon one Year's Notice, to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, at any of the half-yearly Feast Days for Payment of the said respective Annuities, or either of them, and upon Repayment by Parliament of the respective principal Sums for which the said respective Annuities or either of them shall be payable to such respective Persons or Corporations as shall be entitled to the same Annuities, by Payments not less than five hundred thousand Pounds at a Time; then, and not till then, the said respective Annuities shall cease and determine, and be understood to be redeemed; and from and after such Redemption, the Monies arising from the said *Sinking Fund*, shall not be issued or applied to any Use or Purpose, but as shall be directed by future Act or Acts of Parliament; any Thing in this or any former Act or Acts of Parliament to the contrary notwithstanding; and that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice within the Words and Meaning of this Act. Clause of Redemption.

XXXV. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff or Plaintiffs. General Issue. Treble Costs.

CAP. III.

An Act for enlarging the Term and Powers granted by an Act passed in the twelfth Year of the Reign of his present Majesty, for repairing the Road between *Stamford* and *Grantham* in the County of *Lincoln*; and for making the same more effectual. PR. [The Act 12 Geo. 2. c. 8. continued for 21 Years.]

CAP.

CAP. IV.

An Act for enabling his Majesty to raise the several Sums of Money therein mentioned, by Exchequer-Bills, to be charged on the *Sinking Fund*; and for impowering the Commissioners of the Treasury to pay off the Old and New unsubscribed *South-Sea* Annuities out of the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-one; and for enabling the Bank of *England* to hold General Courts, and Courts of Directors, in the manner therein directed; and for giving certain Persons Liberty to subscribe Bank and *South-Sea* Annuities omitted to be subscribed pursuant to two Acts of the last Session of Parliament.

3 Geo. 2. c. 22.

'MOST Gracious Sovereign; Whereas by an Act of Parliament made and passed in the twenty-third Year of his Majesty's Reign, intituled, *An Act for giving further Time to the Proprietors of Annuities after the Rate of four Pounds* per Centum per Annum, *to subscribe the same in the manner and upon the Terms therein mentioned; and for redeeming such of the said Annuities as shall not be so subscribed; and for empowering the* East-India *Company to raise certain Sums by transferrable Annuities*, it is amongst other Things enacted, That any Person or Persons, Bodies Politick or Corporate, who are interested in or intitled unto any Part of the National Debt incurred before *Michaelmas* one thousand seven hundred and forty-nine, redeemable by Parliament, which carried an Interest after the Rate of four Pounds *per Centum per Annum*, and which was not subscribed in pursuance of a former Act of the same Session of Parliament, and who should, on or before the thirtieth Day of *May* one thousand seven hundred and fifty, subscribe their Names, and signify their Consent, to accept of an Interest of three Pounds *per Centum per Annum*, to commence from the twenty-fifth Day of *December* one thousand seven hundred and fifty-five, subject to the same Provisoes, Notices and Clauses of Redemption, which their respective four *per Cents* were liable to, should, in lieu of their present Interest, be intitled unto, and receive an Interest of four Pounds *per Centum per Annum*, until the twenty-fifth Day of *December* one thousand seven hundred and fifty; and from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty, an Interest of three Pounds ten Shillings *per Centum per Annum*, until the twenty-fifth Day of *December* one thousand seven hundred and fifty-five, and that no Part of the same should be liable to be redeemed until the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five; and that such Part of the National Debt incurred before *Michaelmas* one thousand seven hundred and forty-nine redeemable by Law, which carried an Interest of four Pounds *per Centum per Annum*, and which should not be subscribed before the said thirtieth Day of *May* one thousand seven hundred and fifty, should be redeemed and paid off; and that it should be lawful for the King's most Excellent Majesty, by Warrant under his Royal Sign Manual, to authorize and impower the Commissioners of the Treasury, or the High Treasurer for the Time being, to raise by Loans or Exchequer Bills, or by way of Subscription, or in such other manner as his Majesty in his great Wisdom should think most for the Advantage of the Publick, from any Person or Persons, Bodies Politick or Corporate, any Sum or Sums of Money, not exceeding such Part of the National Debt, carrying an Interest of four Pounds *per Centum per Annum*, redeemable by Law, as should not be subscribed in pursuance of the said recited Act, or the said former Act, to be charged on the *Sinking Fund*, and to be applied to pay off and redeem such Part of the National Debt so unsubscribed as aforesaid, upon any Terms not exceeding the Rate of Interest in the said recited Act mentioned: And whereas, since the passing of the said Act, a great Part of the Annuities, after the Rate of four Pounds *per Centum per Annum*, which remained unsubscribed upon the former Act, have been since subscribed, so that the principal Sums remaining unsubscribed on the said thirtieth Day of *May* one thousand seven hundred and fifty, upon the Annuities payable at the Exchequer and Bank of *England*, do amount in the whole to the Sum of one million twenty-six thousand four hundred seventy-six Pounds four Shillings and six Pence; which said Sum of one million twenty-six thousand four hundred seventy-six Pounds four Shillings and six Pence, is directed by the said recited Act to be paid off and redeemed at the stated Times, and in the Proportions herein after-mentioned, according to the several Notices given by the Speaker of the House of Commons the last Session of Parliament in that Behalf; that is to say, the principal Sum of one hundred eighty-two thousand two hundred and fifty Pounds, the Amount of the unsubscribed Exchequer Order payable thereout of the Duties upon wrought Plate, on the twenty-fifth Day of *March* one thousand seven hundred and fifty-one; and the principal Sum of one hundred seventy-five thousand five hundred seventy-one Pounds six Shillings and one Penny, the Amount of the unsubscribed Annuities of the Year one thousand seven hundred and forty-six; and also the principal Sum of seventy-one thousand seven hundred twenty-three Pounds nine Shillings and six Pence, the Amount of the unsubscribed Lottery Annuities one thousand seven hundred and forty-seven, both transferrable at the Bank of *England*, on the twenty-fourth Day of *June* one thousand seven hundred and fifty-one; and the principal Sum of two hundred and eleven thousand six hundred thirty-four Pounds fifteen Shillings, the Amount of the unsubscribed Annuities of the Year one thousand seven hundred and forty-seven, transferrable as aforesaid, on the twenty-ninth Day of *September* one thousand seven hundred and fifty-one; and the principal Sum of two hundred eighty-one thou-

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'sand three hundred twenty-one Pounds one Shilling and nine Pence, the Amount of the unsubscribed 'Annuities of the Year one thousand seven hundred and forty-eight, transferrable as aforesaid, on the 'twenty-fifth Day of *March* one thousand seven hundred and fifty-one; and also the principal Sum of 'one hundred and three thousand nine hundred seventy-five Pounds twelve Shillings and two Pence, the 'Amount of the unsubscribed Annuities of the Year one thousand seven hundred and forty-nine, trans-'ferrable as aforesaid, on the twenty-ninth Day of *September* one thousand seven hundred and fifty-one: 'And whereas the Governor and Company of the Bank of *England* have proposed to advance and pay into 'the Receipt of his Majesty's Exchequer the Sum of one million twenty-six thousand four hundred seven-'ty-six Pounds four Shillings and six Pence, at the stated Times and in the Proportions before-mentioned, 'upon Condition that Exchequer Bills be issued to them on or before the Times the said several Sums are 'proposed to be advanced; which Bills are to be made forth at the said Receipt, and charged on the Surplusses, 'Excesses or Overplus Monies, commonly called the *Sinking Fund*, at an Interest not exceeding the Rate 'of three Pounds *per Centum per Annum*, to be paid out of the said *Sinking Fund*, and to commence from 'the stated Times on which the several Sums are proposed to be advanced; and that the principal Sums 'contained in such Exchequer Bills shall be repaid to them out of the first Excesses or Surplusses of the 'said *Sinking Fund* that shall be applied to the Payment of the Principal of the National Debt: And 'whereas, since the making of the said Proposal, the Sum of thirteen thousand three hundred twenty-'eight Pounds, in Bank Annuities, is by this Act directed and allowed to be subscribed by the Proprietors 'thereof, so that the principal Sum to be advanced by the said Governor and Company, to pay off the 'remaining unsubscribed Annuities before-mentioned, will amount to the Sum of one million thirteen 'thousand one hundred forty-eight Pounds four Shillings and six Pence only:' Now we, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being of Opinion that it will be of Advantage to the Publick to accept of the said Proposal, and being also desirous to lessen the Interest of the National Debt, as far as may be consistent with Justice and publick Faith, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer or any three or more of the Commissioners of the Treasury for the Time being, on his Majesty's Behalf, to contract and agree with the said Governor and Company of the Bank of *England* to advance and pay into the said Receipt of Exchequer, any Sum or Sums of Money, not exceeding in the whole the said reduced Sum of one million thirteen thousand one hundred forty-eight Pounds four Shillings and six Pence, for Exchequer Bills to be made forth at the said Receipt, in manner hereafter mentioned, in such Proportions and at such stated Times, as are herein before directed, towards paying off and redeeming the said several unsubscribed Annuities, amounting to the said Sum of one million thirteen thousand one hundred forty-eight Pounds four Shillings and six Pence, according to the several Notices given by the Speaker of the House of Commons in that Behalf as aforesaid.

Treasury impowered to agree with the Bank, for raising 1,013,148 l. 4 s. 6 d. by Exchequer Bills,

II. And be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall have, receive and enjoy, and shall be intitled by virtue of this Act, to have, receive and enjoy an Interest or Premium, after the Rate of three Pounds *per Centum per Annum*, for the said principal Sum of one million thirteen thousand one hundred forty-eight Pounds four Shillings and six Pence, to be advanced by them into the said Receipt of Exchequer, in the manner following; that is to say, on the Sum of four hundred fifty-two thousand two hundred forty-three Pounds one Shilling and nine Pence, from the twenty-fifth Day of *March* one thousand seven hundred and fifty-one; on the Sum of two hundred forty-six thousand two hundred ni..ety-four Pounds fifteen Shillings and seven Pence, from the twenty-fourth Day of *June* one thousand seven hundred and fifty-one; and on the Sum of three hundred fourteen thousand six hundred ten Pounds seven Shillings and two Pence, from the twenty-ninth Day of *September* one thousand seven hundred and fifty-one; which said Interest or Premium shall from Time to Time be paid to the said Governor and Company, and their Successors, by quarterly Payments out of the Monies arising at the said Receipt of Exchequer, of or for the said Surplusses, Excesses or Overplus-monies, commonly called the *Sinking Fund*, until such Times as the said Exchequer Bills so to be issued, or any Part thereof, shall be discharged and cancelled, in the Manner and Form by this Act hereafter provided.

at 3 l. per Cent. payable quarterly out of the Sinking Fund;

III. And be it further enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to prepare and make, or cause to be prepared and made, at the Exchequer at once, or at the stated Times, and in the Proportions herein before directed, in such Method and Form as they or he shall think most safe and convenient, any Number of new Exchequer Bills, containing one common Sum or different Sums in the principal Monies, so as such Bills do not exceed in the whole, the said principal Sum of one million thirteen thousand one hundred forty-eight Pounds four Shillings and six Pence.

and to prepare new Exchequer Bills,

IV. And be it further enacted by the Authority aforesaid, That the said Bills to be made and prepared in pursuance of this Act, shall and may bear an Interest not exceeding the said Rate or Premium of three Pounds *per Centum per Annum*, and proportionably for any greater or less Sum to be contained therein, and to be payable to the Bearers thereof respectively; nevertheless the said Interest shall be abated and saved upon such of the said Bills to be made forth by this Act, as shall at any Time or Times be in the Receipt of the Exchequer, or in the Hands or Power of any Receivers or Collectors of any Taxes, Aids or Revenues

to bear Interest at 3 l. per Cent.

venues whatsoever, payable to his Majesty, his Heirs or Successors, during such Time and Times respectively as such Bills shall be or remain in the said Receipt, or in such Hands or Power as aforesaid.

and to be numbered,

V. And it is hereby enacted, That all the said Bills shall be numbered arithmetically, beginning with N° I. and so proceeding in an arithmetical Progression ascending, wherein the common Excess or Difference shall always be one, and shall be registered accordingly, so that the principal Sum to be contained in every such Bill, may regularly be paid off and discharged in Course, according to the Number of every such Bill, as it shall stand in the said Register, and that the Interest upon all and every the same Bills shall be payable every three Months, according to the Purport and true Meaning of this Act; and that upon every such Bill there shall be indorsed, printed or written in Words at length, or in Figures, the Sum after which the Principal to be contained therein shall be payable in such Course as aforesaid, according to the Purport and true Meaning of this Act.

and made with Cheques, &c.

VI. And it is hereby further enacted, That all the said Bills shall be prepared and made with such Cheques, Indents or Counterfoils as shall be directed by the Commissioners of the Treasury, or any three or more of them now being, or by the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being; and that the Person or Persons who shall be appointed to pay off the said Bills in Course, shall from Time to Time have the Use and Custody of one Part of all the Cheques, Indents or Counterfoils of the said Exchequer Bills, to be prepared and made by virtue of this Act, from which the same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged Bills; and that the Undertakers or Contractors for exchanging and circulating the said Bills, or such of them as shall be current, shall from Time to Time have the Use and Custody of one other Part of all the said Cheques, Indents or Counterfoils of the said Exchequer Bills, from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged Bills; and that all the said Parts of the said Cheques, Indents or Counterfoils shall be delivered back into the Exchequer, when the said Bills to be made forth by virtue of this Act, shall be paid off, cancelled and discharged.

and to be placed as Cash in the Exchequer,

VII. And it is hereby enacted, That the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall, and they are hereby respectively authorized and impowered, to cause such Bills as shall be prepared by virtue of this Act, to be placed as so much Cash in the respective Offices of the Tellers of the said Receipt of the Exchequer, each and every of which Tellers shall be severally charged with the Proportion of the said Bills, which shall be so placed in his Office respectively; any Law or Usage to the contrary notwithstanding.

to be current, and subject to such Rules, &c. as in the Malt Act,

VIII. And be it further enacted by the Authority aforesaid, That all the said Bills to be issued as aforesaid, shall be current in like manner, and with such Privileges and Advantages, and subject to such Rules and Directions as are prescribed and enacted by an Act of this present Session of Parliament, (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-one*) for or concerning the Exchequer Bills thereby authorized to be made forth; and that all and every the Clauses and Provisoes in the said last-mentioned Act, relating to the Currency, Exchanging or Receiving the same last-mentioned Exchequer Bills, by any publick Receivers of Aids, Taxes or Supplies, or in his Majesty's Receipt of the Exchequer, or for forging, counterfeiting or altering the same Bills, or making out new Bills in the Room of such as shall be filled up with Indorsements, lost, burnt, defaced or otherwise destroyed, or for making out Exchequer Bills of five thousand Pounds each, or for making out Exchequer Bills, without bearing Interest, or for making them afterwards to bear an Interest, or a higher or lower Rate of Interest, from Time to Time, as the Contractors shall agree to, or for preventing any Misapplication of the Fund on which the same are charged, or any other Misbehaviour of any Officers concerned in the receiving, issuing, exchanging, paying off or cancelling the same last mentioned Exchequer Bills, or for obliging the Contractors to pay the Interest of, or exchange for ready Money on Demand, the Exchequer Bills thereby authorized to be issued, at a Rate or Premium not exceeding three Pounds *per Centum per Annum*, or for preventing any Disabilities in any such Contractors, or for making them not liable to be Bankrupts on account of such Contracts, or for appointing a Paymaster or Paymasters, for paying off and cancelling the same Exchequer Bills in due Course and Order, (not otherwise altered by this Act) shall extend, and be construed to extend, as well to the Exchequer Bills by this Act authorized to be made forth, as to the Exchequer Bills to be made forth in pursuance of the said Act, for continuing and granting the Duties upon Malt, Mum, Cyder and Perry (except such Clauses as do charge the same on the Rates or Duties continued and granted by the same Act) as amply, fully and effectually, to all Intents and Purposes, as if the same Clauses or Provisoes had been particularly repeated and re-enacted *verbatim* in this Act.

Treasury to issue the Monies due for Interest, by way of Imprest, to the Paymaster.

IX. And be it further enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall or may issue, or cause to be issued, to such Paymaster or Paymasters to be constituted as aforesaid, by way of Imprest and upon account, so much Monies out of the growing Produce of the said Surplusses, Excesses or Overplus Monies, called the *Sinking Fund*, as shall from Time to Time incur and grow due to the said Contractors, for the Interest or Premium upon the said Exchequer Bills to be made forth by this Act, during the Continuance thereof, and such other Payments as are by this Act directed or allowed to be paid or discharged out of the same; any Thing in this or any former Act or Acts of Parliament to the contrary notwithstanding.

X. Provided

X. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power, and they are hereby enabled, to pay and allow, or cause to be paid and allowed, out of the growing Produce of the said *Sinking Fund*, from Time to Time, the necessary Charges of making forth the new Exchequer Bills hereby authorized to be made forth, and such other Charges as shall be necessarily incident in or for the Execution of this Act, in relation to the said Bills; any Thing herein contained to the contrary notwithstanding.

Charges of making forth the Bills, &c. to be paid out of the Sinking Fund.

XI. Provided also, and it is hereby further enacted by the Authority aforesaid, That it is the true Intent and Meaning of this Act, that the Exchequer Bills hereby authorized to be made forth, not exceeding the Sum of one million thirteen thousand one hundred forty-eight Pounds four Shillings and six Pence, as aforesaid, shall be, and they are hereby charged upon the said Surpluſſes, Excesses or Overplus Monies, commonly called the *Sinking Fund*; and that the same Exchequer Bills shall from Time to Time be paid off to the said Governor and Company out of the first Monies that shall from Time to Time arise into the said Receipt of the Exchequer, of or for the said *Sinking Fund*, and which shall be applied to the Payment of the Principal of the National Debt, and not otherwise; and the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall and may, and they are hereby authorized and enabled, to cause such Monies which shall from Time to Time arise at the said Receipt of the Exchequer, of or for the said *Sinking Fund* (except such Monies of the said *Sinking Fund* as are or shall be appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf) to be issued from Time to Time to such Paymaster to be constituted as aforesaid, by way of Imprest and upon Account, to be by him applied towards the paying off and discharging the Exchequer Bills hereby authorized to be made forth as aforesaid, or any Part thereof, in such Course as aforesaid, at such Times, and in such Proportions, as the said Commissioners of the Treasury, or any three or more of them, or the said High Treasurer for the Time being, shall judge to be most for the Advantage of the Publick; from which respective Time or Times of paying off and discharging the said Exchequer Bills, or any Part thereof, by such Paymaster as aforesaid, a proportional Part of the Interest or Premium payable for such Exchequer Bills so paid off or discharged, at the Rate aforesaid, shall cease and determine; any Thing in this or any other Act or Acts of Parliament to the contrary in any wise notwithstanding.

The Bills charged upon the Sinking Fund.

'XII. And whereas your Majesty's said dutiful Commons did resolve, towards raising the Supply 'granted to your Majesty, to enable your Majesty to borrow a further Sum not exceeding two hundred 'twenty-five thousand twenty-three Pounds seven Shillings and eleven Pence, at an Interest of three 'Pounds *per Centum per Annum*, to be charged on the said *Sinking Fund*: And whereas since the making 'of the said Resolution, the Sum of forty-eight thousand one hundred twenty-nine Pounds sixteen Shil-'lings and four Pence, in Old and New *South-Sea* Annuities, is by this Act directed and allowed to be 'subscribed by the Proprietors thereof, so that the principal Sum now necessary to be advanced by the said 'Governor and Company of the Bank of *England*, will be reduced to the Sum of one hundred seventy-six 'thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence only;' Be it therefore further enacted by the Authority aforesaid, That it shall and may also be lawful to and for the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer or any three or more of the Commissioners of the Treasury for the Time being, on his Majesty's Behalf, to contract and agree with any Person or Persons, Bodies Politick or Corporate, to advance and pay into the said Receipt of Exchequer, any further Sum or Sums of Money, not exceeding in the whole the said Sum of one hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, for Exchequer Bills to be made forth at the said Receipt, and issued to them at such Time or Times as the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall think most convenient for the Advantage of the Publick; which said Exchequer Bills shall be and are hereby also charged on the said Surpluſſes, Excesses, or Overplus Monies, commonly called the *Sinking Fund*, at an Interest not exceeding three Pounds *per Centum per Annum*, to be paid out of the said *Sinking Fund*, and commence from the Time or respective Times on which the said Sum not exceeding one hundred seventy six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, is or shall be advanced into the said Receipt; and that the principal Sum contained in such Exchequer Bills shall be repaid out of the said Excesses or Surpluſſes of the said *Sinking Fund* that shall be applied to the Payment of the Principal of the National Debt, in manner herein after-mentioned and directed.

Treasury to contract for a further Sum of 176,893 l. 11 s. 7 d. by Exchequer Bills, chargeable on the Sinking Fund,

XIII. And be it further enacted by the Authority aforesaid, That all and every such Person or Persons, Bodies Politick or Corporate, shall have and receive, and shall be intitled, by virtue of this Act, to have and receive, an Interest or Premium, after the Rate of three Pounds *per Centum per Annum*, for the said principal Sum not exceeding one hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, so to be advanced by them into the said Receipt of Exchequer, to commence from the respective Time or Times of advancing the same as aforesaid; which said Interest or Premium shall from Time to Time be paid to them by quarterly Payments, out of the Monies arising at the said Receipt, of or for the said Surpluſſes, Excesses or Overplus Monies of the said *Sinking Fund* as aforesaid, until such Times as the said Exchequer Bills so to be issued, or any Part thereof, shall be discharged and cancelled in the Manner and Form by this Act hereafter provided.

to carry Interest at the Rate of 3 l. per Centum, payable quarterly.

venues whatsoever, payable to his Majesty, his Heirs or Successors, during such Time and Times respectively as such Bills shall be or remain in the said Receipt, or in such Hands or Power as aforesaid.

and to be numbered,

V. And it is hereby enacted, That all the said Bills shall be numbered arithmetically, beginning with N° I. and so proceeding in an arithmetical Progression ascending, wherein the common Excess or Difference shall always be one, and shall be registered accordingly, so that the principal Sum to be contained in every such Bill, may regularly be paid off and discharged in Course, according to the Number of every such Bill, as it shall stand in the said Register, and that the Interest upon all and every the same Bills shall be payable every three Months, according to the Purport and true Meaning of this Act; and that upon every such Bill there shall be indorsed, printed or written in Words at length, or in Figures, the Sum after which the Principal to be contained therein shall be payable in such Course as aforesaid, according to the Purport and true Meaning of this Act.

and made with Cheques, &c.

VI. And it is hereby further enacted, That all the said Bills shall be prepared and made with such Cheques, Indents or Counterfoils as shall be directed by the Commissioners of the Treasury, or any three or more of them now being, or by the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being; and that the Person or Persons who shall be appointed to pay off the said Bills in Course, shall from Time to Time have the Use and Custody of one Part of all the Cheques, Indents or Counterfoils of the said Exchequer Bills, to be prepared and made by virtue of this Act, from which the same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged Bills; and that the Undertakers or Contractors for exchanging and circulating the said Bills, or such of them as shall be current, shall from Time to Time have the Use and Custody of one other Part of all the said Cheques, Indents or Counterfoils of the said Exchequer Bills, from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged Bills; and that all the said Parts of the said Cheques, Indents or Counterfoils shall be delivered back into the Exchequer, when the said Bills to be made forth by virtue of this Act, shall be paid off, cancelled and discharged.

and to be placed as Cash in the Exchequer,

VII. And it is hereby enacted, That the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall, and they are hereby respectively authorized and impowered, to cause such Bills as shall be prepared by virtue of this Act, to be placed as so much Cash in the respective Offices of the Tellers of the said Receipt of the Exchequer, each and every of which Tellers shall be severally charged with the Proportion of the said Bills, which shall be so placed in his Office respectively; any Law or Usage to the contrary notwithstanding.

to be current, and subject to such Rules, &c. as in the Malt Act.

VIII. And be it further enacted by the Authority aforesaid, That all the said Bills to be issued as aforesaid, shall be current in like manner, and with such Privileges and Advantages, and subject to such Rules and Directions as are prescribed and enacted by an Act of this present Session of Parliament, (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-one)* for or concerning the Exchequer Bills thereby authorized to be made forth; and that all and every the Clauses and Provisoes in the said last-mentioned Act, relating to the Currency, Exchanging or Receiving the same last-mentioned Exchequer Bills, by any publick Receivers of Aids, Taxes or Supplies, or in his Majesty's Receipt of the Exchequer, or for forging, counterfeiting or altering the same Bills, or making out new Bills in the Room of such as shall be filled up with Indorsements, lost, burnt, defaced or otherwise destroyed, or for making out Exchequer Bills of five thousand Pounds each, or for making out Exchequer Bills, without bearing Interest, or for making them afterwards to bear an Interest, or a higher or lower Rate of Interest, from Time to Time, as the Contractors shall agree to, or for preventing any Misapplication of the Fund on which the same are charged, or any other Misbehaviour of any Officers concerned in the receiving, issuing, exchanging, paying off or cancelling the same last mentioned Exchequer Bills, or for obliging the Contractors to pay the Interest of, or exchange for ready Money on Demand, the Exchequer Bills thereby authorized to be issued, at a Rate or Premium not exceeding three Pounds *per Centum per Annum*, or for preventing any Disabilities in any such Contractors, or for making them not liable to be Bankrupts on account of such Contracts, or for appointing a Paymaster or Paymasters, for paying off and cancelling the same Exchequer Bills in due Course and Order, (not otherwise altered by this Act) shall extend, and be construed to extend, as well to the Exchequer Bills by this Act authorized to be made forth, as to the Exchequer Bills to be made forth in pursuance of the said Act, for continuing and granting the Duties upon Malt, Mum, Cyder and Perry (except such Clauses as do charge the same on the Rates or Duties continued and granted by the same Act) as amply, fully and effectually, to all Intents and Purposes, as if the same Clauses or Provisoes had been particularly repeated and re-enacted *verbatim* in this Act.

Treasury to issue the Monies due for Interest, by way of Impress, to the Paymaster.

IX. And be it further enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall or may issue, or cause to be issued, to such Paymaster or Paymasters to be constituted as aforesaid, by way of Impress and upon account, so much Monies out of the growing Produce of the said Surpluses, Excesses or Overplus Monies, called the *Sinking Fund*, as shall from Time to Time incur and grow due to the said Contractors, for the Interest or Premium upon the said Exchequer Bills to be made forth by this Act, during the Continuance thereof, and such other Payments as are by this Act directed or allowed to be paid or discharged out of the same; any Thing in this or any former Act or Acts of Parliament to the contrary notwithstanding.

X. Provided

X. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power, and they are hereby enabled, to pay and allow, or cause to be paid and allowed, out of the growing Produce of the said *Sinking Fund*, from Time to Time, the necessary Charges of making forth the new Exchequer Bills hereby authorized to be made forth, and such other Charges as shall be necessarily incident in or for the Execution of this Act, in relation to the said Bills; any Thing herein contained to the contrary notwithstanding.

Charges of making forth the Bills, &c. to be paid out of the Sinking Fund.

XI. Provided also, and it is hereby further enacted by the Authority aforesaid, That it is the true Intent and Meaning of this Act, that the Exchequer Bills hereby authorized to be made forth, not exceeding the Sum of one million thirteen thousand one hundred forty-eight Pounds four Shillings and six Pence, as aforesaid, shall be, and they are hereby charged upon the said Surpluſſes, Excesses or Overplus Monies, commonly called the *Sinking Fund*; and that the same Exchequer Bills shall from Time to Time be paid off to the said Governor and Company out of the first Monies that shall from Time to Time arise into the said Receipt of the Exchequer, of or for the said *Sinking Fund*, and which shall be applied to the Payment of the Principal of the National Debt, and not otherwise; and the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall and may, and they are hereby authorized and enabled, to cause such Monies which shall from Time to Time arise at the said Receipt of the Exchequer, of or for the said *Sinking Fund* (except such Monies of the said *Sinking Fund* as are or shall be appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf) to be issued from Time to Time to such Paymaster to be constituted as aforesaid, by way of Impreſt and upon Account, to be by him applied towards the paying off and discharging the Exchequer Bills hereby authorized to be made forth as aforesaid, or any Part thereof, in such Course as aforesaid, at such Times, and in such Proportions, as the said Commissioners of the Treasury, or any three or more of them, or the said High Treasurer for the Time being, shall judge to be most for the Advantage of the Publick; from which respective Time or Times of paying off and discharging the said Exchequer Bills, or any Part thereof, by such Paymaster as aforesaid, a proportional Part of the Interest or Premium payable for such Exchequer Bills so paid off or discharged, at the Rate aforesaid, shall cease and determine; any Thing in this or any other Act or Acts of Parliament to the contrary in any wise notwithstanding.

The Bills charged upon the Sinking Fund.

'XII. And whereas your Majesty's said dutiful Commons did resolve, towards raising the Supply 'granted to your Majesty, to enable your Majesty to borrow a further Sum not exceeding two hundred 'twenty-five thousand twenty-three Pounds seven Shillings and eleven Pence, at an Interest of three 'Pounds *per Centum per Annum*, to be charged on the said *Sinking Fund*: And whereas since the making 'of the said Resolution, the Sum of forty-eight thousand one hundred twenty-nine Pounds sixteen Shil-'lings and four Pence, in Old and New *South-Sea* Annuities, is by this Act directed and allowed to be 'subscribed by the Proprietors thereof, so that the principal Sum now necessary to be advanced by the said 'Governor and Company of the Bank of *England*, will be reduced to the Sum of one hundred seventy-six 'thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence only;' Be it therefore further enacted by the Authority aforesaid, That it shall and may also be lawful to and for the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer or any three or more of the Commissioners of the Treasury for the Time being, on his Majesty's Behalf, to contract and agree with any Person or Persons, Bodies Politick or Corporate, to advance and pay into the said Receipt of Exchequer, any further Sum or Sums of Money, not exceeding in the whole the said Sum of one hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, for Exchequer Bills to be made forth at the said Receipt, and issued to them at such Time or Times as the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall think most convenient for the Advantage of the Publick; which said Exchequer Bills shall be and are hereby also charged on the said Surpluſſes, Excesses, or Overplus Monies, commonly called the *Sinking Fund*, at an Interest not exceeding three Pounds *per Centum per Annum*, to be paid out of the said *Sinking Fund*, and commence from the Time or respective Times on which the said Sum not exceeding one hundred seventy six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, is or shall be advanced into the said Receipt; and that the principal Sum contained in such Exchequer Bills shall be repaid out of the said Excesses or Surpluſſes of the said *Sinking Fund* that shall be applied to the Payment of the Principal of the National Debt, in manner herein after-mentioned and directed.

Treasury to contract for a further Sum of 176,893 l. 11 s. 7 d. by Exchequer Bills, chargeable on the Sinking Fund,

XIII. And be it further enacted by the Authority aforesaid, That all and every such Person or Persons, Bodies Politick or Corporate, shall have and receive, and shall be intitled, by virtue of this Act, to have and receive, an Interest or Premium, after the Rate of three Pounds *per Centum per Annum*, for the said principal Sum not exceeding one hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, so to be advanced by them into the said Receipt of Exchequer, to commence from the respective Time or Times of advancing the same as aforesaid; which said Interest or Premium shall from Time to Time be paid to them by quarterly Payments, out of the Monies arising at the said Receipt, of or for the said Surpluſſes, Excesses or Overplus Monies of the said *Sinking Fund* as aforesaid, until such Times as the said Exchequer Bills so to be issued, or any Part thereof, shall be discharged and cancelled in the Manner and Form by this Act hereafter provided.

to carry Interest at the Rate of 3 l. per Centum, payable quarterly.

Bills to be made for the Sum,

XIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, to cause Exchequer Bills to be made forth at the said Receipt, for any Sum or Sums of Money, not exceeding the said Sum of one hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, in the same or like manner, Form and Order, and according to the same or like Rules and Directions, as are herein before enacted and prescribed concerning the Exchequer Bills herein before directed to be made forth; and that all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities herein before contained or referred unto, relating to the said Exchequer Bills (except as before excepted) shall be applied and extended to the Exchequer Bills to be made forth for the said Sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been herein again particularly repeated and re-enacted

and to be numbered,

XV. And be it further enacted by the Authority aforesaid, That all and every the said Exchequer Bills last-mentioned, shall be numbered arithmetically, beginning from the Number which shall be expressed upon the last of the Bills herein before directed to be made forth, and shall be registered accordingly, and paid in course, according to the Directions herein contained in that Behalf.

to be paid out of the Sinking Fund.

XVI. Provided also, and it is hereby declared, That it is the true Intent and Meaning of this Act, that the said Exchequer Bills hereby directed to be made forth for the said Sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, shall (from and after the paying off and discharging all and every the Exchequer Bills by this Act before directed to be made forth for the principal Sum of one million thirteen thousand one hundred forty-eight Pounds four Shillings and six Pence, and all the Interest and Premium due thereupon) be repaid out of the first Monies that shall from Time to Time arise into the said Receipt, of or for the said *Sinking Fund*, that shall be applied to the Payment of the Principal of the National Debt, and not otherwise; and the said Commissioners of the Treasury, or any three or more of them, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall and may, and they are hereby authorized and impowered to cause such Monies of the said *Sinking Fund* (except such Monies of the said *Sinking Fund* as are or shall be appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf) to be issued from Time to Time, to such Paymaster as shall be appointed in pursuance of this Act, by way of Impress and upon Account, to be by him applied towards the paying off and discharging the said Exchequer Bills to be made forth for the said principal Sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, or any Part thereof, in such Course and Order as aforesaid, and at such Times, and in such Proportions, as the said Commissioners of the Treasury, or any three or more of them, or the High Treasurer for the Time being, shall think fit; from which respective Time or Times of paying off the said Exchequer Bills, or any Part thereof, by such Paymaster as aforesaid, a proportional Part of the Interest or Premium payable thereupon, at the Time of paying off the same shall cease and determine; any Thing herein contained to the contrary notwithstanding.

XVII. And for obviating all Doubts and Difficulties which shall or may arise in relation to the paying off and discharging the respective Stocks of Old and New *South-Sea* Annuities, as have not been subscribed in pursuance of two Acts passed in the last Session of Parliament, for redeeming the several Annuities, carrying an Interest after the Rate of four Pounds *per Centum per Annum*, directed to be redeemed and paid

Treasury to pay off the Old and New unsubscribed South-Sea Annuities,

off; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, to issue and pay, or cause to be issued and paid, out of any Monies arisen or to arise into the Receipt of his Majesty's Exchequer, of or for all or any the Aids or Supplies granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-one, unto the Governor and Company of Merchants of *Great Britain*, trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fishery, commonly called the *South-Sea Company*, any Sum or Sums of Money, not exceeding the Sum of two millions two hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, being the total principal Sum remaining due and payable upon the said unsubscribed Old and New *South-Sea* Annuities (after deducting the Sum of forty-eight thousand one hundred twenty-nine Pounds sixteen Shillings and four Pence, by this Act authorized and directed to be subscribed into the said Annuities) at such respective Time or Times,

by Payments not less than 500,000 l. at a Time.

and in such Proportions, by Payments not less than five hundred thousand Pounds at a Time, as they shall think most proper and convenient, towards redeeming and paying off the said Annuities; and as the said Payments of principal Money shall from Time to Time be made, a proportional Part of the said Annuities, and also of the Annuities attending thereon, and of the Allowances for Charges of Management, shall cease and determine.

South-Sea Company to distribute the same among the Proprietors.

XVIII. And be it further enacted by the Authority aforesaid, That the said *South-Sea* Company shall forthwith upon the Receipt of the said Sum of two millions two hundred seventy-six thousand eight hundred ninety-three Pounds eleven Shillings and seven Pence, or any Part thereof, by such Payments as aforesaid, or as soon after as conveniently may be, divide out and distribute the same as near as may be amongst all the several Proprietors of the said Old and New Annuities respectively, towards sinking and discharging so much of their Shares or Interests in the said respective Annuities, by even and equal Dividends amongst them all, in proportion to their respective Shares or Interests therein.

XIX. And

XIX. And to the End, Intent and Purpose, That all Trust Estates and Interests in the said Capital Stocks of Old and New *South-Sea* Annuities, may be preserved and improved for the Benefit of the Persons concerned therein, with the least Expence and Inconvenience to them; Be it enacted by the Authority aforesaid, That in all and every Cases where, in pursuance of this Act, any Payments or Dividends shall be made of the Capital of any such Annuity Stock, as shall be vested in any Person or Persons in Trust for other Persons who have or claim distinct or different Interests therein, or for any other Ends or Purposes, for which the Capital Sum or Annuity ought to be preserved intire, such Payments or Dividends of the Capital Stock of Annuities shall not be paid or applied as Dividends of Profit, Annuity, or Interest, but shall remain in the Hands of such Trustees respectively, till otherwise disposed of at Interest; and for that Purpose, it shall and may be lawful to and for the Trustee or Trustees who shall receive the same, at his or their Discretion to lay out or dispose of the same, or any Part thereof, in the Purchase of so much other Capital Stock of Annuities of the same Kind, as hath been subscribed in pursuance of the said two Acts of the last Session of Parliament, or either of them, as at the current Market Price of such Annuity Stock, the Monies received for such Dividends, shall, as near as conveniently may be, extend to purchase; which new purchased Stock of Annuities shall be transferred to such Trustee or Trustees, and a Receipt or Receipts shall be given and signed by the Person or Persons transferring the same, for the Monies paid for the same; and in case such Trustees respectively, by Writing indorsed on or annexed to such Receipts, and signed or acknowledged before one of the Masters of the High Court of Chancery, shall declare that the Money in the said Receipts were the Produce of the said Dividends of the said Capital Stock of Annuities (which Signing or Acknowledgment such Masters in Chancery are hereby required to accept or take, and each and every such Master, before whom the same shall be done, shall at the same Time certify the same, by subscribing his Name thereto, for doing whereof such Master shall be paid for each Certificate one Shilling and no more) then and in every such Case, the Annuity Stock mentioned in such Receipts to be transferred, shall respectively go and be deemed subject and liable to the same Trusts, for the Benefit of the same Persons, and for the same Uses, Ends, Intents and Purposes, as the rest of the Trust Annuity Stock remaining in such Trustees respectively will or ought to be subject and liable to; and such Trustees respectively shall from thenceforth be indemnified from any Loss, Charges or Damages, on account of their so doing, at the Expences of the said Trust Estates.

Trustees may lay out the Money in the Purchase of other Stock,

XX. Provided always, That nothing in this Act contained shall extend or be construed to extend to restrain or prohibit any such Trustees from laying out or disposing of any of the said Trust Monies in any other Purchases or any other Securities, whether publick or private, if they shall so think fit, in the same Manner and with the same Freedom and Security to themselves, as they might have done if this Act had not been made.

or in any other Purchase.

'XXI. And whereas Doubts have arisen with regard to the taking the Oaths and Affirmation, and 'subscribing the Declaration appointed by the Charter of the Governor and Company of the Bank of 'England, to be taken and subscribed by all and every the Members of every General Court: And whereas 'the administering the said Oaths and Affirmation, and subscribing the Declaration at every General 'Court, will be a great Delay to the Proceedings of the said General Court;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for the said Governor and Company in any General Court, to proceed to transact any Business, without administering the said Oaths and Affirmation to, or subscribing the said Declaration by, all or any of the Members of the said Court, unless required thereto, by any nine or more of the Proprietors present, qualified to vote at the said General Court, according to the Charter; any Thing in their said Charter, or any Act or Acts of Parliament contained in any wise to the contrary notwithstanding

The Bank may proceed in any General Court without administering the Oaths, &c. appointed by their Charter.

XXII. And be it further enacted by the Authority aforesaid, That when any Court of Directors of the said Governor and Company shall be met according to any Summons or Appointment, and shall have Notice or be otherwise satisfied, that the Governor and Deputy Governor of the said Corporation, will not be present so as to hold the said Court of Directors, or in case the said Governor and Deputy Governor shall be absent after the usual Time of proceeding to Business, that then and in such Case it shall and may be lawful for the said Court of Directors, and they are hereby authorized and impowered, to chuse a Chairman for that Time (which Chairman shall also in the like Case preside at a General Court, if any shall at that Time be summoned to meet) and to proceed to Business, and transact the Affairs of the Corporation, and that the Transactions of the said General Court and Court of Directors respectively shall be as valid and effectual to all Intents and Purposes, as if the said Governor or Deputy Governor had been present; any Thing in the Charter of the said Corporation, or any Act or Acts of Parliament contained in any wise to the contrary notwithstanding.

Court of Directors may chuse a Chairman in the Absence of the Governor or Deputy Governor.

'XXIII. And whereas several Persons, not being timely apprized of the Notice given for subscribing 'in their several Annuities, being in his Majesty's Colonies in *America*, and other Parts beyond the Seas, or 'from unavoidable Accidents have been deprived subscribing the same;' Be it therefore enacted by the Authority aforesaid, That the Sums which were standing in the respective Names of the following Persons, on the twenty-eighth Day of *February* one thousand seven hundred and forty-nine, shall be intitled to the Benefit of the Vote of the House of Commons, passed the twenty-ninth Day of *November* one thousand seven hundred and forty-nine, *videlicet*, *Charles Apthorp* of *Boston* in *New England*, to the Sum of five thousand three hundred twenty-eight Pounds in Bank Annuities, *John Erving* of the same Place to the Sum of six thousand Pounds in Bank Annuities, *Daniel Huger* of *South Carolina* to the Sum of eight thousand Pounds in Old *South-Sea* Annuities, *John Smith* to the Sum of eleven thousand Pounds in Old *South-Sea* Annuities, and to the Sum of two thousand one hundred Pounds in New *South-Sea* Annuities,

Liberty given to certain Persons to subscribe Bank and South-Sea Annuities omitted to be subscribed pursuant to two Acts of the last Session.

instead of the like Sums subscribed to the second Resolution passed in the same Year, *Ralph Willet* to the Sum of three thousand Pounds in Old *South Sea* Annuities, *Elias Moses Defortis* to the Sum of three thousand four hundred and fifty-one Pounds Joint Stock in the New *South-Sea* Annuities, *Hugh Holmes* to the Sum of four thousand three hundred Pounds Old *South-Sea* Annuities, *John Saunderson* to five hundred Pounds Old *South-Sea* Annuities, *John Armstrong* to the Sum of two hundred and twenty-five Pounds Old *South-Sea* Annuities, *John Jolly* to the Sum of one thousand Pounds Old *South-Sea* Annuities, two thousand Pounds New *South-Sea* Annuities, one thousand Pounds Bank Annuities, of the Year one thousand seven hundred and forty-seven, and one thousand Pounds Lottery Annuities of the Year one thousand seven hundred and forty-seven, in as full and ample manner, as if they had severally and respectively accepted the said Terms on or before the said twenty-eighth Day of *February* one thousand seven hundred and forty-nine.

Sums standing in the Joint Names of Samuel Edwards, and Hugh Brigges, intitled to the Benefit of the Vote of 21 March 1749.

XXIV. And be it further enacted by the Authority aforesaid, That the Sums that were standing in the Joint Names of *Samuel Edwards*, deceased, and *Hugh Brigges*, now Sir *Hugh Brigges*, Baronet, on the twenty-eighth Day of *February* one thousand seven hundred and forty-nine, shall be intitled to the Benefit of the Vote of the House of Commons, passed the twenty-first Day of *March* one thousand seven hundred and forty-nine, *videlicet*, twelve thousand two hundred and ten Pounds two Shillings and one Penny, in New *South-Sea* Annuities, and thirteen thousand four hundred and forty-three Pounds fourteen Shillings and three Pence, in Old *South-Sea* Annuities, in as full and ample manner, as if they had severally accepted the said Terms on or before the thirtieth Day of *May* one thousand seven hundred and fifty.

CAP. V.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose. EXP. [Time given to 28 Nov. 1751.]

CAP. VI.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. VII.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty-one. EXP. At 3 s. in the Pound.

CAP. VIII.

An Act for the better carrying on and regulating the Navigation of the Rivers *Thames* and *Isis*, from the City of *London* westward, to the Town of *Cricklade* in the County of *Wilts*.

'WHEREAS the Rivers of *Thames* and *Isis* have, Time out of Mind, been navigable from the City 'of *London* to the Village of *Bercott* in the County of *Oxford*; and from the City of *Oxford* west-'ward, beyond *Letchlade* in the County of *Glouceſter*: And whereas in and by an Act of Parliament, made 'and passed in the one and twentieth Year of the Reign of his late Majesty King *James* the First, (inti-
21 Jac. 1. c. 32. 'tuled, *An Act for making the River of* Thames *navigable for Barges, Boats and Lighters, from the Village 'of* Bercott *in the County of* Oxford, *unto the University and City of* Oxford) the said Rivers were made 'navigable from the said Village of *Bercott* to the said City of *Oxford*: And whereas divers Abuses have 'heretofore been, and still are committed by the Owners of the several Towing-paths, and other Pas-'sages on the Banks of the said Rivers, and by the Owners of the Locks, Weirs, Turnpikes, Dams, 'Flood-gates, and other Engines in and upon or near adjoining to the said Rivers; and also by the seve-'ral Barge-masters, and their Servants, navigating thereon; by reason whereof and other Exactions, the 'Price of Water-carriage, on those Rivers, hath of late Years been very much raised, contrary to the In-'tent and Provision of divers wholesome and good Laws made and passed for the due Regulation of the 'said Navigation;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for preventing all Abuses and Exactions, which may or can lessen the Navigation of the said Rivers, and render the same less useful to the Publick, all and every Person or Persons who are or shall be assessed and charged, and do and shall pay towards the Aid granted unto his Majesty by an Act of this present Session of Parliament, (intituled, *An Act for granting an Aid to his Majesty by a Land-Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-one)* or towards any future Aid, by any future Act or Acts of Parliament, for granting an Aid to his Majesty, his Heirs or Successors, by a Land Tax in *Great Britain*, for and in respect of an Estate in Lands, Tenements or Hereditaments in his or their Possession, or of some Person in Trust for him or them, of the yearly Value of one hundred Pounds in any or either, or all of the several Counties of *Middlesex*, *Surry*, *Berks*, *Bucks*, *Oxon*, *Glouceſter* and *Wilts*; and also the Vice-Chancellor, and the Heads of Colleges and Halls in the University of *Oxford*; and the Mayor or Chief Officer for the Time being of the Corporation and Borough Towns, lying upon the said Rivers, shall be and are hereby constituted

Commissioners to put this Act in Execution.

Commissioners

Commissioners for putting in Execution all and singular the Powers in this Act contained; and that all and every Person and Persons constituted and appointed a Commissioner or Commissioners by virtue or in pursuance of this Act, before he and they respectively take upon himself or themselves to act as a Commissioner or Commissioners under this Act (other than the administering the Oath following to one another, which they, or any two of them, are hereby impowered and required to do) do and shall take and subscribe the following Oath:

Oath to be taken by the Commissioners,

"I *A. B.* do swear, That I will without Favour or Affection, truly, faithfully and impartially execute, perform and discharge the Office and Duty of a Commissioner, according to the Powers, Authorities and Directions given and established by an Act of Parliament, (intituled, *An Act for the better carrying on and regulating the Navigation of the Rivers* Thames *and* Isis, *from the City of* London *westward, to the Town of* Cricklade *in the County of* Wilts) according to the best of my Skill and Knowlege.

So help me God."

and to be registered.

Which Oath so taken and subscribed as aforesaid, shall be kept by the Clerk of the Peace, among the Records of the Sessions of the Peace, in and for the respective Counties where the same shall be so taken and subscribed.

Times and Places for the Meeting of the Commissioners.

II. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven of them, for the further, better and more orderly putting in Execution the Powers hereby to them given and appointed, shall, for the first Time, meet on the first Day of *July* next ensuing, at the Town Hall in *Reading* in the County of *Berks*; and from thence by Adjournment, meet at the Town Hall in the City of *Oxford* on the fifth of *August* following; and for the like Purposes, shall for the Time to come, hold a General Meeting upon the first *Tuesday* in *July* in every Year, at the Town Hall in the said City of *Oxford*, and another on the first *Tuesday* in *September* following, in every Year, at the Town Hall in *Reading* aforesaid, for such Time or Number of Days as shall to the said Commissioners seem convenient, and at any of the said Meetings shall adjourn themselves from Time to Time to such Place; and so from Place to Place, within the Counties of *Middlesex*, *Surry*, *Berks*, *Buckingham*, *Oxford*, *Gloucester* and *Wilts*, and near to the same Rivers, or some Part thereof, as they shall think proper; and the said Commissioners, or any five or more of them, are hereby impowered and authorized afterwards, at any Time or Times, when it shall happen that no General Meeting is appointed to be held by Adjournment, to appoint General Meetings of the said Commissioners, for putting in Execution all or any of the Powers hereby in them vested, at such Times and Places as they shall think proper, within any or either of the said Counties, by or through which the said Rivers run, upon or near the same, upon giving twenty Days Notice in the *London Gazette*, and some other publick News Papers, as to the Commissioners shall seem meet, of the Time and Place which shall be from Time to Time appointed for such General Meetings; (at which the Commissioners then present shall be at Liberty, and are hereby impowered to adjourn themselves to such Times and Places, within any or either of the aforesaid Counties, near the said Rivers, as they shall think proper; and the said Commissioners, or any seven of them, or the major Part of them assembled at such General Meeting, shall at any or either of such General Meetings, held at any of the respective Times and Places aforesaid, or in pursuance of such Notice aforesaid only, for such Number of Days, as to them shall seem convenient, upon due Examination of any Person or Persons, touching any Matters or Things which concern the better carrying on and regulating the Navigation of the said Rivers, or touching any Matters in Controversy between Party and Party relating thereto, upon Oath, (which Oath they are hereby impowered at such General Meetings to administer, and shall be in these Words:)

Power of appointing General Meetings.

20 Days Notice of such Meetings to be given in the London Gazette, &c.

Commissioners impowered to examine on Oath,

"I *A. B.* do swear, That such Information or Evidence as I shall give, shall be the Truth, the whole Truth, and nothing but the Truth.

So help me God."

and to settle the Prices payable by Barges for the Use of Towing-paths, &c.

And make Orders and Constitutions for the settling and ascertaining reasonable Rates and Prices to be taken from the Owners of all Barges, Boats and Vessels, for the Use and Exercise of all the Towing-paths, Gates and Bridges, either by Men or Horses, as they are now used, or shall be used, at the Discretion of the said Commissioners, by the Tenants or Occupiers of all Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Floodgates and other Engines, and Towing-paths, in, upon or near adjoining to the said Rivers of *Thames* and *Isis*, or which do or may affect the Navigation of the same, or shall be deemed by the said Commissioners, or any seven of them, or the major Part of them, assembled at such Meeting or Meetings as aforesaid, to be necessary or useful thereto, between the said City of *London* and the said Town of *Cricklade*, for the Help and Assistance which Barges, Boats or Vessels may or shall receive thereby, or by means thereof, in their Passage upon the said Rivers, Regard being had as well to the Burden or Tonnage of such Boats, Barges and Vessels that have, do and shall navigate on the said Rivers, as to the Charges and Expences which have been, and shall be, laid out in building, repairing, inlarging, improving and supporting the said Locks, Weirs, Bucks, Winches, Turnpikes, Flood-gates and other Engines; and also to make Orders and Regulations touching the Sizes and Draughts of all Boats, Barges and other Vessels navigating the said Rivers; and to settle proper Gauges on the Sides thereof, and how deep they shall load at all Times, and in different Seasons of the Year, so as no Boat, Barge or other Vessel whatsoever, navigating the said Rivers, shall draw more than four Feet on the Sides, or draw more than

and to make Orders for the Sizes and Draughts of Barges, and for settling Gauges on the Sides, &c.

and other Regulations concerning the Navigation,

than four Feet of Water at any Season of the Year; and also to constitute and appoint all such other necessary Rates, Orders, Constitutions, Rules and Regulations concerning the said Navigation, and also concerning such Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates and other Engines and Towing-paths, lying between the Places aforesaid, and the Shutting, Penning, Opening, Drawing, Use or Management thereof, for the Benefit and Safety of the said Navigation; and making Satisfaction for the Loss or Damage which any Owners or Occupiers of Mills or Lands shall or may sustain thereby; and concerning all Barges, Boats or Vessels passing by, through or with the Help of the same; and Behaviour of all Bargemen, Boatmen and Watermen belonging to or working in such Barges, Boats or Vessels, so as to remedy the Abuses which have been frequently heretofore committed, or may hereafter be committed by them in the Navigation; and to give such Reparation, Satisfaction and Damages to the Person or Persons aggrieved thereby; as likewise to the Owners or Occupiers of Meadows, or other Grounds, who shall be damaged by the Neglect or Refusal of the Owners of such Locks, Weirs, Bucks, Winches, Turnpikes and Flood-gates, in not opening and keeping open the same, till the Water is sunk beneath the Water-mark, as to the said Commissioners, or any seven or more of them, or the major Part of them present at any such Meeting, shall seem meet.

and Behaviour of Bargemen,

and Satisfaction of Persons grieved.

No Alterations to be made in the Towing-paths or Landing places, without Consent of Proprietors.

III. Provided always, and be it enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to impower the said Commissioners to alter, change or remove any of the Towing-paths, or Landing-places now used as such, or to make or appoint any new or other Towing-paths or Landing-places, on the Banks of the said Rivers, without the mutual Consent first had and obtained of both the Owner or Proprietor of the Ground, over which the Towing-path or Landing-place proposed to be removed now is, and also of the Owner or Proprietor of the Ground on which such Towing-path or Landing-place shall be intended to be removed to, or on which any such new Towing path or Landing-place shall be intended to be made; any Thing herein contained to the contrary notwithstanding.

Orders made at a General Meeting, not to be altered at any General Meeting not appointed by Adjournment, &c.

Orders may be altered, upon Application, at any stated Meetings.

IV. Provided always, That no Order, Rule or Regulation made by the said Commissioners, in pursuance of the Powers by this Act vested in them, at any General Meeting held upon and at the respective Days and Places in every Year directed by this Act as aforesaid, or at any Adjournment thereof, shall be altered or repealed at any General Meeting held by the said Commissioners in pursuance of the Notice hereby directed to be given, when it shall happen that no General Meeting has been appointed to be held by Adjournment: And that it shall and may be lawful to and for the said Commissioners by this Act constituted, upon any Application to them made in that Behalf, at either of the said General Meetings, held at and upon the Days and Places prefixed by this Act, for the respective holding the same in every Year, or at any Adjournment thereof, to alter, annul or repeal any Order, Rule or Regulation made by the said Commissioners at any former Meeting or Adjournment whatsoever, held in pursuance of this Act, or make any new Order, Rule or Regulation, touching and concerning the same, as the Occasion and Circumstances of the Case may then require, and as to them shall seem expedient; and so as no such Alteration, Repeal or new Order, be made or deemed good and sufficient, unless the Party or Parties applying for such Alteration, Repeal or new Order, shall give twenty Days Notice in Writing of his intended Application, to every Person or Persons whom the same immediately concerns, or leave such Notice with the Servant or Agent of any such Person or Persons.

20 Days Notice to be given of such Application.

Commissioners may hold Sub-meetings,

and may hear Complaints in a summary Way,

and levy Fines by Distress and Sale.

V. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, shall and may have and hold a Sub-meeting in every of the said Counties, by or through which the said Rivers run, once in every Year, at such Times, and in such Towns or Places respectively, as the *Michaelmas* Quarter-Sessions in every Year, for every of the said Counties respectively shall be held (and at such Sub-meetings the said Commissioners shall have Power to adjourn themselves, from Time to Time as they shall think proper) for the enforcing the Execution of all or any of the Orders and Constitutions, to be made at all or any of the General Meetings of the said Commissioners to be held as aforesaid; and at such Sub-meetings the said Commissioners, or any three or more of them, or the major Part of them present, shall have Power, and are hereby authorized, in a summary Way, upon Examination of the Parties, and all Witnesses to be produced by them, upon Oath, which shall be in the same Words as herein before directed for the Examination of any Person or Persons as aforesaid (which Oath they are hereby impowered to administer) to hear and determine all such Complaints and Informations, as shall be made or laid against all and every Person or Persons, accused of offending against, or not complying with this Act, or any of the Rules, Orders, Regulations or Constitutions, to be made in pursuance or by virtue thereof; and upon Conviction of the Offender or Offenders, to levy such Fines, Penalties, Forfeitures or Damages as the said Commissioners are by this Act impowered to set, or are hereby made payable or forfeited, for the Offences whereof such Offenders shall be respectively convicted, by Distress and Sale of the Offenders Goods and Chattels, rendering the Overplus to the Offender or Offenders, by Warrant or Warrants, under the Hands and Seals of the said Commissioners, or any three or more of them, to be directed to the Constables, Tythingmen, or other Peace Officers of the several Liberties or Places wherein, or near whereunto, any Goods or Chattels, by such Warrant directed to be distrained, shall be; and all such Constables, and other Officers, are hereby commanded to obey and execute such Warrants accordingly: Provided, That every Person against whom any Complaint or Information shall be made or laid at any or either of the said Sub-meetings, shall have at least six Days Notice of such Complaint or Information, under the Hands of two or more of the said Commissioners.

6 Days Notice to be given to the Party complained against.

VI. Pro-

VI. Provided also, That it shall and may be lawful for any Person, whose Fine, Penalty, Forfeiture or Damage adjudged against him, at any or either of the said Sub-meetings, shall exceed the Sum of five Pounds, and who shall think himself aggrieved thereby, to appeal to the next General Quarter-Sessions, of the Peace, to be held after the Expiration of ten Days, from the Time that the Party aggrieved shall have Notice of the Adjudication of such Sub-meeting of the Commissioners of the County, wherein the Matter of Complaint shall originally arise, but not afterwards, upon giving six Days Notice in Writing, of such Appeal to the Party or Parties appealed against, or leaving such Notice at his or their last Place of Abode; and the Court of such Quarter-sessions shall hear and determine such Appeal, and give such Costs to either Party, as they shall think reasonable, whose Determination therein shall be final.

Persons aggrieved may appeal to the Quarter-Sessions.

6 Days Notice to be given.

VII. And be it further enacted by the Authority aforesaid, That the Clerks of the Peace for the said several Counties through which the said Rivers run, shall be, and are hereby, appointed Clerks to the said Commissioners, and each of such Clerks of the Peace, or his Deputy, shall, and are hereby required to attend, and act as Clerks to the said Commissioners, at such of their Meetings only, as shall be held in the County whereof he is Clerk of the Peace: And such Clerks of the Peace shall respectively be paid out of the several Counties Stock, of which County they are Clerks of the Peace, such Sums for their Attendance at such Meetings respectively, as shall at such Meetings, at which they shall so attend, be allowed them by any three or more of the said Commissioners, by Writing or Certificate under their Hands and Seals, not exceeding the Sum of twenty Shillings a Day; and the Treasurers of the said Counties respectively are hereby required to pay the same, the Clerks of the Peace producing such Certificate as aforesaid.

Clerks of the Peace appointed Clerks to the Commissioners;

and to be paid out of the County Stock.

'VIII. And whereas, for the more effectual putting of the Powers herein contained in Execution, it 'may be necessary to view the several Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates, 'and other Engines, and the several Towing-paths upon or near the said Rivers;' Be it enacted by the Authority aforesaid, That the said Commissioners, or any three or the major Part of them, at such their General Meetings or Sub-meetings, may appoint any Number of Commissioners (but not a less Number than three) as they shall think fit, who are hereby authorized and impowered to go and view any Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates and other Engines, in, upon or near adjoining to the said Rivers; and likewise to view all Towing-paths, Gates, Bridges and Places proper for the fixing a Water-mark at all Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates and other Engines, and to inquire into the State, Condition and Circumstances thereof; and to inquire also by Information upon Oath (which shall be in the same Words as the Oath herein before directed for the Examination of Witnesses as aforesaid, which Oath they are hereby impowered to administer) what Rates or Prices have formerly been paid to, or taken by, the Owners or Proprietors of such Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates or other Engines, in or upon, or near adjoining to the said Rivers, or in any wise affecting the same, as likewise by the Owners of Towing-paths adjoining to the said Rivers; and the several Sums that are now paid to, or taken by such Owners, Proprietors or Occupiers, from the several Barge-masters navigating on the said Rivers; which Information or Informations thus taken, shall be signed by two of the said Commissioners at least, and shall be by them transmitted to, and reported at, the next General Meeting of the said Commissioners, who, or any seven of them, or the major Part of them, shall make such Order and Determination thereupon, as shall to them seem just; six Days Notice in Writing of such Informations and intended Order being first given to the Person or Persons whom the same may concern, or left at his, her or their last Place of Abode.

3 Commissioners impowered to view the Locks,

and to inquire into their State,

and the Rates formerly paid,

and the Sums now taken.

Information to be signed by 2 Commissioners, and reported to the next General Meeting, &c.

IX. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, or the major Part of them, shall have Power and Authority, and they are hereby enjoined and required, at their said General Meetings, to assess and rate the Prices of the Carriage of all Sorts of Goods whatsoever, from the said City of *London* westward, to the said Town of *Cricklade*, and back from thence to the said City of *London*, or to or from thence respectively, to any other Place or Places upon the said Rivers, or to or from any Place or Places upon the said Rivers, to any other Place or Places upon the same, in such Boats, Barges or other Vessels; and shall forthwith give publick Notice in Writing, to be signed by the said Commissioners at such their Meetings, or any seven or more of them, to be printed and published in the *London Gazette*; of which publick Notice the several Owners of Boats, Barges and other Vessels, navigating on the said Rivers, are hereby required to take Notice, as also of the Rates and Prices so, from Time to Time, set and assessed, and of all other Rates and Prices, which shall at any Time or Times hereafter, at such respective Meetings as aforesaid, be rated and assessed by virtue of this Act: And if any Owner or Proprietor of any such Barge, Boat or other Vessel, shall, at any Time after the Expiration of ten Days next after the publishing of such Notice, take for the Water-carriage of any Goods or Merchandizes, above the Rates and Prices so set as aforesaid, every Person or Persons so offending shall forfeit the Sum of five Pounds, and shall lose the Freight of such Goods; and if any Person or Persons whatsoever shall break or act contrary to any other Rules, Orders or Constitutions, which shall be made in pursuance of this Act, either for the Benefit of the Proprietors or Owners of Mills, Locks, Lands or Meadows, near or adjoining to the said Rivers, or either of them, or otherwise howsoever; every such Person so offending shall, for every such Offence, likewise forfeit the Sum of five Pounds, unless in the Case of Offences on which other Penalties and Forfeitures are herein otherwise inflicted; all which respective Penalties and Forfeitures shall and may be recovered in a summary Way, by Information or Complaint made to the said Commissioners at any or either of their Sub-meetings to be held as aforesaid; and shall go and be applied, one Moiety to the Informer or Informers, and the other Moiety to the

Commissioners to rate the Prices of Carriage,

and to publish the same in the Gazette.

Penalty of taking more than the Rate,

or of acting contrary to any Rules, &c.

Application of the Forfeitures.

Party

Party or Parties aggrieved by any such Offence; and shall and may be levied by Distress and Sale in Manner herein before directed.

No Commissioner to act where he is interested.

X. Provided also, and be it further enacted by the Authority aforesaid, That no Commissioner or Commissioners shall sit in Judgment in the Execution of this Act, or any of the Powers herein contained, where he or they, on his or their own Parts, are any wise interested or concerned.

Appeal from the Commissioners to the Judges of Assize, &c.

XI. Provided nevertheless, and be it enacted by the Authority aforesaid, That if any Person or Persons shall think himself or themselves aggrieved, by reason of any Rules, Orders, Constitutions or Assessments so as aforesaid to be made by the said Commissioners, or any seven of them, or the major Part of them, at their said General Meetings, it shall and may be lawful to and for the Judge or Judges of Assize, at the Assizes to be held for the County wherein the Matter of Complaint principally ariseth, or the Judge or Judges of *Nisi Prius*, or sitting of *Nisi Prius* at *Westminster*, when the Cause of Complaint shall arise in the County of *Middlesex*, upon Complaint made by such Person or Persons aggrieved, within the Space of eight Months next after the making of such Rules, Orders, Constitutions or Assessments, to confirm, vacate or alter the same, in such Manner as shall be thought most convenient.

Orders of Commissioners to be in Force till vacated, except in Cases affecting other Property.

XII. Provided always, That the Orders made by the said Commissioners shall remain in full Force till vacated, or altered, by such Judge or Judges: But if such Orders, Rules or Constitutions shall affect the Property or Interest of any Person or Persons, in Lands, Tenements or Hereditaments, other than in Locks, Weirs, Winches, Turnpikes, Dams, Flood-gates, antient Towing-paths and Landing-places, then such Orders, Rules and Constitutions shall not be in Force, until the Expiration of one Month next after the making thereof, and after Notice given in Writing to the Person or Persons affected thereby, or left at his or their Place of Abode, in order that the Person or Persons so affected may have an Opportunity of appealing against such Orders, Rules and Constitutions, before the same are carried into Execution; and every such Person or Persons who shall make such Appeal, shall, within the Space of one Month, give Notice in Writing to the Clerk of the Commissioners making the Rules, Orders or Constitutions intended to be appealed against; and shall also enter into a Recognizance before some Justice of the Peace of the County wherein the Matter doth lie, in the Penalty of ten Pounds at least, to prosecute the said Appeal, according to the Notice given thereof, as aforesaid; in which Case the Rules, Orders or Constitutions so appealed against, shall not be in Force until such Appeal be heard and determined, according to the Directions of this Act; and in case the Judge or Judges, who shall hear the said Appeal, shall determine the same against the Appellant, it shall be lawful for such Judge or Judges to give such Costs to the Party or Parties against whom the said Appeal is made, as to such Judge or Judges shall seem meet.

Judges may give Costs.

Orders to be written on Parchment, and printed;

and kept amongst the Records of the Sessions.

XIII. Provided also, and be it further enacted by the Authority aforesaid, That all such Rules, Orders, Constitutions and Assessments as shall be made by the said Commissioners, or any seven, or the major Part of them, in pursuance of this Act, shall be written on Parchment, and signed by the said Commissioners, or any seven, or the major Part of them, and shall also be printed; and the original Orders, so signed, shall be kept amongst the Records of the Sessions of the Peace of the County within which the same shall be made; and a true Copy, signed by the Clerk of the Peace of the County where such original Orders shall be filed, shall by him be transmitted to the several Clerks of the Peace of the Counties of *Berks* and *Oxford*, when the said Orders are made in other Counties than those of *Berks* and *Oxon*; all which, or true Copies thereof, signed by the Clerk of the Peace, who hath the Custody thereof, shall be taken, adjudged, and deemed good and sufficient Evidence and Proof in any Court of Law or Equity whatsoever, and other Places of Judicature; and the said Rules, Orders, Constitutions and Assessments, so signed by the said Commissioners, or confirmed or altered on such Appeal as aforesaid, shall continue in Force from the making the same by the said Commissioners, or the Confirmation or Alteration thereof, by the said Judge or Judges of Assize, or *Nisi Prius*, until some new Order, Rule, Constitution or Assessment, shall be made in the same Case, by the said Commissioners, or any seven, or the major Part of them; and every such new Order, Rule, Constitution or Assessment, shall be subject to the like Appeal as aforesaid.

Barge-master responsible for Damages done by the Men.

XIV. And, for the further preventing the Damages and Mischiefs frequently done and committed by rude and disorderly Persons, rowing, managing, haling or towing the said Barges, Boats and Vessels, either with Men or Horses, and that the Owners of such Barges, Boats and Vessels may be more careful to prevent the same; Be it enacted by the Authority aforesaid, That every Barge-master, or the Master of any Boat or Vessel, and Owner of any Barge, Boat and Vessel, shall be, and is hereby, made answerable and responsible for any Damage or Mischief that shall be done or committed by his or their Barge, Boat or Vessel, or by the whole or any of the Crew of his or their said Barge, Boat or Vessel, or by Persons ordinarily belonging to, and going with, such Barge, Boat or Vessel, either to the Goods and Commodities with which such Barge, Boat or Vessel is laden, or by fishing with Nets, or otherwise, or by shooting with Guns, or taking or destroying any Fish, Fowl or Game, or to any of the Locks, Lock-tackle, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates or other Engines; or to any Bridge or Lands, Trees, Meadows or Grounds, in and upon the said Rivers, or bordering, or near adjoining thereto, either with Men or Horses: And the said Barge-masters, Barge-owners, and the Masters and Owners of any Boat or Vessel shall be, and are hereby, made liable to make good all such Damages to be committed as aforesaid; and shall and may be sued and prosecuted for the same, by Action of Trespass or otherwise; and if it appear that such Trespass or Damage was done by any of the Persons ordinarily belonging to or employed in the Barge or other Craft, whereof such Person or Persons was or were Master or Masters, Owner or Owners, such Master or Masters, Owner or Owners, shall be found guilty, and the Plaintiff or Plaintiffs shall recover his or their Damages thereby sustained, with his, her and their full Costs of Suit; any former Law or Usage to the contrary notwithstanding.

'XV. And whereas the Bargemen, and other Persons navigating the Barges, Boats and other Vessels 'on the said Rivers, have frequently embezilled and adulterated Wines, Cyder, Beer and other Liquors; 'and have often stole and bartered Coals, Malt, Wheat and other Goods committed to their Care; and 'have been guilty of many other Abuses, to the great Damage of the Proprietors of such Goods, and the 'Discredit of the said Navigation; but it has been found very difficult to detect the Offenders;' Be it therefore enacted by the Authority aforesaid, That if any Bargeman, Boatman, or other Person or Persons, being Part of the Crew of or belonging to any Barge, Boat or other Vessel, navigating the said Rivers, shall hereafter steal, sell, take, barter, consume, adulterate or embezil any Wine, Cyder, Beer or other Liquor, Coals, Malt, Wheat or other Goods, which shall be Part of the Freight of such Barge, Boat or other Vessel, and shall be thereof lawfully convicted before any one of his Majesty's Justices of the Peace for the County wherein, or adjoining to the Place where, the Offence shall be committed (who are hereby impowered to hear and determine such Complaints in a summary Way, and to convict the Offenders, either upon their own Confession, or upon the Evidence of one credible Witness upon Oath, which Oath such Justices are hereby impowered to administer) such Bargemen, Boatmen, or other Person or Persons so offending, shall forfeit and pay the Sum of forty Shillings for every such Offence, to any Person or Persons who will inform thereof, the same to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of the Justice before whom the Complaint or Information shall be made or laid: And in case such Offender or Offenders shall have no Goods and Chattels, whereby the Penalty may be levied, or do not, upon Demand, pay down the said forty Shillings, then such Justice shall and may send such Offender or Offenders to the House of Correction, there to be kept to hard Labour, for any Time not exceeding the Space of two Months: And in such Case the Person or Persons so informing, shall be allowed and paid the said Sum of forty Shillings, by the County Treasurers of the two Counties between which that Part of the said River shall run, where the Offence shall happen to be committed, in equal Shares and Proportions: And the Treasurers of such Counties are hereby required to pay the same, upon the Informer or Informers producing a Certificate of the Conviction of the said Offender or Offenders, under the Hand of the Justice before whom the Information shall be laid; and that such Offender or Offenders had no Goods and Chattels, whereon the Penalty could be levied as aforesaid.

Penalty on Bargemen stealing, &c. any Goods on Board.

Forfeiture to go to the Informer.

For want of Distress Offender to be committed.

and the Informer to be paid by the County Treasurers.

XVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any two of the said Commissioners, upon the Complaint of, and Oath made by any of the Tenants or Occupiers of the Meadows above, that the Water runs over the Water-mark, and that their Meadows are in Danger of being overflowed, to send, under their respective Hands and Seals, a Warrant directed to the Constable or Constables of the Parish or Tything, or some neighbouring Parish or Tything to the Place where the Offence shall be committed, thereby authorizing and impowering him or them to give Notice of such Complaints to the several Tenants or Occupiers of the said Locks, Weirs, Turnpikes, Dams and Flood-gates; and on their Refusal to open the same, to compel the said Tenants or Occupiers of the said Locks, Weirs, Turnpikes, Dams and Flood-gates, to open, and keep open the same, as Occasion shall require, till the Water is sunk below the Water-mark, and no longer: And if any Damage shall be sustained by the Tenants or Occupiers of such Meadows, occasioned either by the Occupiers or Tenants of such Locks, Weirs, Bucks, Turnpikes, Dams and Flood-gates, penning above the Water-mark, so as aforesaid set by the said Commissioners; or neglecting or refusing to draw, after such Notice as aforesaid; any three or more of the said Commissioners shall, at any of their Sub-meetings to be held as aforesaid, within the Space of fourteen Days next ensuing, on Proof made on Oath as aforesaid, of the Damage or Damages, order such Satisfaction as to them shall seem just: And if any or either of the Tenants or Occupiers of any Locks, Weirs, Bucks, Turnpikes, Dams or Flood-gates, shall refuse to pay such Sum or Sums of Money so ordered, within thirty Days after such Order made, and Notice thereof given, he or they so refusing shall forfeit the Sum of five Pounds, over and above the Sum or Sums so ordered, to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any three or more of the said Commissioners as aforesaid.

On Complaint that the Water runs over the Marks, 2 Commissioners may compel the Owners of Locks to open the same.

3 Commissioners may order Satisfaction for Damages occasioned by over flowing.

Penalty of not paying.

'XVII. And whereas great Inconveniencies and Damages do often happen to light-loaded Barges, 'Boats and other Vessels, by deep-loaded Barges, Boats and other Vessels, lying across or aground in the 'said Rivers; and thereby or otherwise obstructing and preventing the Passage of such light-loaded Vessels, 'which otherwise might pass:' For Remedy whereof, Be it further enacted by the Authority aforesaid, That it shall and may be lawful for any one or more of the said Commissioners, on his or their View, or on Complaint thereof made to him or them by the Owners or Navigators of such light-loaded Barges, Boats or other Vessels, to order the Owners or Navigators of such deep-loaded Barges, Boats or other Vessels, by Warrant under his or their Hands, forthwith to remove such Obstructions, by lightening their said Vessels, or otherwise, in such Manner as the said Commissioner or Commissioners shall think fit; and to suffer the said light-loaded Barges, Boats or other Vessels to pass; and upon Non-compliance with such Order, to assess and levy by Warrant under such Commissioner or Commissioners Hands and Seals, to be directed to the Constables, or other Peace Officers, of the Parish or Place wherein or near to the Place where such Complaint shall arise, such Penalty not exceeding the Sum of five Pounds, upon the Goods and Chattels of the Offender or Offenders, or the Tackle belonging to his or their Barge or Barges, as the said Commissioner or Commissioners shall think proper, or adequate to the Damage to be thereby sustained by the Owner or Owners of such light-loaded Vessel or Vessels, and to be paid to the Person next immediately sustaining the Damage occasioned by his Boat or Vessel's being stopt.

Commissioners may make Order concerning deep-loaded Barges obstructing the Navigation.

Penalty of Non-compliance.

XVIII. And be it enacted by the Authority aforesaid, That if it shall appear, either by View of any three or more of the said Commissioners, or upon Complaint made on Oath, to be taken and administered as

Penalty of removing Water-marks.

as herein before directed, to any five or more of the ſaid Commiſſioners, at any of the ſaid Sub-meetings, that any Owner or Occupier of any Lock, Weir, Turnpike, Dam or Flood-gate, or any other Perſon or Perſons, hath removed any Water-mark, ſo as aforeſaid ſet or appointed by the ſaid Commiſſioners, that the Perſon or Perſons ſo removing the ſame ſhall forfeit and pay the Sum of five Pounds, to be recovered at any of the ſaid Sub-meetings, in a ſummary Way by any Perſon or Perſons who will complain or inform thereof, and levied by Diſtreſs and Sale of the Offender's Goods and Chattels, in Manner aforeſaid.

Commiſſioners may make Order for cleanſing the Rivers;

'XIX. And whereas it may be neceſſary to cleanſe, ſcour, clear and ballaſt the ſaid Rivers in many 'Places;' Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, at any of their General Meetings, by any Order under their Hands and Seals, to cauſe the ſaid Rivers, or ſuch Parts thereof as to them ſhall ſeem meet, to be cleanſed, ſcoured, cleared and ballaſted, and all Obſtructions and Annoyances in and upon the ſaid Rivers to be removed; and to defray the Charges and Coſts of ſuch clearing, cleanſing, ſcouring and ballaſting; and removing all Obſtructions and Annoyances aforeſaid; as alſo to defray the incidental Expences of printing and publiſhing the Orders of the Commiſſioners; and for the making a reaſonable Recompence to the ſeveral Clerks of the Peace for tranſmitting Duplicates of ſuch Orders as aforeſaid; and for paying the Salaries of ſuch Officers as the Commiſſioners ſhall think fit to appoint, for the inſpecting the Execution of this Act; it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, at any of their General Meetings, to impoſe and ſet a Rate or Rates, to be paid by the Owner or Owners of every Boat, Barge or Veſſel, paſſing the ſaid Place ſo cleared, cleanſed, ſcoured and ballaſted; and to appoint a Receiver or Receivers thereof until a ſufficient Sum be raiſed for defraying the Expence thereof: And in caſe the Owner or Owners of ſuch Boat, Barge or Veſſel ſhall neglect or refuſe to pay the ſaid Rate or Rates, ſo directed to be paid, that then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, by Warrant under their Hands and Seals, directed to ſuch Receiver or Receivers, to levy the Monies ſo rated, or directed to be paid, upon the Goods and Chattels of the Perſon or Perſons ſo refuſing or neglecting to pay the ſame, and to diſpoſe of and ſell the Goods and Chattels ſo levied, and to deduct thereout the ſaid Rates ſo directed to be paid, together with the Coſts and Charges of ſuch Warrant, Diſtreſs and Sale, rendering the Overplus to the Perſon or Perſons ſo refuſing or neglecting to pay the ſaid Rate or Rates as aforeſaid.

and impoſe a Rate on Barges, &c.

and appoint Receivers.

Owners of Barges to affix their Names and Places of Abode, &c. on their Veſſels.

Penalty.

XX. Provided always, and be it enacted by the Authority aforeſaid, That the Owners of all Boats, Barges and other Veſſels, of the Burden of twenty Tons, and upwards, navigating the ſaid Rivers, ſhall cauſe his, her or their Name or Names, and Place of Abode, together with the Dimenſions and Tonnage of his, her or their Boat, Barge or Veſſel, to be ſet on ſome conſpicuous Places of their reſpective Boats, Barges or Veſſels: And every Owner or Owners neglecting ſo to do, or ſuffering his, her or their Boat, Barge or other Veſſel, to navigate in or upon the ſaid Rivers, or either of them, without their reſpective Names, Place of Abode, Dimenſion and Tonnage thereon, ſhall forfeit and pay the Sum of forty Shillings for every ſuch Offence, to any Perſon or Perſons who will make Information or Complaint thereof to the ſaid Commiſſioners, at any or either of their Sub-meetings, to be, as aforeſaid, held; the ſame to be levied by Diſtreſs and Sale of the Offenders Goods as aforeſaid, ſo as the Offender or Offenders be thereof firſt duly convicted by the ſaid Commiſſioners, at any of their Sub-meetings as aforeſaid.

'XXI. And whereas for improving the Navigation of the Rivers *Thames* and *Iſis*, it is found expedient 'to put ſuch Part of the River of *Kennet*, as is between the common Landing-place at *Reading* aforeſaid, 'and the Mouth of the ſaid River of *Kennet*, under the ſame Regulation and Management;' Be it therefore enacted by the Authority aforeſaid, That the Commiſſioners appointed by this Act ſhall be Commiſſioners for carrying on and regulating the Navigation of the aforeſaid Part of the ſaid River *Kennet*, in like manner as they are hereby appointed Commiſſioners concerning the Navigation of the ſaid Rivers of *Thames* and *Iſis*; and that all and ſingular the Powers and Authorities by this Act given to, or veſted in, the ſaid Commiſſioners, relating to the Navigation of the ſaid Rivers of *Thames* and *Iſis*, ſhall extend to, and the ſaid Commiſſioners are hereby authoriſed to exerciſe the ſame over the aforeſaid Part of the ſaid River *Kennet*, and over all Perſons, Boats, Barges and Veſſels navigating the ſame, or any ways concerned therein, and the Locks, Weirs, Turnpikes, Dams, Flood-gates and other Engines thereon, and the adjacent Lands, Meadows, Tenements and Premiſſes; and to make all ſuch, or any of the Orders and Conſtitutions relating thereto, as are herein mentioned, and in like manner as the ſaid Commiſſioners are hereby authorized to do, of and concerning the Navigation of the ſaid Rivers of *Thames* and *Iſis*, and the Matters and Things relating thereto, or any Perſons intereſted or concerned therein.

Part of the River Kennet put under the ſame Management.

Limitation.

XXII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away any Juriſdiction, Power or Authority of the Mayor, Commonalty and Citizens of the City of *London*, or any other Body Politick or Corporate, or other Perſon or Perſons whatſoever.

Orders to be kept by the Clerks of the Peace among the Records.

XXIII. And be it further enacted by the Authority aforeſaid, That all the Orders of the ſaid Commiſſioners ſhall be kept by the Clerks of the Peace aforeſaid, among the Records of the Seſſions of the Peace in the reſpective Counties where the ſame ſhall be made; and that ſuch Clerks of the Peace, reſpectively, ſhall permit the ſame to be inſpected by all Perſons deſiring the ſame, at convenient Times; and ſhall deliver Copies thereof, or of any Part thereof, to any Perſon deſiring the ſame, taking for the Searches and Copies thereof reaſonable Fees, to be limited by the ſaid Commiſſioners from time to time, at their General Meetings aforeſaid.

Publick Act.

XXIV. And be it enacted and declared by the Authority aforeſaid, That this Act ſhall be deemed a publick Act, and ſhall be taken Notice of as ſuch, without ſpecially pleading the ſame: And if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons for any Thing done in purſuance of this

this Act, every such Action or Suit shall be brought or commenced in the County or Place where the Cause of Action or Suit doth arise, and not elsewhere, and within the Space of six Months next after such Cause of Action shall accrue; and the Defendant or Defendants in such Action or Suit may plead the General Issue. General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be brought or commenced after the Time before limited for bringing or commencing the same, or shall be brought or commenced in any other County or Place, then, and in such Case, the Jury shall find for the Defendant or Defendants; and in such Case, or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his, her or their Action or Actions, or if any Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover double Costs, and shall have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law. Double Costs.

XXV. And be it enacted by the Authority aforesaid, That the Costs and Charges of obtaining this Act shall be paid by the Treasurers of the several Counties of *Middlesex*, *Surry*, *Bucks*, *Berks*, *Oxford*, *Gloucester* and *Wilts*, through which the said Rivers run, in equal Shares, that is to say, by every Treasurer of the said several Counties, one seventh Part, to *William Cooke* of *Great Farringdon* in the County of *Berks*, Gentleman, his Executors or Administrators, upon his or their producing to such Treasurers respectively the Bill of Costs and Disbursements, on account of passing this Act, signed by any five of the said Commissioners, or their Certificate, or Allowance thereof: And the said Treasurers of the said Counties are hereby required to pay the same accordingly, on Sight of such Bill, Certificate or Allowance, so as aforesaid signed; and the Receipts of the said *William Cooke*, his Executors or Administrators, shall be good and sufficient Vouchers to such Treasurers respectively, and allowed in their respective Accounts for what they shall so as aforesaid respectively pay to the said *William Cooke*, his Executors or Administrators, in pursuance of this Act. Charges of this Act how to be paid.

XXVI. And be it further enacted by the Authority aforesaid, That from and after the End of this present Session of Parliament, the said Act made in the sixth and seventh Years of his late Majesty King *William* the Third, intituled, *An Act to prevent Exactions of the Occupiers of Locks and Weirs upon the River of* Thames *westward, and for ascertaining the Rates of Water-carriage upon the said River*; and also the said other Act, made in the third Year of the Reign of his present Majesty, intituled, *An Act for reviving and amending an Act made in the sixth and seventh Years of the Reign of his late Majesty King* William *the Third, intituled*, An Act to prevent Exactions of the Occupiers of Locks and Weirs upon the River of *Thames* westward; and for ascertaining the Rates of Water-carriage upon the said River; shall be, and the same are hereby repealed. 6 & 7 W. 3. c. 16. and 3 Geo. 2. c. 11. repealed.

CAP. IX.

An Act for repairing the Road leading from *West-Lavington* to the *Devizes*, and from the *Devizes* to *Scend*, in the County of *Wilts*. P R. *Certain Tolls granted for* 21 *Years*.

CAP. X.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, for repairing the Highways through the several Parishes of *Saint Michael*, *Saint Alban*, *Saint Peter*, *Shenley-Ridge* and *South-Mims*, in the Counties of *Hertford* and *Middlesex*. P R. [The Acts 1 Geo. 1. and 8 Geo. 2. c. 9. continued for 21 Years.]

CAP. XI.

An Act for reducing the Interest upon the Capital Stock of the *South-Sea* Company, from the Time and upon the Terms therein mentioned; and for preventing of Frauds committed by the Officers and Servants of the said Company.

'MOST Gracious Sovereign: Whereas the Corporation of the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas*, and other Parts of *America*, and for encouraging the Fishery, have proposed to accept of four Pounds *per Centum per Annum* on their Capital Stock, to *Christmas* one thousand seven hundred and fifty-seven, and then to stand reduced to three Pounds *per Centum per Annum*, provided the Receipt from the Exchequer, and Charges of Management, upon the present Old and New *South-Sea* Annuities, be continued as they now are; and also the Charges of Management on the Capital Stock of the said Company be continued; and that all the Rights and Exemptions, with regard to the Redemption of the same, be confirmed in the same Manner as they now stand: And your Majesty's dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, having duly considered the said Proposal, have resolved to accept thereof, in full Discharge of all Demands which the said Company could or might claim of the King of *Spain*, on account of the Assiento, or annual Ship, or on any Account whatsoever, over and above the Sum of one hundred thousand Pounds paid pursuant to Treaty:' And do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

9 *Ann.* c. 21. 10 *Ann.* c. 19 & 30. 1 *Geo.* 1. c. 21. 3 *Geo.* 1. c. 9. 5 *Geo.* 1. c. 19. 6 *Geo.* 1. c. 4 & 11. 7 *Geo.* 1. c. 5. 7 *Geo.* 1. *stat.* 2. 8 *Geo.* 1. c. 21 & 22. 9 *Geo.* 1. c. 6. 1 *Geo.* 2. c. 8. 3 *Geo.* 2. c. 16 & 20. 4 *Geo.* 2. c. 5. 5 *Geo.* 2. c. 17. 6 *Geo.* 2. c. 25 & 28. 7 *Geo.* 2. c. 17. 9 *Geo.* 2. c. 34. 10 *Geo.* 2. c. 17. 20 *Geo.* 2. c. 3. 24 *Geo.* 2. c. 2.

South-Sea Company to receive 4 l. per Cent. on their Capital, till 25 Dec. 1757; which is then to be reduced to 3 l. per Cent.

ſame, That the ſaid Governor and Company of Merchants of *Great Britain* trading to the *South-Seas*, and other Parts of *America*, and for encouraging the Fiſhery, ſhall have, receive and enjoy, and ſhall be intitled, by virtue of this Act, to have, receive and enjoy the preſent Annuity of four Pounds *per Centum per Annum*, payable on their ſaid Capital Stock, until the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-ſeven; and that from and after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-ſeven, the ſaid Annuity of four Pounds *per Centum per Annum* ſhall be reduced to an Intereſt after the Rate of three Pounds *per Centum per Annum*, until the Redemption thereof, in full Diſcharge of all Demands which the ſaid Company could or might claim of the King of *Spain*, on account of the Aſſiento, or annual Ship, or on any Account whatſoever, over and above the Sum of one hundred thouſand Pounds paid purſuant to Treaty.

Charges of Management upon their Old and New Annuities, to be continued, &c.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Governor and Company ſhall continue to receive from the Receipt of his Majeſty's Exchequer, ſo much Monies out of the Funds appropriated for that Purpoſe, as ſhall, from time to time, become due and payable for the Intereſt of, and Charges of Management upon ſuch Part of the ſaid Old and New *South-Sea* Annuities, as are not redeemed, and on the Capital Stock of the ſaid Company, as they now have and receive; and that all the Rights and Exemptions, with regard to the Redemption of the ſaid Capital Stock of the ſaid Company, ſhall be, and are hereby, confirmed in the ſame Manner as they now ſtand; any Thing in this or any former Act or Acts of Parliament contained to the contrary thereof in any wiſe notwithſtanding.

Officer or Servant of the Company embezilling, &c. any Effects of the Company intruſted with him, to ſuffer Death as a Felon.

III. And be it further enacted by the Authority aforeſaid, That if any Officer or Servant of the ſaid Company, being intruſted with any Note, Bill, Dividend-Warrant, Bond, Deed, or any Security, Money or other Effects belonging to the ſaid Company, or having any Bill, Dividend-Warrant, Bond, Deed, or any Security, Money or Effects of any other Perſon or Perſons, lodged or depoſited with the ſaid Company, or with him as an Officer or Servant of the ſaid Company, ſhall ſecrete, embezil or run away with, any ſuch Note, Bill, Dividend-Warrant, Bond, Deed, Security, Money or Effects, or any Part of them, every Officer or Servant ſo offending, and being thereof convicted in due Form of Law, ſhall be deemed guilty of Felony, and ſhall ſuffer Death as a Felon without Benefit of Clergy.

See farther 26 *Geo.* 2. *c.* 16.

CAP. XII.

An Act for appointing Commiſſioners to put in Execution an Act made in the twenty-ſecond Year of the Reign of King *Charles* the Second, for making navigable the Rivers commonly called *Brandon* and *Waveney*; ſo far as the ſame relates to the Navigation of the River commonly called the *Leſſer Ouze*, from *Thetford* to *Brandon*, and from *Brandon* to a Place called the *White Houſe*, near *Brandon* Ferry, in the Counties of *Norfolk* and *Suffolk*. P R.

22 Car. 2. private.

'WHEREAS by an Act of Parliament paſſed in the twenty-ſecond Year of the Reign of King *Charles* the Second, for making navigable the Rivers commonly called *Brandon* and *Waveney*, divers Perſons therein named were conſtituted Commiſſioners for determining all Controverſies which might ariſe in making the ſaid Rivers navigable, in maintaining the Navigation thereof, in ſettling the Rates of Carriage of Goods on the ſaid Rivers, and for aſcertaining the Damages done to the Banks of the ſaid Rivers by hauling and drawing of Veſſels navigated thereon; and Power was given to the Commiſſioners appointed by the ſaid Act, or any five of them, to chuſe other Perſons, reſiding in the Counties of *Norfolk* and *Suffolk*, to be Commiſſioners, inſtead of ſuch Commiſſioners as ſhould from time to time die: And whereas all the Commiſſioners appointed to put into Execution ſo much of the ſaid Act as relates to the Navigation of the ſaid River commonly called the *Leſſer Ouze*, from *Thetford* to *Brandon*, and from *Brandon* to a Place called the *White Houſe*, near *Brandon* Ferry, have been long ſince dead; and that no new Commiſſioners were appointed in their Stead and Place, purſuant to the Power veſted in them by the ſaid Act: And whereas ſome Diſputes have of late Years ariſen between the Owners of Lands and Banks adjoining to the ſaid River commonly called the *Leſſer Ouze*, from *Thetford* to *Brandon*, and from *Brandon* to a Place called the *White Houſe*, near *Brandon* Ferry, relating to the Hauling-ways there, and other Matters relating to the ſaid Navigation, which cannot be adjuſted and ſettled by any other Means than by expenſive and tedious Law-Suits, unleſs ſome further Proviſion be made by Parliament for appointing new Commiſſioners, and inveſting them with the like Powers and Authorities as were granted to the Commiſſioners appointed by the ſaid former Act relating to the ſaid Navigation;' May it therefore pleaſe your Majeſty that it may be enacted, *&c.*

"Commiſſioners appointed to put the Act of 22 Car. 2. in Execution, ſo far as relates to the Navigation of the *Leſſer Ouze*."

CAP.

CAP. XIII.

An Act for repairing the Road from *Crosford Bridge*, through the Townships of *Stretford* and *Hulme*, to the Town of *Manchester*, in the County Palatine of *Lancaster*. PR. [Certain Tolls granted for 21 Years.]

CAP. XIV.

An Act for explaining and amending an Act passed in the twenty-first Year of the Reign of his present Majesty, intituled, *An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Mystery of* Mercers *of the City of* London, *and for other Purposes therein mentioned.* PR.

'WHEREAS by an Act of Parliament made and passed in the twenty-first Year of the Reign of his present Majesty, intituled, *An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Mystery of* Mercers *of the City of* London, after reciting that by Indentures of Lease and Release, bearing Date respectively the third and fourth Days of *October* one thousand six hundred and ninety-nine, and inrolled in the High Court of *Chancery*, the Wardens and Commonalty of the Mystery of *Mercers* of the City of *London*, did grant and release divers Messuages and Tenements, Tosts, Gardens, Ground and Hereditaments, of and belonging to the said Wardens and Commonalty, situate and being in the City of *London*, and in the County of *Middlesex*, therein particularly mentioned and described; together with one full Moiety of all that great Fabrick and Place called the *Royal Exchange*, *London*, and other Tenements in, under, upon or near the same, therein particularly mentioned and described; and also all that the Manor of *Mercers*, with the Rights, Members and Appurtenances thereof, lying and being in the County of *Londonderry* in *Ireland*, and divers other Lands, Tenements and Hereditaments in *Ireland*, in the same Indentures more particularly mentioned and described, unto Sir *William Hedges*, and several other Persons, as Trustees, their Heirs and Assigns, upon Trust, amongst other Things, to pay and satisfy several charitable Gifts; and also such Annuities to be granted by the said Wardens and Commonalty, during the Lives of the Wives of Clergymen, or of other Persons, surviving their Husbands, in such manner as in the said Act is mentioned; and also reciting that by Indentures of Lease and Release, bearing Date the first and second Days of *June* one thousand seven hundred and forty-one, *Richard Cheswell* the elder, Sir *Thomas Webster*, *David Papillon* and *Clement Tookie*, therein named, being then the only surviving Trustees in certain Indentures of Lease and Release, bearing Date the first and second Days of *June* one thousand seven hundred and seventeen, in the said Act mentioned and referred to, did, by the Direction and Appointment of the said Wardens and Commonalty, grant and convey the said several Trust Estates to the Use of themselves, and other Trustees therein named, their Heirs and Assigns, upon certain Trusts, and for divers Purposes mentioned in the said Act, or in certain Deeds therein referred to; and also reciting that the Trustees, in whom the legal Interest of the said Estates comprized in the said Indentures of the third and fourth of *October* one thousand six hundred and ninety-nine, and the said Indentures of the first and second of *June* one thousand seven hundred and forty-one, was then vested, might refuse to act; and that it might be for the Benefit of the said Annuitants, that building and repairing Leases should be lett of the several Estates that are within the City of *London*, and County of *Middlesex*, and also that such of the said Estates as are in the Kingdom of *Ireland*, should be lett for a Term of Years, or for Lives and a Term of Years; it was enacted, That it should and might be lawful to and for the said Wardens and Commonalty, and their Successors, from Time to Time, by any Deed or Deeds, indented under the Common Seal of the said Wardens and Commonalty to demise and lease all or any Part of the said Estates (except as therein after is excepted) for any Term or Number of Years not exceeding twenty-one Years absolute, in Possession, and not in Reversion, reserving the most improved Rent that could be had for the same, without taking any Fine or other Thing, by way of Income, for granting any Lease or Leases thereof, and so as no such Lease or Leases should be made dispunishable of Waste, and so as the respective Lessees should seal and execute Counterparts of such Lease or Leases respectively; in which said Act is contained a Proviso, that it should and might be lawful to and for the said Wardens and Commonalty, and their Successors, to demise and lease the Manor of *Mercers*, Part of the said Estates in the Kingdom of *Ireland*, with the Rights, Members and Appurtenances, or any Part or Parts thereof, for any Term or Number of Years not exceeding sixty-one Years in Possession, or for sixty-one Years in Possession, and for the Lives of any three Persons, and the Life of the longer Liver of them; and that they should and might take such Fine or Fines, or other Consideration, for the granting such Lease or Leases, and reserve such yearly or other Rent or Rents thereon, as could be reasonably obtained, so as the reserved Rent upon any such Lease be not less than the Rent then reserved to the said Wardens and Commonalty; and also that it should and might be lawful to and for the said Wardens and Commonalty to demise and lease the several Messuages and Tenements, Part of the said Estates, situate, lying, standing and being, in or near *Long Acre* in the County of *Middlesex*; and all other the Messuages or Tenements belonging to the said Estates, which they should deem necessary to lett upon building or repairing Leases, according to the common or usual Method of letting such Leases;

'Leaſes; *videlicet*, the building Leaſes for any Term or Number of Years not exceeding ſixty-one Years, 'and the repairing Leaſes for any Term or Number of Years not exceeding forty-one Years, to com-'mence from the Date or Dates of any ſuch Leaſes; and ſhould and might take ſuch Fine or Fines, or 'other Conſideration, and ſuch yearly and other Rent or Rents, for granting ſuch Leaſe or Leaſes, as 'they ſhould think fit; in which building Leaſe or Leaſes, Power ſhould be given to the reſpective Leſ-'ſees, or their Agents, to pull down and demoliſh the old Buildings, and to diſpoſe of the Materials, as 'they ſhould reſpectively think fit; and alſo a Proviſo, that no Leaſe or Leaſes of any Part of the ſaid 'Eſtates (except the Eſtates in *Ireland* and *Long Acre*) ſhould be granted till within the Space of three 'Years next before the Expiration of ſuch Leaſe or Leaſes as were then in being: And whereas the Tru-'ſtees named and appointed by the ſaid Deeds of the firſt and ſecond Days of *June* one thouſand ſeven 'hundred and forty-one, decline acting in the ſaid Truſt: And whereas the Powers given to the ſaid 'Wardens and Commonalty by the ſaid recited Act, are not ſufficient to enable the ſaid Wardens and 'Commonalty to grant ſuch Leaſe or Leaſes of their Eſtate in *Ireland*, as was meant and intended by the 'ſaid Act they ſhould have Power to grant, inaſmuch as by the ſaid Act, the Leaſes they are thereby 'enabled to grant, are to be for any Term or Number of Years not exceeding ſixty-one Years in Poſſeſ-'ſion, or for ſixty-one Years in Poſſeſſion and for the Lives of any three Perſons, and the Life of the 'longer Liver of them: And whereas the ſaid *Iriſh* Eſtate is now lett on Leaſe or Leaſes which are not yet 'expired; and the Power given by the ſaid Act to grant Leaſes for ſixty-one Years, being reſtrained and 'limited to be for ſixty-one Years in Poſſeſſion; and the Power of granting Leaſes for three Lives, being a 'Power to grant a Freehold, the ſame cannot by the Rules of Law be granted to commence *in futuro*; ſo 'that the ſaid Wardens and Commonalty, as the Act now ſtands, cannot legally grant any Leaſe of the 'ſaid *Iriſh* Eſtate, either for ſixty-one Years, or for three Lives and ſixty-one Years, until the Leaſe or 'Leaſes thereof now in being are expired or ſurrendered, without the Aid of an Act of Parliament for ex-'plaining and amending the ſaid recited Act, with reſpect to the Power of granting Leaſes of the ſaid 'Eſtate: And whereas it will be greatly for the Advantage of the Annuitants of the ſaid Wardens and 'Commonalty, that the ſaid Wardens and Commonalty ſhould be now enabled, and have Power, to grant 'Leaſes of their ſaid *Iriſh* Eſtate to commence at the Expiration of the Leaſes thereof now ſubſiſting, re-'ſerving the preſent Rent, and taking the beſt Fine that can be got for the ſame, according to the true In-'tent and Meaning of the ſaid recited Act;' May it therefore pleaſe your moſt Excellent Majeſty, at the humble Requeſt of your loyal and dutiful Subjects, the Wardens and Commonalty of the Myſtery of *Mercers* of the City of *London*, that it may be enacted, *&c.*

" *Mercers* Company may grant Leaſes of their Eſtate in *Ireland*, in Reverſion for 61 Years, or for three " Lives, and take Fines, *&c.* They may grant building Leaſes for 61 Years, *&c.* and repairing Leaſes " for 41 Years, of their Eſtate in *Long Acre*, and take Fines; and may leaſe their other Eſtates in *London* " and *Middleſex*, for 21 Years; and grant building Leaſes for 61 Years, and repairing Leaſes for 41 " Years, without Fines. Leaſes of the Eſtates in *London* or *Middleſex* not to be granted until within 3 " Years of the Expiration of the preſent Leaſes. No Leaſe to be valid, unleſs conſented to by the An-" nuitants and Creditors, *&c.* Deeds and Settlements not altered by this Act. Rights of the Crown and " of other Perſons reſerved. Publick Act." [Amended 25 Geo. 2. c. 7.]

CAP. XV.

An Act to enable the Pariſhioners of the Pariſh of *St. Mary, Iſlington*, in the County of *Middleſex*, to re-build the Church of the ſaid Pariſh. P R.

CAP. XVI.

An Act for the more ſpeedy and eaſy Recovery of ſmall Debts within the City of *Lincoln*, and County of the ſame City, and the Liberties and Precincts thereof; and within the Bail of *Lincoln* in the County of *Lincoln*. P R.

CAP. XVII.

An Act for repairing the Road leading from the eaſt End of *Brumpton High Lane* in the County of *York*, to the Town of *Richmond*, and from thence to and through the Towns of *Aſkrigg* and *Ingleton* in the ſaid County, to the Town of *Lancaſter* in the County of *Lancaſter*. P R. [Certain Tolls granted for 21 Years.]

CAP. XVIII.

An Act for the better Regulation of Trials by Jury; and for enlarging the Time for Trials by *Nisi Prius* in the County of *Middlesex*.

'WHEREAS by an Act made in the third Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Juries*; it is amongst other Things enacted, That the Person or Party who shall apply for a Special Jury to be struck in the manner therein mentioned, shall bear and pay the Fees for the Striking such Jury, and shall not have any Allowance for the same upon Taxation of Costs: And whereas the said Clause doth extend only to the Fees paid for striking such Special Jury; by reason whereof Special Juries have frequently been applied for in small and trivial Causes, in order to burden the other Party with the Expence thereof; which Practice has been found to be very inconvenient and oppressive: And whereas one other Act was made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for making perpetual the several Acts therein mentioned, for the better Regulation of Juries; and for impowering the Justices of Session or Assizes for the Counties Palatine of* Chester, Lancaster *and* Durham, *to appoint a Special Jury in manner therein mentioned; and for continuing the Act for regulating the Manufacture of Cloth in the West Riding of the County of* York *(except a Clause therein contained) and for continuing an Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and for other Purposes therein mentioned, and to prevent the cutting or breaking down the Bank of any River, or any Sea Bank; and to prevent the malicious cutting of Hop-binds; and for continuing an Act made in the thirteenth and fourteenth Years of the Reign of King* Charles *the Second, for preventing Theft and Rapine upon the Northern Borders of* England; *and for reviving and continuing certain Clauses in two other Acts made for the same Purpose*; whereby it is amongst other Things enacted, That the said Act for the better Regulation of Juries, should be, and was thereby made perpetual; and it was thereby also enacted, That the Justices of the Session or Assizes for the Counties Palatine of *Chester*, *Lancaster* and *Durham*, should and might, upon Motion, order and appoint a Jury to be struck before the proper Officer of each Court respectively, for the Trial of any Issue in any of the Cases, and in such manner as are therein mentioned;' For Remedy thereof be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *Easter* Term, which shall be in the Year of our Lord one thousand seven hundred and fifty-one, the Person or Party who shall by virtue of either of the said Acts apply for such Special Jury, shall not only bear and pay the Fees for striking such Jury, but shall also pay and discharge all the Expences occasioned by the Trial of the Cause by such Special Jury, and shall not have any further or other Allowance for the same, upon Taxation of Costs, than such Person or Party would be intitled unto in case the Cause had been tried by a Common Jury, unless the Judge before whom the Cause is tried shall immediately after the Trial, certify in open Court under his Hand upon the Back of the Record, that the same was a Cause proper to be tried by a special Jury.

3 Geo. 2. c. 25.

6 Geo. 2. c. 37.

Persons applying for Special Juries to pay the Expences of striking the same, and the Charges occasioned by the Trial, &c.

'II. And whereas Complaints are frequently made of the great and extravagant Fees paid to Jurymen returned under the Authority of the said recited Acts; Be it enacted by the Authority aforesaid, That no Person who shall after the said first Day of *Easter* Term, serve upon any Jury appointed or returned by Authority of any of the said Acts, shall be allowed or take for serving on any such Jury more than the Sum of Money which the Judge who tries the Issue or Issues shall think just and reasonable, not exceeding the Sum of one Pound one Shilling, except in Causes wherein a View hath been or shall be directed.

Fees allowed to Jurymen.

'III. And whereas by an Act passed in the fourth Year of the Reign of her late Majesty Queen *Anne*, (intituled, *An Act for the Amendment of the Law, and the better Advancement of Justice*) it is enacted, That from and after the first Day of *Trinity* Term one thousand seven hundred and six, every *Venire facias* for the Trial of any Issue, in any Action or Suit in any of her Majesty's Courts of Record at *Westminster*, shall be awarded of the Body of the proper County where such Issue is triable; but in the said Act there is contained a Proviso, that the same shall not extend to any Action or Information upon any penal Statute; which Proviso has, by Experience, been found inconvenient, by reason of Challenges to the Arrays of Panels of Jurors, and to the Polls for Default of Hundredors;' Therefore, for Prevention thereof for the future, be it enacted, That from and after the said first Day of *Easter* Term, every *Venire facias* for the Trial of any Issue, in any Action or Information upon any penal Statute, in any of his Majesty's Courts of Record at *Westminster*, in the Counties Palatine of *Lancaster*, *Chester* and *Durham* and the Principality of *Wales*, shall be awarded of the Body of the proper County where such Issue is triable; any thing in the said Act to the contrary notwithstanding.

4 Ann. c. 16.

Venire facias for the Trial of an Issue upon a penal Statute, to be awarded of the Body of the County where the Issue is triable.

'IV. And whereas great Delays do frequently happen in Trials, where a Peer or Lord of Parliament is Party, by reason of Challenges to the Arrays of Panels of Jurors, for want of a Knight's being returned on such Panels;' For Remedy thereof for the future, be it enacted by the Authority aforesaid, That from and after the said first Day of *Easter* Term, no Challenge shall be taken to any Panel of Jurors,

No Challenge to

be taken to any Panel of Jurors for want of a Knight's being returned, &c.

for want of a Knight's being returned in such Panel, nor any Array quashed by reason of any such Challenge taken after that Time; any Law, Usage or Custom to the contrary notwithstanding.

12 Geo. 1. c. 31.

'V. And whereas by an Act of Parliament made in the twelfth Year of the Reign of King *George* the 'First, intituled, *An Act for the better regulating Trials by* Nisi Prius *in the County of* Middlesex; Power 'and Authority is given to the Chief Justice of the *King's Bench*, the Chief Justice of the *Common Pleas*, 'and the Chief Baron of the Court of *Exchequer*, for the Time being, and every of them respectively, 'and in the Absence of any of them, to and for any other Judge or Baron of the said several Courts, as 'Justices of *Nisi prius* for the said County of *Middlesex*, within the Term, or within the Space of eight 'Days after the End of any Term respectively, to try all such Issues as by an Act of Parliament made in
18 Eliz. c. 12. 'the eighteenth Year of the Reign of Queen *Elizabeth*, (intituled, *An Act for Trial of* Nisi Prius *in the*
12 Geo. 1. c. 31. '*County of* Middlesex) they, or any of them, are enabled to try, in such Place and Manner, and with 'and under such Powers, Authorities and Provisions, as in the said last-mentioned Act, or any other Act 'of Parliament, or Law whatsoever concerning the Premisses, are prescribed and contained: And whereas 'the restraining the Time for such Trials after the Term, to eight Days, hath been found inconvenient, 'and occasioned Delay of Justice:' Be it therefore enacted by the Authority aforesaid, That from and after the first Day of *Easter* Term in the Year of our Lord one thousand seven hundred and fifty-one, it shall and may be lawful to and for the Chief Justice of the *King's Bench*, the Chief Justice of the *Common Pleas*, and the Chief Baron of the Court of *Exchequer*, for the Time being, and every of them respectively, and in the Absence of any of them, to and for any other Judge or Baron of the said several Courts, as Justices of *Nisi Prius* for the said County of *Middlesex*, at any Time or Times within the Space of fourteen Days after the End of any Term respectively, to try all such Issues as by the before-mentioned Acts they or any of them are enabled to try, in such Place and Manner, and under such Powers, Authorities and Provisions as in and by the aforesaid Acts, or any other Act of Parliament or Law whatsoever concerning the Premisses, are prescribed and contained; any Thing in the before-mentioned Acts to the contrary hereof in any wise notwithstanding.

Justices of Nisi Prius for the County of Middlesex, may, within 14 Days after the End of Term, try Issues.

See further 29 *Geo.* 2. *c.* 19.

CAP. XIX.

An Act for making the River *Nar* navigable, from the Town and Port of *King's Lynn* to *Westacre*, in the County of *Norfolk*. PR.

'WHEREAS the River *Nar* in the County of *Norfolk*, is very capable of being made navigable, 'from the Town and Port of *King's Lynn* to *Westacre* in the said County; and the same, if effected, 'will be of great Benefit and Advantage, not only to the said Town of *King's Lynn*, but to all the Towns 'and Places situate near the said River, and be a general Benefit to all the adjacent Country, by better 'accommodating the same with Necessaries, and by opening and facilitating Trade and Commerce, 'whereby Navigation and the Number of Watermen will be increased, the Poor find Employment, and 'the Highways thereabouts, now worn by the Weight of heavy and frequent Carriages, will be better 'supported and maintained;' To the End therefore that the said River *Nar* may be made navigable for Boats, Barges and other Vessels, from the said Town and Port of *King's Lynn* to *Westacre* aforesaid; Be it enacted, *&c.*

"Commissioners may contract with Persons to make the River navigable. Undertakers may remove Annoyances, *&c.* and erect Locks above *Setch Bridge*, &c. and set out Towing paths. Satisfaction to be "made to the Owners of Grounds. Seven Commissioners may receive Proposals; nine to be present at "making the Contracts. Notice of Meeting for that Purpose to be given. If the adjourned Meetings be "not held as often as necessary, five Commissioners may summon a Meeting. Nine Commissioners may "agree with the Owners of such Lands as shall be made use of, and settle the Proportion payable there-"out to the Tenant. If any Persons shall refuse, or be incapable of making such Agreement, a Jury to "be impanelled, who may view the Lands, and assess the Recompence. Verdict to be kept amongst the "Records of the Sessions. Commissioners may summon Witnesses, and impose Fines on the Sheriff and "others making default in the Premisses, to be levied by Distress and Sale. Tolls to be paid for Goods "carried up or down the River, which are vested in the Commissioners, and may be levied by Distress and "Sale. No Toll to be paid for Goods carried not more than a Furlong above *Setch Bridge*. Commissioners "may appoint Collectors and Treasurers of the Tolls, and other Officers, and administer an Oath of Office "to them, *&c.* Salaries to be allowed to the Officers. Watermen to give an Account of the Quantity and "Quality of Goods on board, *&c.* Penalty on his Refusal, *&c.* Commissioners to set up Gates, *&c.* "where Towing-paths shall be set out. If the River shall be raised above its usual Height by Weirs or "Dams, the Banks are to be proportionably raised. If new Cuts, *&c.* be made, *&c.* which render the "Ways impassable, Bridges are to be built over them. Commissioners may make Orders concerning the "Navigation of the River. No haling with Horses allowed between *King's Lynn* and *Sandringham Eau*. Pe-"nalty on Commissioner acting where he is interested. Commissioners may make By-Laws, *&c.* with Pe-"nalties. Persons aggrieved by any By-Law may appeal to the Quarter-Sessions. Royalties of the River "reserved to the Lords, *&c.* No Toll for Pleasure-boats. Commission of Sewers not abridged by this Act.

Boat-

" Boat-master answerable for Damages done by his Boat or Crew, Justice to inquire into, and order the " Recompence. Penalty of obstructing the Passage of other Vessels, or of the opening or shutting the " Locks, *&c.* Penalty on Watermen carrying a Gun or Net to fowl or fish with. Application of the " Forfeiture, *&c.* Persons aggrieved by the Order of any Justice, may appeal to the Sessions. Order " of the Justices not removeable by *Certiorari*. No Order of the Commissioners to be quashed for want " of Form. Commissioners may borrow Money on the Tolls.

CAP. XX.

An Act for repairing and widening the Road from *Preston* to *Lancaster*, and from thence to a Place called *Heiring Syke*, that divides the Counties of *Lancaster* and *Westmorland*. P R. [Certain Tolls granted for 21 Years.]

CAP. XXI.

An Act for enlarging the Term and Powers granted by an Act passed in the third Year of the Reign of his present Majesty, *For repairing and amending the several Roads leading from* Woodstock *through* Kiddington *and* Enstone *to* Rollright Lane, *and from* Enslow Bridge *to* Kiddington *aforesaid, in the County of* Oxford; and for making the said Act more effectual. P R. [The Act 3 Geo. 2. c. 21. continued for 21 Years, *&c.*]

CAP. XXII.

An Act for explaining and amending so much of an Act passed in the fourteenth Year of the Reign of his present Majesty for the repairing and enlarging the Roads from the Town of *Selby* in the West Riding of the County of *York*, to the Town of *Leeds*; and from thence, in two several Branches, one through *Bradford* and *Horton*, and the other through *Bowling* and *Wibsey*, to the Town of *Halifax* in the same Riding, as relates to that Part of the said Roads which lies between *Selby* and *Leeds*; and also for repairing the Road from *Tadcaster* in the said West Riding, over *Bramham Moor* through *Kidhall Lane*, over *Win Moor*, and through *Seacroft* to a Place called *Halton Dyal*, where it comes into the aboveſaid Road, between *Selby* and *Leeds*. P R. [The Act 14 Geo. 2. c. 32. continued for 21 Years, and amended.]

CAP. XXIII.

An Act for Regulating the Commencement of the Year; and for Correcting the Calendar now in Use.

" WHEREAS the legal Supputation of the Year of our Lord in that Part of *Great Britain* called *England*, according to which the Year beginneth on the twenty-fifth Day of *March*, hath been found by Experience to be attended with divers Inconveniencies, not only as it differs from the Usage of neighbouring Nations, but also from the legal Method of Computation in that Part of *Great Britain* called *Scotland*, and from the common Usage throughout the whole Kingdom, and thereby frequent Mistakes are occasioned in the Dates of Deeds, and other Writings, and Disputes arise therefrom: And whereas the Calendar now in Use throughout all his Majesty's *British* Dominions, commonly called *The Julian Calendar*, hath been discovered to be erroneous, by means whereof the Vernal or Spring Equinox, which at the Time of the General Council of *Nice* in the Year of our Lord three hundred and and twenty-five, happened on or about the twenty-first Day of *March*, now happens on the ninth or tenth Day of the same Month; and the said Error is still increasing, and if not remedied, would, in Process of Time, occasion the several Equinoxes and Solstices to fall at very different Times in the Civil Year from what they formerly did, which might tend to mislead Persons ignorant of the said Alteration: And whereas a Method of correcting the Calendar in such manner, as that the Equinoxes and Solstices may for the future fall nearly on the same nominal Days, on which the same happened at the Time of the said General Council, hath been received and established, and is now generally practised by almost all other Nations of *Europe*: And whereas it will be of general Convenience to Merchants, and other Persons corresponding with other Nations and Countries, and tend to prevent Mistakes and Disputes in or concerning the Dates of Letters, and Accounts, if the like Correction be received and established in his Majesty's Dominions:' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in and throughout all his Majesty's Dominions and Countries in *Europe*, *Asia*, *Africa* and *America*, belonging or subject to the Crown of *Great Britain*, the said Supputation, according to which the Year of our Lord beginneth on the twenty-fifth Day of *March*, shall not be made use of from and after the last Day of *December* one thousand seven hundred and fifty-one; and that the first Day of *January* next following the said last Day of *December* shall be reckoned, taken, deemed and accounted to be the first Day of the Year of our Lord one thousand seven hundred and fifty-two; and the first Day of *January*, which shall happen next after the said first Day of *January* one thousand seven hundred and fifty-two, shall be

" Amended by 25 Geo. 2. c. 30."

The old Supputation of the Year not to be made use of after Dec. 1751.

Year to commence, for the future, on 1 Jan.

be reckoned, taken, deemed and accounted to be the first Day of the Year of our Lord one thousand seven hundred and fifty-three; and so on, from Time to Time, the first Day of *January* in every Year, which shall happen in Time to come, shall be reckoned, taken, deemed and accounted to be the first Day of the Year; and that each new Year shall accordingly commence, and begin to be reckoned, from the first Day of every such Month of *January* next preceding the twenty-fifth Day of *March*, on which such Year would, according to the present Supputation, have begun or commenced: And that from and after the said first Day of *January* one thousand seven hundred and fifty-two, the several Days of each Month shall go on, and be reckoned and numbered in the same Order; and the Feast of *Easter*, and other moveable Feasts thereon depending, shall be ascertained according to the same Method, as they now are, until the second Day of *September* in the said Year one thousand seven hundred and fifty-two inclusive; and that the natural Day next immediately following the said second Day of *September*, shall be called, reckoned and accounted to be the fourteenth Day of *September*, omitting for that Time only the eleven intermediate nominal Days of the common Calendar; and that the several natural Days, which shall follow and succeed next after the said fourteenth Day of *September*, shall be respectively called, reckoned and numbered forwards in numerical Order from the said fourteenth Day of *September*, according to the Order and Succession of Days now used in the present Calendar; and that all Acts, Deeds, Writings, Notes and other Instruments of what Nature or Kind soever, whether Ecclesiastical or Civil, Publick or Private, which shall be made, executed or signed, upon or after the said first Day of *January* one thousand seven hundred and fifty-two, shall bear Date according to the said new Method of Supputation, and that the two fixed Terms of *St. Hilary* and *St. Michael*, in that Part of *Great Britain* called *England*, and the Courts of Great Sessions in the Counties Palatine, and in *Wales*, and also the Courts of General Quarter Sessions and General Sessions of the Peace, and all other Courts of what Nature or Kind soever, whether Civil, Criminal or Ecclesiastical, and all Meetings and Assemblies of any Bodies Politick or Corporate, either for the Election of any Officers or Members thereof, or for any such Officers entering upon the Execution of their respective Offices, or for any other Purpose whatsoever, which by any Law, Statute, Charter, Custom or Usage within this Kingdom, or within any other the Dominions or Countries subject or belonging to the Crown of *Great Britain*, are to be holden and kept on any fixed or certain Day of any Month, or on any Day depending upon the Beginning, or any certain Day of any Month (except such Courts as are usually holden or kept with any Fairs or Marts) shall, from Time to Time, from and after the said second Day of *September*, be holden and kept upon or according to the same respective nominal Days and Times, whereon or according to which the same are now to be holden, but which shall be computed according to the said new Method of numbering and reckoning the Days of the Calendar as aforesaid; that is to say, eleven Days sooner than the respective Days whereon the same are now holden and kept; any Law, Statute, Charter, Custom or Usage, to the contrary thereof in any wise notwithstanding.

The Days to be numbered as now until 2 Sept. 1752; and the Day following to be accounted 14 Sept. omitting 11 Days.

Hilary and Michaelmas Terms, and all Courts, to be held on the same nominal Days.

Courts held with Fairs or Marts excepted.

II. And for the continuing and preserving the Calendar or Method of Reckoning, and computing the Days of the Year in the same regular Course, as near as may be, in all Times coming; Be it further enacted by the Authority aforesaid, That the several Years of our Lord, one thousand eight hundred, one thousand nine hundred, two thousand one hundred, two thousand two hundred, two thousand three hundred, or any other hundredth Years of our Lord, which shall happen in Time to come, except only every fourth hundredth Year of our Lord, whereof the Year of our Lord two thousand shall be the first, shall not be esteemed or taken to be Bissextile or Leap Years, but shall be taken to be common Years, consisting of three hundred and sixty-five Days, and no more; and that the Years of our Lord two thousand, two thousand four hundred, two thousand eight hundred, and every other fourth hundred Year of our Lord, from the said Year of our Lord two thousand inclusive, and also all other Years of our Lord, which by the present Supputation are esteemed to be Bissextile or Leap Years, shall for the future, and in all Times to come, be esteemed and taken to be Bissextile or Leap Years, consisting of three hundred and sixty-six Days, in the same Sort and Manner as is now used with respect to every fourth Year of our Lord.

Hundredth Years, except every fourth hundred, to be common Years of 365 Days.

Years Bissextile of 366 Days.

'III. And whereas according to the Rule prefixed to the Book of Common Prayer of the Church of 'England, *Easter-day* is always the first *Sunday* after the first Full Moon which happens next after the one 'and twentieth Day of *March*, and if the Full Moon happens upon a *Sunday*, *Easter-day* is the *Sunday* 'after; which Rule was made in Conformity to the Decree of the said General Council of *Nice*, for the 'Celebration of the said Feast of *Easter*: And whereas the Method of computing the Full Moons now 'used in the Church of *England*, and according to which the Table to find *Easter* for ever, prefixed to 'the said Book of Common Prayer, is formed, is by Process of Time become considerably erroneous: 'And whereas a Calendar, and also certain Tables and Rules for the fixing the true Time of the Cele'bration of the said Feast of *Easter*, and the finding the Times of the Full Moons on which the same de'pendeth, so as the same shall agree as nearly as may be with the Decree of the said General Council, and 'also with the Practice of foreign Countries, have been prepared, and are hereunto annexed:' Be it therefore further enacted by the Authority aforesaid, That the said Feast of *Easter*, or any of the moveable Feasts thereon depending, shall, from and after the said second Day of *September*, be no longer kept or observed in that Part of *Great Britain* called *England*, or in any other the Dominions or Countries subject or belonging to the Crown of *Great Britain*, according to the said Method of Supputation now used, or the said Table prefixed to the said Book of Common Prayer; and that the said Table, and also the Column of Golden Numbers, as they are now prefixed to the respective Days of the Month in the said Calendar, shall be left out in all future Editions of the said Book of Common Prayer; and that the said

Easter, and the other moveable Feasts, to be observed according to the new Calendar, Tables and Rules.

new Calendar, Tables and Rules, hereunto annexed, shall be prefixed to all such future Editions of the said Book, in the Room and Stead thereof; and that from and after the said second Day of *September*, all and every the fixed Feast-days, Holy-days and Fast-days, which are now kept and observed by the Church of *England*, and also the several solemn Days of Thanksgiving, and of Fasting and Humiliation, which by virtue of any Act of Parliament now in being, are, from Time to Time, to be kept and observed, shall be kept and observed on the respective Days marked for the Celebration of the same in the said new Calendar; that is to say, On the same respective nominal Days on which the same are now kept and observed; but which according to the Alteration by this Act intended to be made as aforesaid, will happen eleven Days sooner than the same now do; and that the said Feast of *Easter*, and all other moveable Feasts thereon depending, shall, from Time to Time, be observed and celebrated according to the said new Calendar, Tables and Rules hereunto annexed, in that Part of *Great Britain* called *England*, and in all the Dominions and Countries aforesaid, wherein the Liturgy of the Church of *England* now is, or hereafter shall be used; and that the two moveable Terms of *Easter* and *Trinity*, and all Courts of what Nature or Kind soever, and all Meetings and Assemblies of any Bodies Politick or Corporate, and all Markets, Fairs and Marts, and Courts thereunto belonging, which by any Law, Statute, Charter, Custom or Usage are appointed, used or accustomed to be holden and kept at any moveable Time or Times depending upon the Time of *Easter*, or any other such moveable Feast as aforesaid, shall, from Time to Time, from and after the said second Day of *September*, be holden and kept on such Days and Times whereon the same shall respectively happen or fall, according to the happening or falling of the said Feast of *Easter*, or such other moveable Feasts as aforesaid, to be computed according to the said new Calendar, Tables and Rules.

Feasts and Fasts, &c. to be according to the new Calendar.

IV. And be it further enacted by the Authority aforesaid, That the several Meetings of the Court of Session, and Terms fixed for the Court of *Exchequer* in *Scotland*, the *April* Meeting of the Governor, Bailiffs and Commonalty of the Company of Conservators of the great Level of the Fens, and the holding and keeping of all Markets, Fairs and Marts, whether for the Sale of Goods or Cattle, or for the hiring of Servants, or for any other Purpose, which are either fixed to certain nominal Days of the Month, or depending upon the Beginning, or any certain Day of any Month, and all Courts incident or belonging to, or usually holden or kept with any such Fairs or Marts, fixed to such certain Times as aforesaid, shall not, from and after the said second Day of *September*, be continued upon, or according to the nominal Days of the Month, or the Time of the Beginning of any Month, to be computed according to the said new Calendar, but that from and after the said second Day of *September*, the said Courts of Session and Exchequer, the said *April* Meeting, and all such Markets, Fairs and Marts as aforesaid, and all Courts incident or belonging thereto, shall be holden and kept upon, or according to the same natural Days, upon or according to which the same should have been so kept or holden, in case this Act had not been made; that is to say, eleven Days later than the same would have happened, according to the nominal Days of the said new Supputation of Time, by which the Commencement of each Month, and the nominal Days thereof, are anticipated or brought forward, by the Space of eleven Days; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Courts of Session and Exchequer in Scotland, and Markets, Fairs and Marts to be held upon the same natural Days,

'V. And whereas, according to divers Customs, Prescriptions and Usages, in certain Places within 'this Kingdom, certain Lands and Grounds are, on particular nominal Days and Times in the Year, to 'be opened for Common of Pasture, and other Purposes; and at other Times, the Owners and Occu- 'piers of such Lands and Grounds have a Right to inclose or shut up the same, for their own private 'Use; and there is, in many other Instances, a temporary and distinct Property and Right vested in dif- 'ferent Persons, in and to many such Lands and Grounds, according to certain nominal Days and Times 'in the Year: And whereas the anticipating or bringing forward the said nominal Days and Times, by 'the Space of eleven Days, according to the said new Method of Supputation, might be attended with 'many Inconveniencies;' Be it therefore further declared, provided and enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to accelerate or anticipate the Days or Times for the opening, inclosing or shutting up any such Lands or Grounds as aforesaid, or the Days or Times on which any such temporary or distinct Property or Right in or to any such Lands or Grounds as aforesaid is to commence; but that all such Lands and Grounds as aforesaid shall from and after the said second Day of *September* be, from Time to Time, respectively opened, inclosed or shut up, and such temporary and distinct Property and Right in and to such Lands and Grounds as aforesaid, shall commence and begin upon the same natural Days and Times on which the same should have been so respectively opened, inclosed or shut up, or would have commenced or begun, in case this Act had not been made; that is to say, eleven Days later than the same would have happened, according to the said new Account and Supputation of Time, so to begin on the said fourteenth Day of *September* as aforesaid.

The Times for opening and inclosing of Commons, not altered.

VI. Provided also, and it is hereby further declared and enacted, That nothing in this present Act contained shall extend, or be construed to extend, to accelerate or anticipate the Time of Payment of any Rent or Rents, Annuity or Annuities, or Sum or Sums of Money whatsoever, which shall become payable by Virtue or in Consequence of any Custom, Usage, Lease, Deed, Writing, Bond, Note, Contract or other Agreement whatsoever, now subsisting, or which shall be made, signed, sealed or entered into, at any Time before the said fourteenth Day of *September*, or which shall become payable by virtue of any Act or Acts of Parliament now in Force, or which shall be made before the said fourteenth Day of *September*, or the Time of doing any Matter or Thing directed or required by any such Act or Acts of Parliament to be done in relation thereto; or to accelerate the Payment of, or increase the Interest of, any such Sum

Times of Payment of Rents, Annuities, &c.

or of Delivery of Goods, Commencement or Expiration of Leaſes, &c.

or of attaining the Age of 21 Years, &c. not altered.

of Money which ſhall become payable as aforeſaid; or to accelerate the Time of the Delivery of any Goods, Chattles, Wares, Merchandize or other Things whatſoever; or the Time of the Commencement, Expiration or Determination of any Leaſe or Demiſe of any Lands, Tenements or Hereditaments, or of any other Contract or Agreement whatſoever; or of the accepting, ſurrendring or delivering up the Poſſeſſion of any ſuch Lands, Tenements or Hereditaments; or the Commencement, Expiration or Determination of any Annuity or Rent; or of any Grant for any Term of Years, of what Nature or Kind ſoever, by Virtue or in Conſequence of any ſuch Deed, Writing, Contract or Agreement; or the Time of the attaining the Age of one and twenty Years, or any other Age requiſite by any Law, Cuſtom or Uſage, Deed, Will or Writing whatſoever, for the doing any Act, or for any other Purpoſe whatſoever, by any Perſon or Perſons now born, or who ſhall be born before the ſaid fourteenth Day of *September*; or the Time of the Expiration or Determination of any Apprenticeſhip or other Service, by virtue of any Indenture, or of any Articles under Seal, or by reaſon of any ſimple Contract or Hiring whatſoever; but that all and every ſuch Rent and Rents, Annuity and Annuities, Sum and Sums of Money, and the Intereſt thereof, ſhall remain and continue to be due and payable; and the Delivery of ſuch Goods and Chattles, Wares and Merchandize, ſhall be made; and the ſaid Leaſes and Demiſes of all ſuch Lands, Tenements and Hereditaments, and the ſaid Contracts and Agreements, ſhall be deemed to commence, expire and determine; and the ſaid Lands, Tenements and Hereditaments ſhall be accepted, ſurrendered and delivered up; and the ſaid Rents and Annuities, and Grants for any Term of Years, ſhall commence, ceaſe and determine, at and upon the ſame reſpective natural Days and Times as the ſame ſhould and ought to have been payable or made, or would have happened, in caſe this Act had not been made; and that no further or other Sum ſhall be paid or payable for the Intereſt of any Sum of Money whatſoever, than ſuch Intereſt ſhall amount unto, for the true Number of natural Days for which the principal Sum bearing ſuch Intereſt ſhall continue due and unpaid; and that no Perſon or Perſons whatſoever ſhall be deemed or taken to have attained the ſaid Age of one and twenty Years, or any other ſuch Age as aforeſaid, or to have completed the Time of any ſuch Service as aforeſaid, until the full Number of Years and Days ſhall be elapſed on which ſuch Perſon or Perſons reſpectively would have attained ſuch Age, or would have completed the Time of ſuch Service as aforeſaid, in caſe this Act had not been made; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

See 26 *Geo.* 2. c. 34. *ſ.* 4.

The

The New Calendar, Tables and Rules, mentioned and referred to in the Act for regulating the Commencement of the Year; and for correcting the Calendar now in Use.

The Calendar, with the Table of Lessons.

JANUARY hath xxxi Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	A	Calendæ	Circumcision.				
2	b	4 Non.		Gen. 1	Matth. 1	Gen. 2	Rom. 1
3	c	3 Non.		3	2	4	2
4	d	Pr. Non.		5	3	6	3
5	e	Nonæ		7	4	8	4
6	f	8 Id.	Epiphany.				
7	g	7 Id.		9	5	12	5
8	A	6 Id.	Lucian, Priest & M.	13	6	14	6
9	b	5 Id.		15	7	16	7
10	c	4 Id.		17	8	18	8
11	d	3 Id.		19	9	20	9
12	e	Pr. Id.		21	10	22	10
13	f	Idus.	Hillary, Bish. & Con.	23	11	24	11
14	g	19 Cal. Feb.		25	12	26	12
15	A	18 Cal.		27	13	28	13
16	b	17 Cal.		29	14	30	14
17	c	16 Cal.		31	15	32	15
18	d	15 Cal.	Prisca, Rom. V. & M.	33	16	34	16
19	e	14 Cal.		35	17	37	1 Cor. 1
20	f	13 Cal.	Fabian, B. of Rom. M.	38	18	39	2
21	g	12 Cal.	Agnes, Rom. V. & M.	40	19	41	3
22	A	11 Cal.	Vinc. Span. Deac. M.	42	20	43	4
23	b	10 Cal.		44	21	45	5
24	c	9 Cal.		46	22	47	6
25	d	8 Cal.	Conv. of S. Paul.				
26	e	7 Cal.		48	23	49	7
27	f	6 Cal.		50	24	Exod. 1	8
28	g	5 Cal.		Exod. 2	25	3	9
29	A	4 Cal.		4	26	5	10
30	b	3 Cal.	K. Charles Mart.	* 6	27	7	11
31	c	Pr. Cal.		8	28	9	12

Note, That * Exodus vi. is to be read only to Ver. 14.

FEBRUARY

The Calendar, with the Table of Lessons.

FEBRUARY hath xxviii Days, and in every Leap-Year xxix Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	d	Calendæ	*Fast.*	Exod. 10.	Mark 1	Exod. 11.	1 Cor. 13
2	e	4 Non.	**Purification V. M.**	——	—— 2	——	—— 14
3	f	3 Non.	Blasius, Bish. & Mart.	—— 12	—— 3	—— 13	—— 15
4	g	Pr. Non.	——	—— 14	—— 4	—— 15	—— 16
5	A	Nonæ	Agatha Sicilian V. & M.	—— 16	—— 5	—— 17	2 Cor. 1
6	b	8 Id.	——	—— 18	—— 6	—— 19	—— 2
7	c	7 Id.	——	—— 20	—— 7	—— 21	—— 3
8	d	6 Id.	——	—— 22	—— 8	—— 23	—— 4
9	e	5 Id.	——	—— 24	—— 9	—— 32	—— 5
10	f	4 Id.	——	—— 33	—— 10	—— 34	—— 6
11	g	3 Id.	——	Levit. 18	—— 11	Levit. 19	—— 7
12	A	Pr. Id.	——	—— 20	—— 12	—— 26	—— 8
13	b	Idus.	——	Num. 11	—— 13	Num. 12	—— 9
14	c	16 Cal. Mar.	Valentine Bish. & M.	—— 13	—— 14	—— 14	—— 10
15	d	15 Cal.	——	—— 16	—— 15	—— 17	—— 11
16	e	14 Cal.	——	—— 20	—— 16	—— 21	—— 12
17	f	13 Cal.	——	—— 22	L. 1 to 39	—— 23	—— 13
18	g	12 Cal.	——	—— 24	— 1, 39	—— 25	Galat. 1
19	A	11 Cal.	——	—— 27	—— 2	—— 30	—— 2
20	b	10 Cal.	——	—— 31	—— 3	—— 32	—— 3
21	c	9 Cal.	——	—— 35	—— 4	—— 36	—— 4
22	d	8 Cal.	——	Deut. 1.	—— 5	Deut. 2	—— 5
23	e	7 Cal.	*Fast.*	—— 3	—— 6	—— 4	—— 6
24	f	6 Cal.	**S. Matthias, A. M.**	——	—— 7	——	Ephes. 1
25	g	5 Cal.	——	—— 5	—— 8	—— 6	—— 2
26	A	4 Cal.	——	—— 7	—— 9	—— 8	—— 3
27	b	3 Cal.	——	—— 9	—— 10	—— 10	—— 4
28	c	Pr. Cal.	——	—— 11	—— 11	—— 12	—— 5
29		——	——	—— 13	Matth. 7	—— 14	Rom. 12

MARCH

The Calendar, with the Table of Lessons.

MARCH hath xxxi Days.

					Morning Prayer.		Evening Prayer.	
					1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson
	1	d	Calendæ	David, Archb. Menev.	Deut. 15	Luke 12	Deut. 16	Ephes. 6
	2	e	6 Non.	Cedde or Chad. B. Litc.	——17	——13	——18	Philip. 1
	3	f	5 Non.	———	——19	——14	——20	——— 2
	4	g	4 Non.	———	——21	——15	——22	——— 3
	5	A	3 Non.	———	——24	——16	——25	——— 4
	6	b	Pr. Non.	———	——26	——17	——27	Coloss. 1
	7	c	Nonæ	Perpetua Maurit. Mart.	——28	——18	——29	——— 2
	8	d	8 Id.	———	——30	——19	——31	——— 3
	9	e	7 Id.	———	——32	——20	——33	——— 4
	10	f	6 Id.	———	——34	——21	Joshua 1	1 Thes. 1
	11	g	5 Id.	———	Joshua 2	——22	——— 3	——— 2
	12	A	4 Id.	Greg. M. B. of R. & C.	——— 4	——23	——— 5	——— 3
	13	b	3 Id.	———	——— 6	——24	——— 7	——— 4
	14	c	Pr. Id.	———	——— 8	John 1	——— 9	——— 5
	15	d	Idus.	———	——10	——— 2	——23	2 Thes. 1
	16	e	17 Cal. Apr.	———	——24	——— 3	Judges 1	——— 2
	17	f	16 Cal.	———	Judges 2	——— 4	——— 3	——— 3
	18	g	15 Cal.	Ed. K. of West Sax.	——— 4	——— 5	——— 5	1 Tim. 1
	19	A	14 Cal.	———	——— 6	——— 6	——— 7	——— 2, 3
	20	b	13 Cal.	———	——— 8	——— 7	——— 9	——— 4
14	21	c	12 Cal.	Benedict. Abbot.	——10	——— 8	——11	——— 5
3	22	d	11 Cal.	———	——12	——— 9	——13	——— 6
	23	e	10 Cal.	———	——14	——10	——15	2 Tim. 1
11	24	f	9 Cal.	——— *Fast.*	——16	——11	——17	——— 2
	25	g	8 Cal.	Annunciat. B. V. M.	———	——12	———	——— 3
19	26	A	7 Cal.	———	——18	——13	——19	——— 4
8	27	b	6 Cal.	———	——20	——14	——21	Titus 1
	28	c	5 Cal.	———	Ruth 1	——15	Ruth 2	— 2, 3
16	29	d	4 Cal.	———	——— 3	——16	——— 4	Philem.
5	30	e	3 Cal.	———	1 Sam. 1	——17	1 Sam. 2	Heb. 1
	31	f	Pr. Cal.	———	——— 2	——18	——— 4	——— 2

The Numbers here prefix'd to the several Days, between the twenty-first Day of *March* and the eighteenth Day of *April*, both inclusive, denote the Days upon which those Full Moons do fall, which happen upon or next after the twenty-first Day of *March*, in those Years of which they are respectively the Golden Numbers: And the Sunday

APRIL

The Calendar, with the Table of Lessons.

APRIL hath xxx Days.

					Morning Prayer.		Evening Prayer.	
					1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
13	1	g	Calendæ		1 Sam. 5	John 19	1 Sam. 6	Hebr. 3
2	2	A	4 Non.		7	20	8	4
	3	b	3 Non.	Richard Bish. of Chic.	9	21	10	5
10	4	c	Pr. Non.	S. Ambrose, B. of Mil.	11	Acts 1	12	6
	5	d	Nonæ		13	2	14	7
18	6	e	8 Id.		15	3	16	8
7	7	f	7 Id.		17	4	18	9
	8	g	6 Id.		19	5	20	10
15	9	A	5 Id.		21	6	22	11
4	10	b	4 Id.		23	7	24	12
	11	c	3 Id.		25	8	26	13
12	12	d	Pr. Id.		27	9	28	James 1
1	13	e	Idus.		29	10	30	2
	14	f	18 Cal. Maii		31	11	2 Sam. 1	3
9	15	g	17 Cal.		2 Sam. 2	12	3	4
	16	A	16 Cal.		4	13	5	5
17	17	b	15 Cal.		6	14	7	1 Pet. 1
6	18	c	14 Cal.		8	15	9	2
	19	d	13 Cal.	Alphege, Archb. Cant.	10	16	11	3
	20	e	12 Cal.		12	17	13	4
	21	f	11 Cal.		14	18	15	5
	22	g	10 Cal.		16	19	17	2 Pet. 1
	23	A	9 Cal.	S. George, Martyr.	18	20	19	2
	24	b	8 Cal.		20	21	21	3
	25	c	7 Cal.	S. Mark Evan. & Mart.		22		1 John 1
	26	d	6 Cal.		22	23	23	2
	27	e	5 Cal.		24	24	1 Kings 1	3
	28	f	4 Cal.		1 Kings 2	25	3	4
	29	g	3 Cal.		4	26	5	5
	30	A	Pr. Cal.		6	27	7	2, 3 John

Letter next following any such Full Moon points out *Easter-day* for that Year. All which holds until the Year of our Lord 1899 inclusive; after which Year, the Places of these Golden Numbers will be to be changed, as is hereafter expressed.

MAY

The Calendar, with the Table of Lessons.

MAY hath xxxi Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	b	Calendæ	S. Phil. and Jac. A.				Jude
2	c	6 Non.	——— and M.	1 Kings 8	Acts 28	1 Kings 9	Rom. 1
3	d	5 Non.	Invention of the Cross.	10	Matth. 1	11	2
4	e	4 Non.		12	2	13	3
5	f	3 Non.		14	3	15	4
6	g	Pr. Non.	S. John Evang. ante	16	4	17	5
7	A	Nonæ	(port. Lat.	18	5	19	6
8	b	8 Id.		20	6	21	7
9	c	7 Id.		22	7	2 Kings 1	8
10	d	6 Id.		2 Kings 2	8	3	9
11	e	5 Id.		4	9	5	10
12	f	4 Id.		6	10	7	11
13	g	3 Id.		8	11	9	12
14	A	Pr. Id.		10	12	11	13
15	b	Idus.		12	13	13	14
16	c	17 Cal. Jun.		14	14	15	15
17	d	16 Cal.		16	15	17	16
18	e	15 Cal.		18	16	19	1 Cor. 1
19	f	14 Cal.	Dunstan, Archb. Cant.	20	17	21	2
20	g	13 Cal.		22	18	23	3
21	A	12 Cal.		24	19	25	4
22	b	11 Cal.		Ezra 1	20	Ezra 3	5
23	c	10 Cal.		4	21	5	6
24	d	9 Cal.		6	22	7	7
25	e	8 Cal.		9	23	Nehem. 1	8
26	f	7 Cal.	Aug. first Archb. Cant.	Nehem. 2	24	4	9
27	g	6 Cal.	Venerable Bede, Pr.	5	25	6	10
28	A	5 Cal.		8	26	9	11
29	b	4 Cal.	K. Charles II. Nat.	10	27	13	12
30	c	3 Cal.	& Return.	Esther 1	28	Esther 2	13
31	d	Pr. Cal.		3	Mark 1	4	14

The Calendar, with the Table of Lessons.

JUNE hath xxx Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	e	Calendæ	Nicom. Rom. Pr. & M.	Esther 5	Mark 2	Esther 6	1 Cor. 15
2	f	4 Non.		7	3	8	16
3	g	3 Non.		9	4	Job 1	2 Cor. 1
4	A	Pr. Non.		Job 2	5	3	2
5	b	Nonæ	Bonif. B. of Mentz. M.	4	6	5	3
6	c	8 Id.		6	7	7	4
7	d	7 Id.		8	8	9	5
8	e	6 Id.		10	9	11	6
9	f	5 Id.		12	10	13	7
10	g	4 Id.		14	11	15	8
11	A	3 Id.	S. Barnab. A. M.				
12	b	Pr. Id.		16	12	17, 18	9
13	c	Idus.		19	13	20	10
14	d	18 Cal. Julii.		21	14	22	11
15	e	17 Cal.		23	15	24, 25	12
16	f	16 Cal.		26, 27	16	28	13
17	g	15 Cal.	S. Alban, Mart.	29	Luke 1	30	Galat. 1
18	A	14 Cal.		31	2	32	2
19	b	13 Cal.		33	3	34	3
20	c	12 Cal.	Transl. of Ed. K. of	35	4	36	4
21	d	11 Cal.	(West Sax.	37	5	38	5
22	e	10 Cal.		39	6	40	6
23	f	9 Cal.	*Fast.*	41	7	42	Ephes. 1
24	g	8 Cal.	Nativity of S. J. Bap.				
25	A	7 Cal.		Prov. 1	8	Prov. 2	2
26	b	6 Cal.		3	9	4	3
27	c	5 Cal.		5	10	6	4
28	d	4 Cal.	*Fast.*	7	11	8	5
29	e	3 Cal.	S. Peter, A. and M.				
30	f	Pr. Cal.		9	12	10	6

The Calendar, with the Table of Lessons.

JULY hath xxxi Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	g	Calendæ		Prov. 11	Luke 13	Prov. 12	Philip. 1
2	A	6 Non.	Visit. of the B. V. Mary.	——— 13	——— 14	——— 14	——— 2
3	b	5 Non.		——— 15	——— 15	——— 16	——— 3
4	c	4 Non.	Transl. of S. Mart. B. & C.	——— 17	——— 16	——— 18	——— 4
5	d	3 Non.		——— 19	——— 17	——— 20	Colos. 1
6	e	Pr. Non.		——— 21	——— 18	——— 22	——— 2
7	f	Nonæ		——— 23	——— 19	——— 24	——— 3
8	g	8 Id.		——— 25	——— 20	——— 26	——— 4
9	A	7 Id.		——— 27	——— 21	——— 28	1 Thes. 1
10	b	6 Id.		——— 29	——— 22	——— 31	——— 2
11	c	5 Id.		Eccles. 1	——— 23	Eccles. 2	——— 3
12	d	4 Id.		——— 3	——— 24	——— 4	——— 4
13	e	3 Id.		——— 5	John 1	——— 6	——— 5
14	f	Pr. Id.		——— 7	——— 2	——— 8	2 Thes. 1
15	g	Idus.	Swithun, B. of Winch.	——— 9	——— 3	——— 10	——— 2
16	A	17 Cal. Aug.	———(Transl.	——— 11	——— 4	——— 12	——— 3
17	b	16 Cal.		Jerem. 1	——— 5	Jerem. 2	1 Tim. 1
18	c	15 Cal.		——— 3	——— 6	——— 4	— 2, 3
19	d	14 Cal.		——— 5	——— 7	——— 6	——— 4
20	e	13 Cal.	Marg. V. & M. Antioch.	——— 7	——— 8	——— 8	——— 5
21	f	12 Cal.		——— 9	——— 9	——— 10	——— 6
22	g	11 Cal.	S. Mary Magdalane.	——— 11	——— 10	——— 12	2 Tim. 1
23	A	10 Cal.		——— 13	——— 11	——— 14	——— 2
24	b	9 Cal.	*Fast.*	——— 15	——— 12	——— 16	——— 3
25	c	8 Cal.	**S. James, A. and M.**	———	——— 13	———	——— 4
26	d	7 Cal.	S. Anne, Mother to the	——— 17	——— 14	——— 18	Titus 1
27	e	6 Cal.	———(Bl. Virg. Mary.	——— 19	——— 15	——— 20	— 2, 3
28	f	5 Cal.		——— 21	——— 16	——— 22	Philem.
29	g	4 Cal.		——— 23	——— 17	——— 24	Heb. 1
30	A	3 Cal.		——— 25	——— 18	——— 26	——— 2
31	b	Pr. Cal.		——— 27	——— 19	——— 28	——— 3

The Calendar, with the Table of Lessons.

AUGUST hath xxxi Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	c	Calendæ	Lammas-day.	Jer. — 29	John — 20	Jer. — 30	Heb. 4
2	d	4 Non.		— 31	— 21	— 32	— 5
3	e	3 Non.		— 33	Acts — 1	— 34	— 6
4	f	Pr. Non.		— 35	— 2	— 36	— 7
5	g	Nonæ		— 37	— 3	— 38	— 8
6	A	8 Id.	Transfig. of our Lord.	— 39	— 4	— 40	— 9
7	b	7 Id.	Name of Jesus.	— 41	— 5	— 42	— 10
8	c	6 Id.		— 43	— 6	— 44	— 11
9	d	5 Id.		— 45, 46	— 7	— 47	— 12
10	e	4 Id.	S. Laur. Arch. D. of R.	— 48	— 8	— 49	— 13
11	f	3 Id.	(& M.	— 50	— 9	— 51	James 1
12	g	Pr. Id.		— 52	— 10	Lam. 1	— 2
13	A	Idus.		Lam. 2	— 11	— 3	— 3
14	b	19 Cal. Sept.		— 4	— 12	— 5	— 4
15	c	18 Cal.		Ezek. 2	— 13	Ezek. 3	— 5
16	d	17 Cal.		— 6	— 14	— 7	1 Pet. 1
17	e	16 Cal.		— 13	— 15	— 14	— 2
18	f	15 Cal.		— 18	— 16	— 33	— 3
19	g	14 Cal.		— 34	— 17	Dan. 1	— 4
20	A	13 Cal.		Dan. 2	— 18	— 3	— 5
21	b	12 Cal.		— 4	— 19	— 5	2 Pet. 1
22	c	11 Cal.		— 6	— 20	— 7	— 2
23	d	10 Cal.	*Fast.*	— 8	— 21	— 9	— 3
24	e	9 Cal.	S. Barthol. A. & B.	—	— 22	—	1 John 1
25	f	8 Cal.		— 10	— 23	— 11	— 2
26	g	7 Cal.		— 12	— 24	Hosea 1	— 3
27	A	6 Cal.		Hos. 2, 3	— 25	— 4	— 4
28	b	5 Cal.	St. Au. B. of Hip. C. D.	— 5, 6	— 26	— 7	— 5
29	c	4 Cal.	Beheading of John Bap.	— 8	— 27	— 9	2, 3 John
30	d	3 Cal.		— 10	— 28	— 11	Jude —
31	e	Pr. Cal.		— 12	Matth. 1	— 13	Rom. 1

SEPTEMBER

The Calendar, with the Table of Lessons.

SEPTEMBER hath XXX Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	f	Calendæ	Giles, Abbot and Conf.	Hosea 14	Matth. 2	Joel — 1	Rom. 2
2	g	4 Non.		Joel 2	— 3	— 3	— 3
3	A	3 Non.		Amos 1	— 4	Amos 2	— 4
4	b	Pr. Non.		— 3	— 5	— 4	— 5
5	c	Nonæ		— 5	— 6	— 6	— 6
6	d	8 Id.		— 7	— 7	— 8	— 7
7	e	7 Id.	Enurchus, B. of Orleans.	— 9	— 8	Obadiah	— 8
8	f	6 Id.	Nativity of the B. V. M.	Jonah 1	— 9	Jon. 2, 3	— 9
9	g	5 Id.		— 4	— 10	Micah 1	— 10
10	A	4 Id.		Micah 2	— 11	— 3	— 11
11	b	3 Id.		— 4	— 12	— 5	— 12
12	c	Pr. Id.		— 6	— 13	— 7	— 13
13	d	Idus.		Nahum 1	— 14	Nahum 2	— 14
14	e	18 Cal. Oct.	Holy Cross Day.	— 3	— 15	Hab. 1	— 15
15	f	17 Cal.		Hab. 2	— 16	— 3	— 16
16	g	16 Cal.		Zeph. 1	— 17	Zeph. 2	1 Cor. 1
17	A	15 Cal.	Lambert, Bish. & M.	— 3	— 18	Haggai 1	— 2
18	b	14 Cal.		Haggai 2	— 19	Zech. 1	— 3
19	c	13 Cal.		Zech. 2, 3	— 20	— 4, 5	— 4
20	d	12 Cal.	*Fast.*	— 6	— 21	— 7	— 5
21	e	11 Cal.	S. Matthew, A. E.		— 22		— 6
22	f	10 Cal.	(and M.	— 8	— 23	— 9	— 7
23	g	9 Cal.		— 10	— 24	— 11	— 8
24	A	8 Cal.		— 12	— 25	— 13	— 9
25	b	7 Cal.		— 14	— 26	Mal. 1	— 10
26	c	6 Cal.	S. Cyprian, Archb. of	Mal. 2	— 27	— 3	— 11
27	d	5 Cal.	(Carth. & Mar.	— 4	— 28	Tobit 1	— 12
28	e	4 Cal.		Tobit 2	Mark 1	— 3	— 13
29	f	3 Cal.	S. Mic. and An.		— 2		— 14
30	g	Pr. Cal.	St. Jer. Pr. Conf. & Doct.	— 4	— 3	— 6	— 15

OCTOBER

The Calendar, with the Table of Lessons.

OCTOBER hath xxxi Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	A	Calendæ	Remig. B. of Rhemes.	Tobit 7	Mark 4	Tobit 8	1 Cor. 16
2	b	6 Non.		9	5	10	2 Cor. 1
3	c	5 Non.		11	6	12	2
4	d	4 Non.		13	7	14	3
5	e	3 Non.		Judith 1	8	Judith 2	4
6	f	Pr. Non.	Faith, Virgin & Mart.	3	9	4	5
7	g	Nonæ		5	10	6	6
8	A	8 Id.		7	11	8	7
9	b	7 Id.	S. Denys Areop. B. & M.	9	12	10	8
10	c	6 Id.		11	13	12	9
11	d	5 Id.		13	14	14	10
12	e	4 Id.		15	15	16	11
13	f	3 Id.	Transl. of K. Ed. Conf.	Wisd. 1	16	Wisd. 2	12
14	g	Pr. Id.		3	Lu. 1 *to* 39	4	13
15	A	Idus.		5	1. 39	6	Galat. 1
16	b	17 Cal. Nov.		7	2	8	2
17	c	16 Cal.	Etheldred, Virg.	9	3	10	3
18	d	15 Cal.	S. Luke, Evan.		4		4
19	e	14 Cal.		11	5	12	5
20	f	13 Cal.		13	6	14	6
21	g	12 Cal.		15	7	16	Ephes. 1
22	A	11 Cal.		17	8	18	2
23	b	10 Cal.		19	9	Ecclus 1	3
24	c	9 Cal.		Ecclus 2	10	3	4
25	d	8 Cal.	Crispin, Mart.	4	11	5	5
26	e	7 Cal.		6	12	7	6
27	f	6 Cal.	*Fast.*	8	13	9	Philip. 1
28	g	5 Cal.	S. Sim. and S. Ju.		14		2
29	A	4 Cal.	A. and M.	10	15	11	3
30	b	3 Cal.		12	16	13	4
31	c	Pr. Cal.	*Fast.*	14	17	15	Colos. 1

NOVEMBER

The Calendar, with the Table of Lessons.

NOVEMBER hath xxx Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	d	Calendæ	**All Saints Day.**				
2	e	4 Non.		Ecclus 16	Luke 18	Ecclus 17	Coloss. 2
3	f	3 Non.		18	19	19	3
4	g	Pr. Non.		20	20	21	4
5	A	Nonæ	**Papists Coonspiracy.**	22	21	23	1 Thes. 1
6	b	8 Id.	Leonard, Confessor.	24	22	(a) 25	2
7	c	7 Id.		27	23	28	3
8	d	6 Id.		29	24	(b) 30	4
9	e	5 Id.		31	John 1	32	5
10	f	4 Id.		33	2	34	2 Thes. 1
11	g	3 Id.	S. Martin, Bish. and Conf.	35	3	36	2
12	A	Pr. Id.		37	4	38	3
13	b	Idus.	Britius, Bishop.	39	5	40	1 Tim. 1
14	c	18 Cal. Dec.		41	6	42	2, 3
15	d	17 Cal.	Machutus, Bishop.	43	7	44	4
16	e	16 Cal.		45	8	(c) 46	5
17	f	15 Cal.	Hugh, Bish. of Linc.	47	9	48	6
18	g	14 Cal.		49	10	50	2 Tim. 1
19	A	13 Cal.		51	11	Baruch 1	2
20	b	12 Cal.	Edmund, King & Mart.	Baruch 2	12	3	3
21	c	11 Cal.		4	13	5	4
22	d	10 Cal.	Cecilia, Virg. & Mart.	6	14	Hiſtory of Susanna.	Titus 1
23	e	9 Cal.	S. Clem. I. B. of R. & M.	Bell and the Dragon.	15	Isaiah 1	2, 3
24	f	8 Cal.		Isaiah 2	16	3	Philem.
25	g	7 Cal.	Catherine, Vir. & Mart.	4	17	5	Heb. 1
26	A	6 Cal.		6	18	7	2
27	b	5 Cal.		8	19	9	3
28	c	4 Cal.		10	20	11	4
29	d	3 Cal.	*Fast.*	12	21	13	5
30	e	Pr. Cal.	**S. Andrew, A. and M.**		Acts 1		6

Note, That (a) Ecclus 25. is to be read only to ver. 13. and (b) Ecclus 30. only to ver. 18. and (c) Ecclus 46. only to ver. 20.

DECEMBER

The Calendar, with the Table of Lessons.

DECEMBER hath xxxi Days.

				Morning Prayer.		Evening Prayer.	
				1 Lesson.	2 Lesson.	1 Lesson.	2 Lesson.
1	f	Calendæ		Isaiah 14	Acts 2	Isaiah 15	Hebr. 7
2	g	4 Non.		16	3	17	8
3	A	3 Non.		18	4	19	9
4	b	Pr. Non.		20, 21	5	22	10
5	c	Nonæ		23	6	24	11
6	d	8 Id.	Nichol. Bish. of Myra in	25	7, to v. 30	26	12
7	e	7 Id.	(Lycia.	27	7, 30	28	13
8	f	6 Id.	Concept. of the B. V. M.	29	8	30	James 1
9	g	5 Id.		31	9	32	2
10	A	4 Id.		33	10	34	3
11	b	3 Id.		35	11	36	4
12	c	Pr. Id.		37	12	38	5
13	d	Idus.	Lucy Virgin & Mart.	39	13	40	1 Pet. 1
14	e	19 Cal. Jan.		41	14	42	2
15	f	18 Cal.		43	15	44	3
16	g	17 Cal.	O Sapientia.	45	16	46	4
17	A	16 Cal.		47	17	48	5
18	b	15 Cal.		49	18	50	2 Pet. 1
19	c	14 Cal.		51	19	52	2
20	d	13 Cal.	*Fast.*	53	20	54	3
21	e	12 Cal.	S. Tho. Ap. and M.		21	1 John	1
22	f	11 Cal.		55	22	56	2
23	g	10 Cal.		77	23	58	3
24	A	9 Cal.	*Fast.*	59	24	60	4
25	b	8 Cal.	Christmas-day.				
26	c	7 Cal.	S. Stephen, F. M.				
27	d	6 Cal.	S. John Ap. and Ev.				
28	e	5 Cal.	Innocents-day.		25		5
29	f	4 Cal.		61	26	62	2 John
30	g	3 Cal.		63	27	64	3 John
31	A	Pr. Cal.	Silvest. Bish. of Rome.	65	28	66	Jude

Tables

Tables and Rules for the Moveable and Immoveable Feasts; together with the Days of Fasting and Abstinence through the whole Year.

Rules to know when the Moveable Feasts and Holy-days begin.

Easter-day, on which the rest depend, is always the first Sunday after the Full Moon which happens upon or next after the twenty-first Day of *March*; and if the Full Moon happens upon a Sunday, *Easter-day* is the Sunday after.

Advent Sunday is always the nearest Sunday to the Feast of S. *Andrew*, whether before or after.

Septuagesima	Sunday is	Nine	Weeks before *Easter*	*Rogation* Sunday	is	5 Weeks	after *Easter*.
Sexagesima		Eight		*Ascension-day*		40 Days	
Quinquagesima		Seven		*Whitsunday*		7 Weeks	
Quadragesima		Six		*Trinity* Sunday		8 Weeks	

A Table of all the Feasts that are to be observed in the Church of *England* throughout the Year.

The Days of the Feasts of

ALL Sundays in the Year.
The Circumcision of our Lord JESUS CHRIST.
The Epiphany.
The Conversion of S. *Paul*.
The Purification of the Blessed Virgin.
S. *Matthias* the Apostle.
The Annunciation of the Blessed Virgin.
S. *Mark* the Evangelist.
S. *Philip* and S. *James* the Apostles.
The Ascension of our Lord JESUS CHRIST.
S. *Barnabas*.
The Nativity of S. *John Baptist*.

The Days of the Feasts of

S. *Peter* the Apostle.
S. *James* the Apostle.
S. *Bartholomew* the Apostle.
S. *Matthew* the Apostle.
S. *Michael* and all Angels.
S. *Luke* the Evangelist.
S. *Simon* and S. *Jude* the Apostles.
All Saints.
S. *Andrew* the Apostle.
S. *Thomas* the Apostle.
The Nativity of our Lord.
S. *Stephen* the Martyr.
S. *John* the Evangelist.
The Holy Innocents.

Monday and Tuesday in *Easter*-week.
Monday and Tuesday in *Whitsun*-week.

A Table of the Vigils, Fasts and Days of Abstinence, to be observed in the Year.

THE Evens or Vigils before { The Nativity of our Lord. / The Purification of the Blessed Virgin *Mary*. / The Annunciation of the Blessed Virgin. / *Easter*-day. / *Ascension*-day. / *Pentecost*. / S. *Matthias*. } The Evens or Vigils before { S. *John Baptist*. / S. *Peter*. / S. *James*. / S. *Bartholomew*. / S. *Matthew*. / S. *Simon* and *Jude*. / S. *Andrew*. / S. *Thomas*. / All Saints. }

Note, That if any of these Feast-days fall upon a Monday, then the Vigil or Fast-day shall be kept upon the Saturday, and not upon the Sunday next before it.

Days of Fasting, or Abstinence.

I. THE Forty Days of Lent.

II. The Ember-days at the four Seasons, being the Wednesday, Friday, and Saturday } after { 1. the first Sunday in Lent. / 2. the Feast of Pentecost. / 3. *September* 14. / 4. *December* 13.

III. The three Rogation-days, being the Monday, Tuesday and Wednesday before Holy Thursday, or the Ascension of our Lord.

IV. All the Fridays in the Year, except *Christmas-day*.

Certain Solemn Days for which particular Services are appointed.

I. THE fifth Day of *November*, being the Day kept in Memory of the Papists Conspiracy.

II. The thirtieth Day of *January*, being the Day kept in Memory of the Martyrdom of King *Charles* the First.

III. The nine and twentieth Day of *May*, being the Day kept in Memory of the Birth and Return of King *Charles* the Second.

TABLE

TABLE to find EASTER-DAY from the present Time, till the Year 1899 inclusive, according to the foregoing Calendar.

Golden Number.	Day of the Month		Sunday Letter.
14	March	21	C
3		22	D
		23	E
11		24	F
		25	G
19		26	A
8		27	B
		28	C
16		29	D
5		30	E
		31	F
13	April	1	G
2		2	A
		3	B
10		4	C
		5	D
18		6	E
7		7	F
		8	G
15		9	A
4		10	B
		11	C
12		12	D
1		13	E
		14	F
9		15	G
		16	A
17		17	B
6		18	C
		19	D
		20	E
		21	F
		22	G
		23	A
		24	B
		25	C

THIS Table contains so much of the Calendar as is necessary for the determining of *Easter*; to find which, look for the Golden Number of the Year in the first Column of the Table, against which stands the Day of the Paschal Full Moon; then look in the third Column for the Sunday Letter, next after the Day of the Full Moon; and the Day of the Month standing against that Sunday Letter is *Easter-day*. If the Full Moon happens upon a Sunday, then (according to the first Rule) the next Sunday after is *Easter-day*.

To find the Golden Number, or Prime, add one to the Year of our Lord, and then divide by 19; the Remainder, if any, is the Golden Number; but if nothing remaineth, then 19 is the Golden Number.

To find the Dominical or Sunday Letter, according to the Calendar, until the Year 1799 inclusive, add to the Year of our Lord its fourth Part, omitting Fractions, and also the Number 1: Divide the Sum by 7; and if there is no Remainder, then A is the Sunday Letter: But if any Number remaineth, then the Letter standing against that Number in the small annexed Table, is the Sunday Letter.

0	A
1	G
2	F
3	E
4	D
5	C
6	B

For the next Century, that is, from the Year 1800 till the Year 1899 inclusive, add to the current Year only its fourth Part, and then divide by 7, and proceed as in the last Rule.

Note, That in all Bissextile or Leap-Years, the Letter found, as above, will be the Sunday Letter from the intercalated Day exclusive, to the End of the Year.

Another TABLE to find EASTER till the Year 1899 inclusive.

SUNDAY LETTERS.

Golden Number.	A	B	C	D	E	F	G
I	April 16	17	18	19	20	14	15
II	April 9	3	4	5	6	7	8
III	March 26	27	28	29	23	24	25
IV	April 16	17	11	12	13	14	15
V	April 2	3	4	5	6	March 31	April 1
VI	April 23	24	25	19	20	21	22
VII	April 9	10	11	12	13	14	8
VIII	April 2	3	March 28	29	30	31	April 1
IX	April 16	17	18	19	20	21	22
X	April 9	10	11	5	6	7	8
XI	March 26	27	28	29	30	31	25
XII	April 16	17	18	19	13	14	15
XIII	April 2	3	4	5	6	7	8
XIV	March 26	27	28	22	23	24	25
XV	April 16	10	11	12	13	14	15
XVI	April 2	3	4	5	March 30	31	April 1
XVII	April 23	24	18	19	20	21	22
XVIII	April 9	10	11	12	13	7	8
XIX	April 2	March 27	28	29	30	31	April 1

TO make use of the preceding Table, find the Sunday Letter for the Year in the uppermost Line, and the Golden Number or Prime, in the Column of Golden Numbers; and against the Prime, in the same Line under the Sunday Letter, you have the Day of the Month on which *Easter* falleth that Year. But Note, That the Day of the Month is set on the Left Hand, or just with the Figure, and followeth not, as in other Tables, by Descent, but Collateral.

A TABLE

A TABLE of the Moveable Feasts for fifty-two Years, according to the foregoing Calendar.

Year of our LORD.	The Golden Number.	The Epact.	Sunday Letter.	Sunday after Epiph.	Septuagesima Sunday.	The first Day of Lent.	Easter-day.	Rogation Sunday.	Ascension-day.	Whitsunday.	Sundays after Trinity.	Advent Sunday.
1752	5			6								Dec.— 3
1753	6	25	G	6	Feb.— 18	March 7	April - 22	May— 27	May— 31	June— 10	23	—— 2
1754	7	6	F E	4	—— 10	Feb.— 27	—— 14	—— 19	—— 23	—— 2	24	—— 1
1755	8	17	E	2	Jan. — 26	—— 12	March 30	—— 4	—— 8	May— 18	26	Nov.—30
1756	9	28	D C	5	Feb.— 15	March 3	April - 18	—— 23	—— 27	June— 6	23	—— 28
1757	10	9	B	4	—— 6	Feb.— 23	—— 10	—— 15	—— 19	May— 29	24	—— 27
1758	11	20	A	2	Jan. — 22	—— 8	March 26	April - 30	—— 4	—— 14	27	Dec.— 3
1759	12	1	G	5	Feb.— 11	—— 28	April - 15	May— 20	—— 24	June— 3	24	—— 2
1760	13	12	F E	3	—— 3	—— 20	—— 6	—— 11	—— 15	May— 25	25	Nov.—30
1761	14	23	D	1	Jan. — 18	—— 4	March 22	April - 16	April - 30	—— 10	27	—— 29
1762	15	4	C	4	Feb.— 7	—— 24	April - 11	May— 16	May— 26	—— 30	24	—— 28
1763	16	15	B	3	Jan. — 30	—— 16	—— 3	—— 8	—— 12	—— 22	25	—— 27
1764	17	26	A G	6	Feb.— 19	March 7	—— 22	—— 27	—— 31	June— 10	23	Dec.— 2
1765	18	7	F	3	—— 3	Feb.— 20	—— 7	—— 12	—— 16	May— 26	25	—— 1
1766	19	18	E	2	Jan. — 26	—— 12	March 30	—— 4	—— 8	—— 18	26	Nov.—30
1767	1	0	D	5	Feb.— 15	March 4	April - 19	—— 24	—— 28	June— 7	23	—— 29
1768	2	11	C B	3	Jan. — 31	Feb.— 17	—— 3	—— 8	—— 12	May— 22	25	—— 27
1769	3	22	A	2	—— 22	—— 8	March 26	April - 30	—— 4	—— 14	27	Dec.— 3
1770	4	3	G	5	Feb.— 11	—— 28	April - 15	May— 20	—— 24	June— 3	24	—— 2
1771	5	14	F	2	Jan. — 27	—— 13	March 31	—— 5	—— 9	May— 19	26	—— 1
1772	6	25	E D	5	Feb.— 16	March 4	April - 19	—— 24	—— 28	June— 7	23	Nov.—29
1773	7	6	C	4	—— 7	Feb.— 24	—— 11	—— 16	—— 20	May— 30	24	—— 28
1774	8	17	B	3	Jan. — 30	—— 16	—— 3	—— 8	—— 12	—— 22	25	—— 27
1775	9	28	A	5	Feb.— 12	March 1	—— 16	—— 21	—— 25	June— 4	24	Dec.— 3
1776	10	9	G F	4	—— 4	Feb.— 21	—— 7	—— 12	—— 16	May— 26	25	—— 1
1777	11	20	E	2	Jan. — 26	—— 12	March 30	—— 4	—— 8	—— 18	16	Nov.—30
1778	12	1	D	5	Feb.— 15	March 4	April - 19	—— 24	—— 28	June— 7	23	—— 29
1779	13	12	C	3	Jan. — 31	Feb.— 17	—— 4	—— 9	—— 13	May— 13	25	—— 28
1780	14	23	B A	2	—— 23	—— 9	March 26	April - 30	—— 4	—— 14	27	Dec.— 3
1781	15	4	G	5	Feb.— 11	—— 28	April - 15	May— 20	—— 24	June— 3	24	—— 2
1782	16	15	F	2	Jan. — 27	—— 13	March 31	—— 5	—— 9	May— 19	26	—— 1
1783	17	26	E	5	Feb.— 16	March 9	April - 20	—— 25	—— 29	June— 8	23	Nov.—30
1784	18	7	D C	4	—— 8	Feb.— 25	—— 11	—— 16	—— 20	May— 30	24	—— 28
1785	19	18	B	2	Jan. — 23	—— 9	March 27	—— 1	—— 5	—— 15	26	—— 27
1786	1	0	A	5	Feb.— 12	March 1	April - 16	—— 21	—— 25	June— 4	24	Dec.— 3
1787	2	11	G	4	—— 4	Feb.— 21	—— 8	—— 13	—— 17	May— 27	25	—— 2
1788	3	22	F E	1	Jan. — 20	—— 6	March 23	April - 27	—— 1	—— 11	27	Nov.—30
1789	4	3	D	4	Feb.— 8	—— 25	April - 12	May— 17	—— 21	—— 31	24	—— 29
1790	5	14	C	3	Jan. — 31	—— 17	—— 4	—— 9	—— 13	—— 23	25	—— 28
1791	6	25	B	6	Feb.— 20	March 9	—— 24	—— 29	June— 2	June— 12	22	—— 27
1792	7	6	A G	4	—— 5	Feb.— 22	—— 8	—— 13	May— 17	May— 17	25	Dec.— 2
1793	8	17	F	2	Jan. — 27	—— 13	March 31	—— 5	—— 9	—— 19	26	—— 1
1794	9	28	E	5	Feb.— 16	March 5	April - 20	—— 25	—— 29	June— 8	23	Nov.—30
1795	10	9	D	3	—— 1	Feb.— 18	—— 5	—— 10	—— 14	May— 24	25	—— 29
1796	11	20	C B	2	Jan. — 24	—— 16	March 27	—— 1	—— 5	—— 15	26	—— 27
1797	12	1	A	5	Feb.— 12	March 1	April - 16	—— 21	—— 25	June— 4	24	Dec.— 3
1798	13	12	G	4	—— 4	Feb.— 21	—— 8	—— 13	—— 17	May— 27	25	—— 2
1799	14	23	F		Jan. — 20	—— 6	March 24	April - 28	—— 2	—— 12	27	—— 1
1800	15	4	E	4	Feb.— 9	—— 26	April - 13	May— 18	—— 22	June— 1	24	Nov.—30
1801	16	15	D	3	—— 1	—— 18	—— 5	—— 10	—— 14	May— 24	25	—— 29
1802	17	26	C	5	—— 14	March 3	—— 11	—— 23	—— 27	June— 6	23	—— 28
1803	18	7	B	4	—— 6	Feb.— 23	—— 19	—— 15	—— 19	May— 29	24	—— 27
1804	19	18	A G	3	Jan. — 29	—— 15	—— 1	—— 6	—— 10	—— 20	26	Dec.— 2

A TABLE

A TABLE of the Moveable Feasts, according to the several Days that EASTER can possibly fall upon.

Easter-day.	Sunday after Epiphany.	Septuagesima Sunday.	The first Day of Lent.	Rogation Sunday.	Ascension-day.	Whitsunday.	Sunday after Trinity.	Advent Sunday.
March 22	1	Jan. 18	Feb. 4	April 26	April 30	May 10	27	Nov. 29
23	1	19	5	27	May 1	11	27	30
24	1	20	6	28	2	12	27	Dec. 1
25	2	21	7	29	3	13	27	2
26	2	22	8	30	4	14	27	3
27	2	23	9	May 1	5	15	26	Nov. 27
28	2	24	10	2	6	16	26	28
29	2	25	11	3	7	17	26	29
30	2	26	12	4	8	18	26	30
31	2	27	13	5	9	19	26	Dec. 1
April 1	3	28	14	6	10	20	26	2
2	3	29	15	7	11	21	26	3
3	3	30	16	8	12	22	25	Nov. 27
4	3	31	17	9	13	23	25	28
5	3	Feb. 1	18	10	14	24	25	29
6	3	2	19	11	15	25	25	30
7	3	3	20	12	16	26	25	Dec. 1
8	4	4	21	13	17	27	25	2
9	4	5	22	14	18	28	25	3
10	4	6	23	15	19	29	24	Nov. 27
11	4	7	24	16	20	30	24	28
12	4	8	25	17	21	31	24	29
13	4	9	26	18	22	June 1	24	30
14	4	10	27	19	23	2	24	Dec. 1
15	5	11	28	20	24	3	24	2
16	5	12	March 1	21	25	4	24	3
17	5	13	2	22	26	5	23	Nov. 27
18	5	14	3	23	27	6	23	28
19	5	15	4	24	28	7	23	29
20	5	16	5	25	29	8	23	30
21	5	17	6	26	30	9	23	Dec. 1
22	6	18	7	27	31	10	23	2
23	6	19	8	28	June 1	11	23	3
24	6	20	9	29	2	12	22	Nov. 27
25	6	21	10	30	3	13	22	28

Note, That in a Bissextile or Leap-Year, the Number of Sundays after *Epiphany* will be the same, as if *Easter-day* had fallen one Day later than it really does. And for the same Reason one Day must in every Leap Year be added to the Day of the Month given by the Table for *Septuagesima* Sunday: And the like must be done for the first Day of *Lent* (commonly called *Ash-wednesday*) unless the Table gives some Day in the Month of *March* for it; for in that Case the Day given by the Table is the right Day.

TABLE

TABLE to find EASTER-DAY from the Year 1900 to the Year 2199 inclusive.

Golden Numbers.	Day of the Month.		Sunday Letters.
14	March	22	D
3		23	E
		24	F
11		25	G
		26	A
19		27	B
8		28	C
		29	D
16		30	E
5		31	F
	April	1	G
13		2	A
2		3	B
		4	C
10		5	D
		6	E
18		7	F
7		8	G
		9	A
15		10	B
4		11	C
		12	D
12		13	E
1		14	F
		15	G
9		16	A
17		17	B
6		18	C
		19	D
		20	E
		21	F
		22	G
		23	A
		24	B
		25	C

THE Golden Numbers in the foregoing Calendar will point out the Days of the Paschal Full Moons, till the Year of our Lord 1900; at which Time, in order that the Ecclesiastical Full Moons may fall nearly on the same Days with the real Full Moons, the Golden Numbers must be removed to different Days of the Calendar, as is done in the annexed Table, which contains so much of the Calendar then to be used, as is necessary for finding the Paschal Full Moons, and the Feast of *Easter*, from the Year 1900 to the Year 2199 inclusive. This Table is to be made use of, in all respects, as the first Table before inserted, for finding *Easter* till the Year 1899.

General

General TABLES for finding the Dominical or Sunday Letter, and the Places of the Golden Numbers in the Calendar.

TABLE I.

6	5	4	3	2	1	0
B	C	D	E	F	G	A
				1600	1700	1800
1900 2000	2100	2200	2300 2400	2500	2600	2700 2800
2900	3000	3100 3200	3300	3400	3500 3600	3700
3800	3900 4000	4100	4200	4300 4400	4500	4600
4700 4800	4900	5000	5100 5200	5300	5400	5500 5600
5700	5800	5900 6000	6100	6200	6300 6400	6500
6600	6700 6800	6900	7000	7100 7200	7300	7400
7500 7600	7700	7800	7900 8000	8100	8200	8300 8400
8500	&c.					

TO find the Dominical or Sunday Letter for any given Year of our Lord, add to the Year its fourth Part, omitting Fractions, and also the Number, which in Table I. standeth at the Top of the Column, wherein the Number of Hundreds contained in that given Year is found: Divide the Sum by 7, and if there's no Remainder, then A is the Sunday Letter; but if any Number remaineth, then the Letter which standeth under that Number at the Top of the Table, is the Sunday Letter.

TABLE II.

TABLE II.

1	2 Years of our Lord.	3	1	2 Years of our Lord.	3
B	1600	0	B	5200	15
	1700	1		5300	16
	1800	1		5400	17
	1900	2		5500	17
B	2000	2	B	5600	17
	2100	2		5700	18
	2200	3		5800	18
	2300	4		5900	19
B	2400	3	B	6000	19
	2500	4		6100	19
	2600	5		6200	20
	2700	5		6300	21
B	2800	5	B	6400	20
	2900	6		6500	21
	3000	6		6600	22
	3100	7		6700	23
B	3200	7	B	6800	22
	3300	7		6900	23
	3400	8		7000	24
	3500	9		7100	24
B	3600	8	B	7200	24
	3700	9		7300	25
	3800	10		7400	25
	3900	10		7500	26
B	4000	10	B	7600	26
	4100	11		7700	26
	4200	12		7800	27
	4300	12		7900	28
B	4400	12	B	8000	27
	4500	13		8100	28
	4600	13		8200	29
	4700	14		8300	29
B	4800	14	B	8400	29
	4900	14		8500	0
	5000	15		&c.	
	5100	16			

TO find the Month and Days of the Month, to which the Golden Numbers ought to be prefixed in the Calendar in any given Year of our Lord, conſiſting of entire hundred Years, and in all the intermediate Years, betwixt that and the next hundredth Year following, look in the ſecond Column of Table II. for the given Year, conſiſting of entire Hundreds, and Note the Number or Cypher which ſtands againſt it in the third Column; then, in Table III. look for the ſame Number in the Column under any given Golden Number, which when you have found, guide your Eye ſide-ways to the Left Hand, and in the firſt Column you will find the Month and Day, to which that Golden Number ought to be prefixed in the Calendar during that Period of one hundred Years.

The Letter B prefixed to certain hundredth Years in Table II. denotes thoſe Years which are ſtill to be accounted Biſſextile or Leap Years in the new Calendar; whereas all the other hundredth Years are to be accounted only common Years.

TABLE III.

Paschal Full Moon.		Sunday Letter.	The GOLDEN NUMBERS. i	ii	iii	iv	v	vi	vii	viii	ix	x	xi	xii	xiii	xiv	xv	xvi	xvii	xviii	xix
March	21	C	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26
March	22	D	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27
March	23	E	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28
March	24	F	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29
March	25	G	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0
March	26	A	13	24	5	16	2	8	19	0	11	22	3	14	25	6	17	28	9	20	1
March	27	B	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2
March	28	C	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3
March	29	D	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4
March	30	E	17	28	9	20	1	12	23	4	15	26	7	18	29	1	21	2	13	24	5
March	31	F	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6
April	1	G	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7
April	2	A	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8
April	3	B	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9
April	4	C	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10
April	5	D	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11
April	6	E	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12
April	7	F	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13
April	8	G	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14
April	9	A	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15
April	10	B	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16
April	11	C	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17
April	12	D	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18
April	13	E	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19
April	14	F	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20
April	15	G	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21
April	16	A	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22
April	17	B	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23
April	17	B												7	18	29	10	21	2	13	24
April	18	C	6	17	28	9	20	1	12	23	4	15	26								
April	18	C	7	18	29	10	21	12	13	24	5	16	27	8	19	0	11	22	3	14	25

CAP.

CAP. XXIV.

An Act to provide for the Administration of the Government, in case the Crown should descend to any of the Children of his late Royal Highness *Frederick* Prince of *Wales*, being under the Age of eighteen Years; and for the Care and Guardianship of their Persons.

Most Gracious Sovereign,

'WHEREAS your Majesty having it entirely at Heart to secure the future Welfare and Happiness of your People, was graciously pleased to communicate to your Parliament, That you had maturely considered, that nothing can conduce so much (under the Protection of the Divine Providence) to the Preservation of the Protestant Succession in your Royal Family, and the Support of the Religion, Laws and Liberties of these Kingdoms (which have been always most dear to your Majesty) as the making proper Provisions for the Care and Tuition of the Person of your Successor to the Crown, and for the regular Administration of the Government, in case such Successor should be of tender Years, by Means whereof, the Safety and Princely Education of such Successor may be secured, the publick Peace and good Order maintained, and the Strength and Glory of the Crown of *Great Britain* suffer no Diminution; for which Reasons your Majesty, out of your paternal Affection and Tenderness for your Royal Family, and for all your faithful Subjects, did earnestly recommend it to both your Houses of Parliament to take this weighty Affair into their most serious Deliberation; and was pleased to propose to their Consideration, That when the Imperial Crown of these Realms should descend to any of the Issue of your Son the late Prince of *Wales* being under the Age of eighteen Years, the Princess Dowager of *Wales* their Mother (of whose great Virtues and eminent Qualities we are truly sensible) might be Guardian of the Person of such Successor, and Regent of these Kingdoms, until they should attain such Age, with such Powers and Limitations as should appear necessary and expedient for these important Purposes: And whereas, in Return for this paternal Goodness, with the most unfeigned Duty and Gratitude to your Majesty, and with the justest Sense of that constant Protection which your Majesty has always extended to our religious and civil Rights, and of the many Blessings which these Kingdoms have enjoyed, during your auspicious and glorious Reign (for the long Continuance whereof our daily and most fervent Prayers are offered up to Heaven) we have taken this weighty Affair into our serious Consideration, and being thoroughly convinced of the Wisdom and Expediency of what your Majesty has thought fit to recommend on this important Occasion, are firmly and zealously determined to contribute every Thing in our Power to the Preservation of the Protestant Succession, as settled by Law in your Royal Family, the numerous hopeful Branches whereof, formed by your Instruction, and led by your Example, we look upon as so many Pledges of the Security of our excellent Constitution to future Generations:' We, your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, do humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whensoever, and as often as the Imperial Crown of this Realm shall descend to his Royal Highness *George William Frederick* Prince of *Wales*, the eldest Son of his Royal Highness *Frederick* late Prince of *Wales*, or to any other of the Children of his said late Royal Highness, if at the respective Times of such Descent, his said Royal Highness *George William Frederick* Prince of *Wales*, or such other of the said Children succeeding to the Crown as aforesaid, shall be under the Age of eighteen Years, her Royal Highness *Augusta* Princess Dowager of *Wales* shall be Guardian, and have the Care, Tuition and Education of the Person of his said Royal Highness *George William Frederick* Prince of *Wales*, or such other Successor as aforesaid, until their respective Ages of eighteen Years, and shall, till such Ages, have the Disposition, Ordering and Management of all Matters and Things relating thereto; and that her said Royal Highness shall, during such Minorities, and no longer, have full Power and Authority, in the Name of his said Royal Highness *George William Frederick* Prince of *Wales*, or such other Successor, and in his or her Stead, and under the Stile and Title of *Regent of the Kingdom*, to exercise and administer, according to the Laws and Constitution thereof, the Regal Power and Government of this Realm, and all the Dominions, Countries and Territories belonging to the Crown of *Great Britain*, and shall do and execute all Prerogatives, Authorities, Acts of Government and Administration of Government, which belong to the King or Queen of this Realm to do and execute, according to Law; but in such Manner and subject to such Conditions, Restrictions, Limitations and Regulations, as are herein after for that Purpose specified and mentioned.

If the Crown shall descend to any of the Children of the late Prince of Wales, being under the Age of 18 Years, Augusta Princess Dowager of Wales is constituted Guardian of such Successor, and Regent of the Kingdom.

II. And be it further enacted by the Authority aforesaid, That all Acts of Regal Power, Prerogative, Government or Administration of Government, of what Nature or Kind soever, which shall be done or executed by such King or Queen under the Age of eighteen Years, during the Regency of her said Royal Highness, established by this Act, otherwise than by her said Royal Highness, in the Manner, and according to the Directions of this Act, shall be absolutely null and void to all Intents and Purposes.

Acts of Regal Power done otherwise than by her Royal Highness declared void.

III. And be it further enacted by the Authority aforesaid, That in order to assist her said Royal Highness in the Administration of the Government, there shall be during such Minorities, a Council to be called *The Council of Regency*, which shall consist of the Persons and Officers following, (that is to say) his Royal Highness *William* Duke of *Cumberland*, the Archbishop of *Canterbury* for the Time being, the

Council of Regency to assist her Royal Highness.

Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain* for the Time being, the Lord Treaſurer of *Great Britain* for the Time being, the Lord Preſident of the Council for the Time being, the Lord Privy Seal for the Time being, the Lord High Admiral of *Great Britain* for the Time being, the Principal Secretaries of State for the Time being, and the Lord Chief Juſtice of the Court of *King's Bench* for the Time being; and ſuch and ſo many other Perſons (being natural born Subjects of this Realm) not exceeding the Number of four, as his preſent Majeſty ſhall, by three Inſtruments under his Royal Sign Manual, revocable, from Time to Time, at his Will and Pleaſure, think fit to nominate and add to the ſaid Perſons and Officers before mentioned; which three Inſtruments being ſealed up under three ſeveral Covers, with any Seal his Majeſty ſhall think fit to make uſe of for that Purpoſe, ſhall be each ſealed alſo with the ſeveral Seals of her ſaid Royal Highneſs, the Archbiſhop of *Canterbury* for the Time being, and the Lord Chancellor or Lord Keeper of the Great Seal for the Time being; and one of the ſaid Inſtruments ſhall be lodged and depoſited in the Hands of her ſaid Royal Highneſs, another in the Hands of the ſaid Archbiſhop of *Canterbury*, and one other in the Hands of the Lord Chancellor or Lord Keeper of the Great Seal for the Time being; and if his Majeſty ſhall be willing to revoke or alter his Nomination made as aforeſaid, and ſhall, by three Writings under his Hand and Seal, require the ſaid Inſtruments ſo depoſited as aforeſaid, to be delivered up to ſome Perſon or Perſons thereby authorized to receive the ſame, then and in ſuch Caſe, the Perſons with whom the ſaid Inſtruments ſhall be depoſited as aforeſaid, and every of them, and in caſe of the Deaths of any of them, their Executors and Adminiſtrators reſpectively, and every other Perſon in whoſe Cuſtody any of the ſaid Inſtruments ſhall happen to be, ſhall deliver up the ſame accordingly; and in caſe the ſaid Archbiſhop of *Canterbury*, or the Lord Chancellor or Lord Keeper ſhall die or be removed from their ſaid Offices, before the Re-delivery of ſuch Inſtruments as aforeſaid, the Perſon ſo removed, and the Executors and Adminiſtrators of the Perſons ſo dying, and every Perſon in whoſe Cuſtody ſuch Inſtrument ſhall happen to be, ſhall deliver the ſame with all convenient Speed, to the Succeſſor or Succeſſors of the Perſon ſo dying or being removed; and after the Demiſe of his Majeſty, in caſe of ſuch Minority as aforeſaid, the ſaid three Perſons, their Executors or Adminiſtrators, and all other Perſons in whoſe Cuſtody the ſaid Inſtruments ſhall then be, ſhall immediately bring the ſame before the Privy Council then exiſting; which it is hereby enacted, ſhall be forthwith on ſuch Demiſe aſſembled, and ſuch Inſtruments ſhall be there opened and read, and preſently afterwards inrolled in the High Court of *Chancery*.

His Majeſty by 3 Inſtruments under his Sign Manual may add four Counſellors;

and may alter his Nomination;

After the Demiſe of his Majeſty, in caſe of ſuch Minority, the Inſtruments to be brought before the Privy Council.

Any Perſon who ſhall open the ſaid Inſtruments, &c. incurs a Premunire.

IV. And be it further enacted by the Authority aforeſaid, That if any of the ſaid Perſons, with whom the ſaid Inſtruments ſhall be ſo depoſited, or any of their Executors or Adminiſtrators, or any other Perſon having the Cuſtody thereof, ſhall open any of the ſaid Inſtruments in the Life of his preſent Majeſty, without his Majeſty's Order, or ſhall wilfully neglect or refuſe to produce and deliver the ſame to the Privy Council, every Perſon ſo opening, neglecting or refuſing, ſhall incur the Pains and Penalties of *Premunire* inflicted by the Statute of *Premunire* made in the ſixteenth Year of the Reign of King *Richard* the Second.

One Inſtrument produced, effectual.

V. And be it further enacted by the Authority aforeſaid, That if all the ſaid three Inſtruments ſhall not be produced before the ſaid Privy Council as aforeſaid, then any one or more of the ſaid Inſtruments ſo produced, ſhall be effectual to give ſuch Authority as aforeſaid, to the Perſons therein named, not exceeding four; and in caſe his Majeſty ſhall not be pleaſed to name any ſuch additional Counſellors, then his ſaid Royal Highneſs the Duke of *Cumberland*, the ſaid Archbiſhop of *Canterbury*, and the ſaid Officers for the Time being, ſhall be ſolely the Council of Regency, and be inveſted with all the Powers intended to be veſted by this Act in the Council of Regency.

If the Office of Lord High Treaſurer, &c. be in Commiſſion, the firſt in Commiſſion to be of the Council.

VI. Provided always, That if at the Time of his Majeſty's Demiſe, or at any Time during the Regency of her ſaid Royal Highneſs, there ſhall be no Lord High Treaſurer of *Great Britain*, and the Office of Treaſurer of the Exchequer ſhall be in Commiſſion, or if there ſhall be then no Lord High Admiral, and the Office of Lord High Admiral ſhall be then in Commiſſion, then the firſt Commiſſioner named in ſuch reſpective Commiſſions ſhall be of the ſaid Council of Regency.

Not leſs than five of the Council to act.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Council of Regency ſhall, from Time to Time, meet and ſit as her ſaid Royal Highneſs ſhall be pleaſed to direct, and that any five of the ſaid Council, but not any leſs Number, being ſo aſſembled, ſhall be ſufficient to act as ſuch Council of Regency, and all Acts to be done by a major Part of the Council ſo aſſembled, ſhall be deemed to be Acts of the Council of Regency, (excepting in ſuch particular Caſes wherein it is otherwiſe provided by this Act) and that his ſaid Royal Highneſs *William* Duke of *Cumberland* ſhall be Chief or Head of the ſaid Council.

His Royal Highneſs the Duke, Head of the Council.

Oath of Office to be taken by her Royal Highneſs.

VIII. And be it further enacted by the Authority aforeſaid, That her Royal Highneſs the Princeſs Dowager of *Wales*, before ſhe ſhall act or enter upon her ſaid Office of Regent, or within one Calendar Month after, ſhall take the following Oath of Office (that is to ſay)

'I *Auguſta* Princeſs Dowager of *Wales*, do ſolemnly promiſe and ſwear, That I will truly and faithfully execute the Office of Regent of the Kingdom of *Great Britain*, according to an Act of Parliament made in the twenty-fourth Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act to provide for the Adminiſtration of the Government, in caſe the Crown ſhould deſcend to any of the Children of his late Royal Highneſs* Frederick *Prince of* Wales, *being under the Age of eighteen Years, and for the Care and Guardianſhip of their Perſons*; and that I will adminiſter the Government of this Realm, and of all

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'the Dominions thereunto belonging, according to the Laws, Customs and Statutes thereof; and will in 'all Things, to the utmost of my Power and Ability, consult and maintain the Safety, Honour and Dig- 'nity of his *or* her *(as the Case shall require)* Majesty, and the Welfare of his *or* her *(as the Case shall 'require)* People.

So help me God.'

IX. And each of the Members of the said Council of Regency, and their Successors, shall, before they shall respectively act in or enter upon their respective Offices as Members of the said Council, take the following Oath of Office (that is to say) Oath of Office to be taken by each Member of the Council.

'I *A. B.* do solemnly promise and swear, That I will truly and faithfully serve his *or* her *(as the Case 'shall require)* Majesty, in the Office of one of the Council of Regency, established by an Act of 'Parliament made in the twenty-fourth Year of the Reign of his Majesty King *George* the Second, inti- 'tuled, *An Act to provide for the Administration of the Government, in case the Crown should descend to any of 'the Children of his late Royal Highness* Frederick *Prince of* Wales, *being under the Age of eighteen Years, 'and for the Care and Guardianship of their Persons*; and that I will duly and faithfully execute the said 'Office, according to the true Intent and Meaning of the said Act; and that in all Matters and Things 'which shall be moved, debated and considered in the Council of Regency, I will truly and faithfully de- 'clare my Mind and Opinion, according to my Heart and Conscience, and the best of my Judgment; 'and will support, maintain, and defend the Person, Honour, Crown and Dignity of his *or* her *(as the 'Case shall be)* Majesty, to the utmost of my Power.

So help me God.'

Each of which Oaths shall be taken before the Privy Council then in Being, who are hereby required and impowered to administer the same, and to enter the same in the Council Books. To be taken before the Privy Council.

X. And be it further enacted by the Authority aforesaid, That her said Royal Highness, and every Person who shall be of the Council of Regency by virtue of this Act, and of the Powers hereby given, shall be deemed and taken to be Persons having and executing Offices or Places of Trust within *England*, and take and subscribe such Oaths, make and subscribe such Declaration, and do all such Acts as are required by the Laws and Statutes of this Kingdom, to qualify Persons to hold and continue in Offices and Places of Trust, within such Times, and in such Manner, and under such Pains, Penalties, Forfeitures and Disabilities, as in and by the said Laws and Statutes are required. Her Royal Highness and the Council to qualify themselves, as for Offices of Trust.

X. Provided nevertheless, and be it enacted by the Authority aforesaid, That it shall be lawful for her said Royal Highness to take and subscribe the said Oaths, and make and subscribe such Declaration, in and before the Privy Council, and the Certificate of her said Royal Highness's having received the Sacrament of the Lord's Supper in any of the Royal Chapels, signed by the Person administering the same, shall be registered in the said Privy Council, and her said Royal Highness's so taking and subscribing the said Oaths, and making and subscribing the said Declaration, and taking the said Sacrament, shall be to all Intents and Purposes as effectual as if the same had been taken, made and subscribed in the Manner required by Law, for the Qualification of Persons to hold and continue in Offices and Places of Trust. Her Royal Highness may take the Oaths, &c. before the Privy Council, and receive the Sacrament in the Royal Chapel.

XII. And be it further enacted by the Authority aforesaid, That whensoever his present Majesty (whom God long preserve) shall happen to demise, leaving such Successor as aforesaid, under the Age of eighteen Years, the Privy Council for the Kingdom of *Great Britain* in being, at the Time of such Demise, shall, with all convenient Speed, assemble, and cause such next Successor intitled to the Crown of *Great Britain*, by virtue of an Act of the twelfth Year of the Reign of King *William* the Third, (intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject)* to be openly and solemnly proclaimed in the usual Manner in *Great Britain* and *Ireland*; and that all and every Member and Members of the said Privy Council, wilfully neglecting or refusing to cause such Proclamations to be made, shall be guilty of High Treason, and suffer upon Conviction thereof Pains of Death, and all other Losses and Forfeitures, as in cases of High Treason. Upon his Majesty's Demise, in the Minority of his Successor, the Privy Council to cause such Successor to be proclaimed, 12 W. 3. c. 2. under Penalty of High Treason.

XIII. Provided always, and be it enacted by the Authority aforesaid, That in the Creation of all Peerages of *Great Britain* or *Ireland*, in the pardoning of all Crimes of High Treason, and in the Gift, Grant and Disposition of all Archbishopricks and Bishopricks in *England* or *Ireland*, the Offices of Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain* or *Ireland*, of Lord Treasurer or Treasurers of the *Exchequer*, or Commissioners for executing the Office of Treasurer of the *Exchequer*, Lord President of the Council, Lord Privy Seal, Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, the Principal Secretaries of State, Master of the Rolls in *Great Britain* and *Ireland*, and of all the Judges of the Courts of *King's Bench* and *Common Pleas*, and Barons of the Courts of *Exchequer* in *England* and *Ireland*, and of the Judges of the Court of Session, Court of Justiciary, and Barons of the Court of *Exchequer* in *Scotland*, and in the giving Instructions, Orders and Authorities for the making any Treaties with any foreign Powers; the Consent of the said Council of Regency, or the major Part of any five or more of them so assembled as aforesaid, shall be necessary to make the said Creations, Pardons, Gifts, Grants, Dispositions, Instructions, Orders or Authorities, good and effectual. The Majority of five of the Council of Regency necessary in all Creations, &c.

XIV. Provided also, and be it enacted by the Authority aforesaid, That it shall not be lawful for her said Royal Highness to make War or Peace, ratify any Treaty with any foreign Power, or to prorogue, adjourn or dissolve any Parliament, without the Consent of the major Part of the whole Council of Regency, then in Being, and in *Great Britain*, in case there shall then be an unequal Number in *Great Britain*; Her Royal Highness not to make War or Peace, prorogue, or dissolve any Parliament, without

Consent of the Council, nor to give the Royal Assent to any Act for altering the Succession, nor for repealing or altering 13 Car. 2. c. 4. or 5 Annæ.

tain; and if the Number then in *Great Britain* shall be an equal Number, then without the Consent of one half Part of the said Council, and that her said Royal Highness, either with or without the Consent of the said Council of Regency, shall not give the Royal Assent to any Bill or Bills in Parliament, for repealing, changing, or in any respect varying from the Order and Course of Succession to the Crown of this Realm, as the same stands now established in the illustrious House of *Hanover*, by the said Act of the twelfth Year of the Reign of King *William* the Third, (intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*) or to any Act for repealing or altering the Act made in the thirteenth Year of the Reign of King *Charles* the Second, (intituled, *An Act for the Uniformity of publick Prayers and Administration of Sacraments, and other Rites and Ceremonies; and for establishing the Form of making, ordaining and consecrating Bishops, Priests, and Deacons, in the Church of* England) or one Act of the fifth Year of the Reign of Queen *Anne*, made in *Scotland*, (intituled, *An Act for securing the Protestant Religion and Presbyterian Church Government.*)

Members of the Council by reason of Office, to be no longer of the Council than they continue in Office.

XV. Provided also, and be it further enacted by the Authority aforesaid, That the Archbishop of *Canterbury*, or any other Person appointed by this Act to be of the said Council of Regency, in virtue or by reason of his Dignity or Office, shall continue no longer of the said Council than he shall continue in such his said Dignity or Office, and his Successor in such Dignity or Office shall become one of the said Council; and that the Lord Chancellor or Lord Keeper of the Great Seal for the Time being, the Lord Treasurer or first Commissioner of the Treasury for the Time being, the Lord President of the Council for the Time being, the Lord Privy Seal for the Time being, the Lord High Admiral or first Commissioner of the Admiralty for the Time being, and the Principal Secretaries of State for the Time being, so appointed to be of the said Council of Regency by this Act, shall continue in their said respective Offices, after such Descent of the Crown to any of the Children of his said Royal Highness *Frederick* late Prince of *Wales*, during the Regency of her said Royal Highness, as well after as before the Expiration of six Months from the Time of such Descent, unless removed by her said Royal Highness, with the Consent of a major Part of the whole Council of Regency then in Being, and in *Great Britain*, in case there shall then be an unequal Number in *Great Britain*; and if the Number then in *Great Britain* shall be an equal Number, then with the Consent of one half Part of the said Council, or upon the Address of both Houses of Parliament, in which latter Case her Royal Highness alone may remove any of the said Officers against whom such Address shall be presented.

Officers appointed to be of the Council, to continue in Office unless removed.

Members of the Council may be removed by Consent of the Majority, &c. or upon Address of both Houses of Parliament.

XVI. Provided nevertheless, That the Archbishop of *Canterbury* for the Time being, and the Lord Chief Justice of the Court of *King's Bench* for the Time being, notwithstanding their remaining in such Dignity and Office respectively, may be removed from being of the Council of Regency by her Royal Highness, with the Consent of a major Part of the Council of Regency then in being, and in *Great Britain*, in case there shall then be an unequal Number in *Great Britain*; and if the Number then in *Great Britain* shall be an equal Number, then with the Consent of one half Part of the said Council, or upon the Address of both Houses of Parliament; and that any other of the Members of the said Council not so appointed in virtue or by reason of their Dignities or Offices, may be removed likewise by her Royal Highness, with the like Consent, or upon the Address of both Houses of Parliament; and within two Calendar Months after such Descent of the Crown as aforesaid, in case any Vacancy or Vacancies of any of the said Offices shall happen then to be, and within the Space of two Calendar Months after every Vacancy which shall happen by Means of such Removal, or by the Death or Resignation of any Member of the said Council of Regency, her Royal Highness shall and is required, with the Consent of the Council of Regency, or the major Part of those present, not being less than five, to fill up such Vacancy by the Appointment of a new Officer, where the Vacancy happens by the Death, Removal or Resignation of one of the Members of the said Council, so appointed in virtue or by reason of his Dignity or Office, or by the Appointment of a new Member of the said Council, being a natural-born Subject of this Realm, where the Vacancy happens by the Death or Removal, or Resignation of any Member, not being one of the Officers named in this Act, or by the Resignation or Removal of the Archbishop of *Canterbury*, or of the Lord Chief Justice of the *King's Bench*, from being of the said Council of Regency.

Vacancies of Members of the Council to be filled up within 2 Months.

Rights of the Privy Council preserved.

XVII. Provided always, and be it enacted by the Authority aforesaid, That nothing herein contained shall take away or prejudice the Rights, Authorities, Powers and Jurisdictions of the Privy Council, but her said Royal Highness shall have full Power to summon and hold, or to cause the same to be summoned and holden in the usual Manner, and any of the Members of the said Council of Regency may be and continue of the Privy Council also.

Upon Descent of the Crown to a Minor the Parliament to continue for three Years, unless such Successor shall be sooner of Age, or the Parliament be dissolved, &c. If no Parliament in Being, the preceding Parliament to sit for 3 Years.

XVIII. And be it further enacted by the Authority aforesaid, That whensoever and as often as the Crown shall descend to such Minor Successor as aforesaid, in case a Parliament shall be then in Being, which shall have met and sat, such Parliament shall continue for three Years, from the Time of such Descent, unless such Successor to whom the Crown shall descend as aforesaid, shall sooner attain his or her Age of eighteen Years, or such Parliament shall be sooner dissolved by her said Royal Highness with the Consent of a major Part of the Council of Regency, then in Being, and in *Great Britain*, in case there shall then be an unequal Number in *Great Britain*, and if the Number then in *Great Britain* shall be an equal Number, then with the Consent of one half Part of the said Council; and in case at the Time of such Descent, there shall be no Parliament in Being, which shall have met and sat, then the last preceding Parliament shall immediately convene and sit at *Westminster*, and be a Parliament to continue for three Years as aforesaid, to all Intents and Purposes, as if the same had never been dissolved, unless such Successor shall sooner attain his or her Age of eighteen Years, or such Parliament shall be sooner dissolved by her said Royal Highness, with such Consent as last mentioned.

XIX. And

XIX. And be it further enacted by the Authority aforesaid, That his Royal Highness *George William Frederick* Prince of *Wales*, in case the Crown shall descend or come to him before the Age of eighteen, or any other of the Children of his late Royal Highness *Frederick* Prince of *Wales*, to whom the same shall descend before his or her Age of eighteen Years, shall not, during the Regency of her said Royal Highness, be married to any Person whatsoever, without the Consent of her said Royal Highness, and of a major Part of the said Council of Regency then in Being, and in *Great Britain*, in case there shall then be an unequal Number in *Great Britain*, and if the Number then in *Great Britain* shall be an equal Number, then with the Consent of one half Part of the said Council; and every Marriage so had without such Consent, shall be null and void to all Intents and Purposes; and every Person who shall be acting, aiding, abetting or concerned in obtaining, procuring or bringing about any such Marriage, and the Person who shall be so married to such King or Queen, under the Age of eighteen Years, shall be guilty of High Treason, and suffer and forfeit as in cases of High Treason.

Successor not to be married during Minority, without Consent of her Royal Highness and the Council;

such Marriage null, and every Person concerned, &c. guilty of High Treason.

XX. And be it further enacted by the Authority aforesaid, That in all Cases where the Members of the Council of Regency shall be equally divided in their Voices, her said Royal Highness shall and may decide and determine the Question or Matter concerning which they shall be so equally divided, if she shall be pleased to give her own Opinion thereupon.

In Cases of Equality of Voices, her Royal Highness may decide.

XXI. And be it further enacted by the Authority aforesaid, That in all Cases where the Consent of a major or one half Part of the said Council of Regency then in Being, and in *Great Britain*, is by this Act made necessary to the Validity of any Act, Matter or Thing, such Consent shall be signed by the respective Members giving such Consent in the Council Books; and that a Clerk or Clerks of the Council of Regency shall be appointed by her said Royal Highness, and such Clerk or Clerks shall provide Books for entering the Acts of such Council, and shall enter the same truly and faithfully, and keep the said Books, for which he or they shall be answerable, and such Clerk or Clerks, before he or they enter upon the Execution of their said Office, shall take an Oath before such Council, for the due Execution of such Office or Place respectively.

Where Consent of a Majority is necessary, the Members are to sign the same. Clerk of the Council to be appointed, and take an Oath of Office.

XXII. And be it further enacted by the Authority aforesaid, That all Commissions, Letters Patent, Orders, Matters and Things to be made, passed, had or done by the said Regent, either with or without the Consent of the said Council of Regency, in order unlawfully to set aside, change or vary the Order and Method of Government, and Administration of Government settled by this Act, during such Minorities as aforesaid, shall be absolutely null and void to all Intents and Purposes, and every Person advising, concurring, promoting or assisting therein, shall incur the Penalties of *Premunire*, inflicted by the said Statute of *Premunire*.

Commissions, &c. to change the Order, &c. of Government, declared void, and the Persons concerned to incur a Premunire.

XXIII. And be it declared and enacted by the Authority aforesaid, That an Act of Parliament made in the twenty-eighth Year of the Reign of King *Henry* the Eighth, intituled, *An Act giving Authority to such as shall succeed to the Crown of this Realm when they come to the Age of twenty-four Years, to make frustrate such Acts as shall be made afore in their Time*; and one other Act made in the first Year of the Reign of King *Edward* the Sixth, intituled, *An Act for the Repeal of a certain Statute made in the eight and twentieth Year of the Reign of the late King, of most famous Memory*, Henry *the Eighth, for revoking of Acts of Parliament*, are determined, and of no Force or Effect whatsoever.

28 Hen. 8. c. 17. and 1 Ed. 6. c. 11. determined.

CAP. XXV.

An Act for laying out, making and keeping in Repair, a Road proper for the Passage of Troops and Carriages from the City of *Carlisle* to the Town of *Newcastle upon Tyne*. PR.

'WHEREAS the making and keeping a free and open Communication between the City of *Carlisle* 'and the Town of *Newcastle upon Tyne*, by a Road proper for the Passage of Troops, Horses and 'Carriages, at all Times in the Year, would be of great Use and Service to the Publick; and it hath been 'found by Experience, that the Want of such Road, Passage and Communication, hath been attended 'with great Inconvenience and Danger to this Kingdom: And whereas such Road cannot be laid out, or 'the Charge of making the same be defrayed, otherwise than at the Expence of the Publick, and by the 'Authority of Parliament; but it is apprehended that such publick Road when finished, may be supported 'and kept in Repair, by proper Tolls and Duties to be raised and collected thereupon for that Purpose:' May it therefore please your most Excellent Majesty, that it may be enacted, *&c.*

"The new Road shall extend from the West Gate of *Newcastle* to *East Denton*, and by *Chapel Houses* to "*Heddon on the Wall*, *Harlow Hill*, *Port Gate*, *Chollerford Bridge*, *Walwick*, *Carrawburgh*, *Whinshelds*, "*Clowgill*, *Brampton*, *High Crosby*, *Drawdikes* and *Stanwix*, to the *Scotch* Gate of *Carlisle*. Trustees to "nominate Officers, *&c.* Copies of the Accounts and of all Contracts, *&c.* to be delivered to each House "of Parliament. Surveyors may dig Gravel in Waste Grounds, *&c.* without paying for the same; level- "ling the Pits. Justices to determine Differences. Trustees may purchase Lands to be taken into the "Road, *&c.* Persons neglecting to treat for the Sale of such Lands, Trustees may assess the Recom- "pence by a Jury. The Recompence charged on the Monies granted by Parliament for making the "Road. 3,000 *l.* to be paid out of the Supplies for the Year 1751, towards making the Road; 1,000 *l.* "to the Trustees of *Cumberland*, and 2,000 *l.* to the Trustees of *Northumberland*. Accounts of the Mo- "nies to be laid before Parliament. When the Road shall be made, Turnpikes and Toll-houses are "to be erected, and Tolls to be taken. One Third of the Tolls only to be taken at any one Toll-

"gate

" gate in *Northumberland*, and one half in *Cumberland*. Penalty on Carriages with four Wheels, drawn " by more than four Horſes, or with fewer Wheels, by more than three Horſes. Owners of Collieries " may lay Waggon-ways croſs the Road, and repair the ſame. Juſtices to determine the Statute-work to " be done on the Road. Perſons aggrieved may appeal to the Quarter-Seſſions. Truſtees may leſſen the " Tolls. Juſtices may appoint Perſons to inſpect the Road, who ſhall enquire of the Application of the " Tolls, and certify any Miſapplication. On Death, *&c.* of Truſtees others to be choſen. Road to be " meaſured, and Mile-ſtones erected. Tolls to continue, until otherwiſe provided by Parliament."

CAP. XXVI.

An Act for cleanſing and enlightening the open Places, Streets, and other Paſſages; and regulating the nightly Watch and Bedels in the Pariſh of Saint *Matthew Bethnal Green*, in the County of *Middleſex*. PR.

CAP. XXVII.

An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in *Golden Square*, in the Pariſh of Saint *James*, *Weſtminſter*, in the County of *Middleſex*, to make and levy a Rate on themſelves, for raiſing Money ſufficient for the better Incloſing, Paving, Enlightening and Adorning of the ſaid Square; and ſupporting and keeping of the ſame in Repair for the future. PR.

CAP. XXVIII.

An Act for repairing the Road from the Top of *Crickley Hill* in the County of *Glouceſter* to *Frogg-Mill*, through the Towns of *Northleach*, *Burford* and *Witney*, and Pariſhes of *Hanborough* and *Bladen*, to *Campsfield*, in the Pariſh of *Kidlington*, in the County of *Oxford*; and alſo the Road from *Witney* through *Enſham*, *Cumner* and *Botley*, to the City of *Oxford*. PR. [Certain Tolls granted for 21 Years.

CAP. XXIX.

An Act for repairing the Road leading from the Town of *Ludlow* in the County of *Salop*, through *Woofferton* and *Little Hereford*, to a Place called *Monks Bridge* in the ſaid County; and alſo from the ſaid Town of *Ludlow*, to a Place or Houſe called the *Maidenhead* at *Orleton* in the County of *Hereford*. PR. [Certain Tolls granted for 21 Years.]

CAP. XXX.

An Act for repairing the High Roads leading from *Darlington* in the County of *Durham* to *Weſt Auckland*, and ſeveral other Roads in the ſaid County therein mentioned. PR. [Certain Tolls granted for 21 Years.]

CAP. XXXI.

An Act for explaining, amending and enforcing an Act paſſed in the thirteenth Year of his late Majeſty's Reign, intituled, *An Act for the better Regulation of the Linen and Hempen Manufactures in that Part of* Great Britain *called* Scotland; and for further regulating and encouraging the ſaid Manufactures.

13 Geo. 1. c. 26.

' WHEREAS by an Act paſſed in the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt (intituled, *An Act for the better Regulation of the Linen and Hempen Manufactures in that Part of* Great Britain *called* Scotland) certain Rules and Regulations were eſtabliſhed for encouraging and improving of the ſaid Manufactures, and for preventing of Frauds and Abuſes in the ſame: And whereas the ſaid Rules and Regulations have been found uſeful and beneficial, and have been a Means of improving the ſaid Manufactures, which might be ſtill brought to greater Perfection, and be further extended, if ſome Parts of the ſaid Act were explained, amended and enforced, and further Regulations eſtabliſhed:' May it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon and Perſons who ſhall import, or cauſe to be imported, into any Port or Place in *Scotland*, any bad, mixed or damnified Lintſeed or Hempſeed, or any Lintſeed or Hempſeed which ſhall not be thoroughly cleanſed, or any Lintſeed commonly called or known by the Name of *Short Lintſeed*, he and they ſhall, for every ſuch Offence, forfeit ſuch Lintſeed or Hempſeed, and ſhall alſo be ſubject and liable to a Penalty, not exceeding three Pounds Sterling for every Hogſhead of ſuch Seed; and ſo in Proportion for any leſs Quantity.

Importers of bad Lintſeed or Hempſeed, or Short Lintſeed, forfeit 3 l. per Hogſhead.

II. Provided

II. Provided always, and it is hereby enacted, That if all or any of such damnified Lintseed or Hempseed shall be only damaged in the Conveyance by Sea, the Importer or Importers, Proprietor or Proprietors thereof, shall not be liable or subject to the said Forfeiture or Penalty; in case he or they shall immediately, upon the landing of such Seed, produce sufficient Proof before some Justice of the Peace, or other Magistrate, that such Damage was occasioned as aforesaid, and give sufficient Security as soon as may be unto the Trustees appointed, or to be appointed, in pursuance of the said Act of the thirteenth Year of his late Majesty's Reign, that such Seed shall not be sown, but shall be made into Oil, or exported, under the Penalty of five Pounds for every Hogshead of such damnified Seed; and so in proportion for any less Quantity.

Upon Proof of the Lintseed being damnified by Sea, Importer not to forfeit; giving Security for its being exported or made into Oil.

III. Provided also, and be it enacted, That if any Lintseed or Hempseed of the Growth of *Scotland* shall be bad, short, damnified or otherwise improper and unfit for sowing, the Proprietor or Proprietors thereof shall not be subject or liable to any Penalty or Forfeiture inflicted by the said former Act, for the selling or exposing to Sale any bad or damnified Lintseed or Hempseed, in case he shall, before he shall sell such Seed, or expose the same to Sale, give sufficient Security to the said Trustees, that such Seed shall not be sown, but made into Oil, or exported, under the Penalty of five Pounds for every Hogshead of such Seed; and so in proportion for any less Quantity.

Proprietor of short or bad, &c. Lintseed, &c. of the Growth of Scotland, to give Security that the same shall be exported, or made into Oil.

'IV. And whereas a Doubt hath arisen with relation to the exact Measure by which all Lintseed and 'Hempseed is by the said Act directed to be sold;' Be it enacted, That all Lintseed and Hempseed shall be sold by the *Linlithgow Barley Measure* streaked, and that all such Measures shall be first marked and stamped by the Dean of Guild of some Royal Borough, with the usual Mark of such Borough, and also with these Words *Linlithgow Barley Measure*; and if any Person shall vend or sell any Lintseed or Hempseed by any Measure that shall not be marked and stamped, in Manner as aforesaid, such Person shall forfeit for every such Offence such Measure, and also the Sum of forty Shillings Sterling.

Lintseed, &c. to be sold by the Linlithgow Barley Measure streaked, &c.

V. And be it further enacted by the Authority aforesaid, That all and every Person and Persons who shall sell and deliver to any one Buyer, at one Time, ten Pecks, or any larger Quantity of Lintseed or Hempseed, without delivering therewith a Certificate subscribed by such Person or Persons, expressing the Quantity and Price of the Seed, and if the same shall be of foreign Production, the Port from whence the same was imported, and the Name of the County where it grew, and the Year of its Growth; and if such Seed shall be of the Produce of *Britain*, the Year of its Growth, and the Name of the County where it grew; such Person or Persons shall forfeit a Sum not exceeding five Pounds, nor less than fifty Shillings Sterling, for every Hogshead of such Seed; and so proportionably for any less Quantity.

Persons selling ten Pecks, to one Buyer, to give a Certificate of the Quantity, Price and Growth, &c.

VI. And be it further enacted, That all Stamp-masters, Riding-officers, Surveyors or other Officers, acting under the Directions and Authority of the said Trustees, may, with their Assistants, at all Time by Day, enter into any Warehouse, or other Place made use of for keeping Lintseed or Hempseed, and into any Place where they shall have Reason to suspect that Lintseed or Hempseed is kept, and may inspect and survey all Lintseed and Hempseed which shall be found in such Places, and shall and may seize and carry off, or otherwise secure, all bad, short, damnified or mixed Lintseed or Hempseed, and such as shall not be clean and good, and detain the same until it shall be legally tried, whether such Lintseed or Hempseed is by the said former or this present Act prohibited to be imported or sold, or exposed to Sale, or to be sown; and in case it shall be adjudged that such Seed is prohibited to be imported, sold or exposed to Sale, the same shall be forfeited, and the Proprietor or Proprietors thereof shall be subject and liable to a Penalty not exceeding three Pounds Sterling for every Hogshead of such Seed, and so in proportion for any less Quantity; and in case it shall be adjudged that the Seed so seized is prohibited to be sown, and the Proprietor or Proprietors thereof shall not make it appear that sufficient Security hath been given to the said Trustees, in Manner as aforesaid, for the exporting or making of such Seed into Oil, or that Application hath been made, and sufficient Security tendered to the said Trustees for that Purpose, such Seed shall be also forfeited, and the Proprietor or Proprietors thereof subject and liable to the Penalty aforesaid.

Officers may enter Ware-houses for keeping Lintseed, &c. and seize what shall be found bad, &c. Penalty if the Seed shall be adjudged to be prohibited, &c.

VII. Provided always, That in all Cases where it shall be proved, that Application hath been only made for giving sufficient Security as aforesaid, such Seed so seized and detained, shall not be delivered to the Proprietor or Proprietors thereof, until such Security shall be actually entered into, and executed to the Satisfaction of the said Trustees.

Seed seized not to be delivered, until the Security.

VIII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons who shall sell or dispose of any Hemp or Flax, by any other Weight than by the Stone, consisting of sixteen Pounds Weight *Averdupois*; and also all Flax Raisers and Hecklers who shall not affix their Names and Places of Abode, upon every Mat or Quantity of Flax by them sold, shall respectively for each and every such Offence forfeit a Sum not exceeding five Pounds Sterling.

Hemp and Flax to be sold 16 lb. to the Stone. Flax Raisers and Hecklers to affix their Names upon every Mat.

IX. And be it further enacted by the Authority aforesaid, That every Person who shall sell or expose to Sale, in one and the same Mat or other Package, Flax or Hemp of different Quality or Fineness, shall forfeit a Sum not exceeding five Pounds Sterling for every such Mat or other Package.

Penalty of selling Flax or Hemp, of different Quality in the same Mat.

Exception.

X. Provided always, That the ſaid Penalty ſhall not extend to any Perſon ſelling a Ton or any larger Quantity of Hemp or Flax to any one Perſon at one Time.

Plain Linen may be made with Flaxen and Tow Yarn mixed. Penalty if the Warp be not of the ſame Fineneſs throughout, as alſo the Woof.

XI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to work up and manufacture plain Linen Cloth, with Flaxen and Tow Yarn mixed, by making the Woof of ſuch Cloth of one of the ſaid Yarns, and the Warp of the other; but that the Yarn which ſhall be uſed for the Warp, ſhall be of the ſame Quality and Fineneſs throughout ſuch Warp, and that the Yarn which ſhall be uſed for the Woof ſhall be of the ſame Quality and Fineneſs throughout ſuch Woof, under the Penalty of a Sum not exceeding forty Shillings, nor leſs than ten Shillings Sterling, to be paid by the Weaver; any Thing in the ſaid former Act, or this preſent Act, to the contrary notwithſtanding.

Yarns of different Sorts, &c. may be uſed in manufacturing ſtriped, &c. Linens, &c.

XII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to make uſe of Yarns of different Sorts, Qualities and Fineneſs, in the working up and manufacturing of ſtriped, chequered and flowered Linens, but ſo that each Sort of ſuch Yarn ſhall be of equal Quality and Fineneſs throughout each Piece of ſuch ſtriped, chequered or flowered Linens, under the Penalty of a Sum not exceeding forty Shillings, nor leſs than ten Shillings Sterling, to be paid by the Weaver; any Thing in the ſaid former Act, or this preſent Act, contained to the contrary notwithſtanding.

Penalty of ſelling or buying Reels not of the Dimenſions preſcribed; or falſe reeled Yarn of the Produce of Scotland.

XIII. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall make, ſell or expoſe to Sale, or ſhall buy one or more Reel or Reels, which ſhall not be of the Standard and Dimenſions preſcribed by the ſaid former Act, ſhall over and above the forfeiting of ſuch Reel or Reels, forfeit a Sum not exceeding forty Shillings, nor leſs than ten Shillings Sterling, for every ſuch Reel; and that all and every Perſon or Perſons who ſhall be convicted of falſe reeling and making up Yarn, or expoſing to Sale, ſelling or buying Yarn of the Produce of *Scotland*, knowing the ſame to be reeled or made up contrary to the Directions of the ſaid Act, ſhall, over and above the Forfeiture of ſuch Yarn, forfeit a Sum not exceeding ten nor leſs than two Shillings Sterling, for every Spindle thereof, and ſo proportionally for any leſs Quantity.

Foreign Yarn excepted.

XIV. Provided always, and be it enacted, That it ſhall and may be lawful to import, ſell and expoſe to Sale, any foreign Yarn, although ſuch Yarn ſhall not be reeled, and made up according to the Directions of the ſaid Act or this Act; any Thing in the ſaid Act or this Act contained to the contrary notwithſtanding.

Maker of Heckles, &c. to affix his Name, &c.

XV. And be it further enacted by the Authority aforeſaid, That every Maker of Heckles, Wheels, Reels, Weaving-looms and Weaving-reeds, ſhall mark or cauſe to be marked, with an Iron Brand, or ſome other proper Inſtrument, in legible and durable Characters, on every Heckle, Wheel, Reel, Weaving-loom and Weaving-reed by him made, his Chriſtian Name, Surname and Place of Reſidence, as alſo upon each Reed the Hundreds of ſuch Reed, under the Penalty of forfeiting all ſuch Heckles, Wheels, Reels, Weaving-looms and Weaving-reeds; and alſo of a Sum not exceeding twenty nor leſs than ten Shillings Sterling, for each of the ſaid Particulars.

Bleachers of Linen, and Maſters of Lapping-preſſes, to give Security.

XVI. And be it further enacted by the Authority aforeſaid, That all Perſons who ſhall practiſe the Trade of Whitening or Bleaching of Linen Cloth in the Piece, ſo as to bleach or whiten a Quantity of Cloth, which ſhall be of the Value of five hundred Pounds Sterling, in the Courſe of one Year; and alſo all Perſons who ſhall keep any publick Lapping-preſs or Lapping-houſe, ſhall reſpectively firſt give ſufficient Security to the ſaid Truſtees, to the Extent of one hundred Pounds Sterling for every ſuch Bleacher, and of fifty Pounds Sterling for every Keeper or Maſter of ſuch publick Lapping-preſs and Lapping-houſe, for their faithful Performance of the ſaid Trades; and alſo for making good any Damage which may ariſe to their reſpective Employers, by any Neglect or Want of Skill in the Exerciſe of either of ſuch Trades; and the ſaid Truſtees are hereby required, upon their Acceptance of ſuch reſpective Securities, to grant Licences under their Hands and Seals to ſuch Perſons, impowering them to exerciſe the ſaid reſpective Trades; and that no Fee, Reward or Gratuity whatſoever, ſhall be demanded or taken, for or upon account of giving any ſuch Security, or of granting ſuch Licence; and that if any Perſon or Perſons ſhall without ſuch Licence bleach or whiten a Quantity of Cloth, which ſhall be of the Value of five hundred Pounds Sterling, in the Courſe of one Year, or ſhall keep and uſe any publick Lapping-preſs or Lapping-houſe, ſuch Perſon or Perſons ſhall reſpectively forfeit, *videlicet*; ſuch Bleacher or Whitener, the Sum of one hundred Pounds Sterling; and ſuch Maſter and Keeper of a publick Lapping-preſs or Lapping-houſe, the Sum of fifty Pounds Sterling, for every Year they ſhall carry on ſuch reſpective Trades without ſuch Licence.

Truſtees to grant Licences upon Security given.

Penalty on unlicenſed Bleachers, &c.

Licenſed Bleachers to mark their Names, &c. on every Piece.

XVII. And be it further enacted by the Authority aforeſaid, That all ſuch licenſed Bleachers ſhall mark or ſtamp, or cauſe to be marked or ſtamped, in legible Letters on each End of every Piece of Cloth by them bleached or whitened, their Names and Places of Abode, with the Addition of Bleacher, under the Penalty of a Sum not exceeding twenty Shillings for every Piece of Cloth which ſhall not be ſo marked.

Penalty of lapping up Cloth for Sale, wet, &c. or not ſtamped.

XVIII. And be it further enacted, That if any Perſon or Perſons ſhall fold or lap up any Cloth for Sale, when wet, or with any Chalk, Duſt, Flour or other Material, which may be prejudicial to the Fabrick or Quality of ſuch Cloth, or ſhall lap up any Piece of Cloth for Sale which is not duly ſtamped in Manner preſcribed by the ſaid former Act or this preſent Act, he or they ſhall for every ſuch Offence, forfeit a Sum not exceeding forty Shillings, nor leſs than ten Shillings Sterling, for every ſuch Piece of Cloth.

Stamp-maſters to cut Cloths

XIX. Provided always, and it is hereby enacted, That in all Caſes where Cloth ſhall through unavoidable Accidents be damnified in the Weaving or Bleaching, by Holes or Rents made in the ſame, or not be

of equal Quality, Fabrick and Goodneſs throughout the Piece, in ſuch Manner as the ſame is directed to be made, by the ſaid former Act or this preſent Act, the Stamp-maſter or Stamp-maſters appointed or to be appointed by the ſaid Truſtees, may cut ſuch damaged or inſufficient Cloth into ſuch Pieces as he or they ſhall find to be ſufficient and free of Holes and Rents, and affix his Stamps to ſuch Cuttings, in the ſame Form and Manner as by the ſaid Act is directed, with regard to whole Pieces, returning the damaged or inſufficient Cuttings to the Owners for their Uſe; but that if the ſaid Stamp-maſter or Stamp-maſters ſhall not be ſatisfied that the Cloth received ſuch Damage, or was rendered inſufficient, through unavoidable Accidents as aforeſaid, and ſhall have Reaſon to believe that the ſame was occaſioned by the Negligence or Ignorance of the Weaver or Bleacher, and that the Cloth was preſented to be ſtamped with a fraudulent Intention to deceive the Buyer, he ſhall and may ſeize and detain the ſame; and if upon Trial to be had thereupon, it ſhall appear that ſuch Damage or Inſufficiency was occaſioned by the Negligence or Ignorance of the Weaver or Bleacher of ſuch Cloth, and not by unavoidable Accident, it ſhall be condemned and forfeited in ſuch Manner as is preſcribed by the aforeſaid Act of his late Majeſty, with reſpect to all inſufficient and unmerchantable Cloth which ſhall be offered to be ſtamped.

damaged by Accident,

and ſtamp the ſame.

Cloth damaged by Negligence of Bleacher or Weaver, and preſented to be ſtamped, to be ſeized,

and forfeited.

XX. And be it further enacted by the Authority aforeſaid, That when any unſtamped Cloth or unſtatutable Yarn ſhall be ſeized in purſuance of the Powers contained in the ſaid Act, and it ſhall be alledged that ſuch Cloth or Yarn is of foreign Manufacture, the *Onus Probandi* ſhall lie upon the Owner of ſuch Cloth or Yarn, that the ſame was fairly imported from the Place where it ſhall be alledged to have been manufactured, or from the next adjacent Port, and that the Duties for the ſame have been paid; and if the Owner of ſuch Cloth or Yarn ſhall fail in ſuch Proof, the Cloth or Yarn ſo ſeized ſhall be deemed and taken to be of the Manufacture of *Scotland*, and be forfeited; and all Linen Cloth of the Manufacture of *Ireland*, imported into, or expoſed to Sale in *Scotland*, which ſhall not have the Seals or Stamps of ſome Stamp-maſter appointed by the Truſtees for the Linen Manufacture in *Ireland*, affixed thereon, ſhall be forfeited, and ſhall be ſeized and tried in the ſame Manner as is directed by the ſaid Act, with regard to ſuch Linen of the Manufacture of *Scotland* as is expoſed to Sale without being ſtamped.

If Cloth or Yarn be ſeized, the Proof of its being of foreign Manufacture to lie on the Owner, &c.

Iriſh Cloth unſtamped to be forfeited.

XXI. And be it further enacted by the Authority aforeſaid, That every Maker and Cutter of Stamps or Seals of any Kind for ſtamping of Cloth, ſhall upon ſome proper Part of every Stamp or Seal by him made, mark his Name and Place of Abode, and ſhall take an Impreſſion of every ſuch Seal or Stamp in a Book to be kept for that Purpoſe, and ſhall enter in ſuch Book the Name and Deſignation of the Perſon by whom he was employed, and to what Perſon and at what Time ſuch Seal or Stamp was delivered, under the Penalty of fifty Pounds Sterling for each of the ſaid Offences.

Makers of Stamps to mark their Names thereon, and take an Impreſſion in a Book, &c.

XXII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall counterfeit any Seal or Stamp made in purſuance of this Act, or any Seal or Stamp of any Stamp-maſter appointed by the Truſtees for the Linen Manufacture in *Ireland*, he, ſhe or they ſo counterfeiting the ſame and being thereof lawfully convicted before the Court of Juſticiary at *Edinburgh*, or in the Circuits, ſhall ſuffer and incur the ſame Pains and Penalties as Perſons by the Law of *Scotland* convicted of Forgery.

Penalty of counterfeiting Stamps.

XXIII. And be it further enacted by the Authority aforeſaid, That every Maker of Heckles, Spinning-wheels, Reels, Weaving-looms and Weaving-reeds, and alſo every Weaver or Manufacturer of Linen, Flaxen or Hempen Cloth, or Heckler or Dreſſer of Flax or Hemp, ſhall and may, and is hereby authorized to exerciſe the ſaid reſpective Trades, within any City, Town, Corporation, Burgh or Place in *Scotland*, without any Lett or Hindrance from any Perſon or Perſons whatſoever, and without being chargeable or charged with Payment of any Entry-money or other Duty whatſoever, for or in reſpect of their following ſuch Trade or Buſineſs.

Makers of Heckles, and Weavers, free to exerciſe their Trades in any City, &c.

XXIV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall by Force or Violence obſtruct, hinder or impede any Officer appointed or to be appointed by the ſaid Truſtees in the due Execution of his Duty, under the Penalty of forfeiting a Sum not exceeding fifty Pounds, nor leſs than five Pounds Sterling, for every ſuch Offence.

Penalty of obſtructing Officers.

XXV. And it is hereby enacted, That all Offences againſt this Act (except only as to the counterfeiting of Seals or Stamps) ſhall and may be heard and determined by the Juſtices of Peace or Magiſtrates of any Burghs, or any one of them, within their reſpective Juriſdictions, after the ſame Form and Manner, and with the ſame Powers as are preſcribed and mentioned in the aforeſaid Act, with regard to Offences committed againſt that Act; and that all Offences againſt this and the aforeſaid Act, (except as aforeſaid) ſhall and may be alſo heard and finally determined by any of his Majeſty's Sheriff or Stewart Deputies, or their Subſtitutes, ſubject only to an Appeal to the Lords of Juſticiary or their Circuit Courts.

Offences how to be tried.

XXVI. And it is hereby declared, That all Penalties or Forfeitures which ſhall be incurred for all the Offences againſt this Act, ſhall be paid and delivered to the Informer or Proſecutor, and be adjudged to be payable and deliverable to him.

Penalties to be paid to the Proſecutor.

XXVII. Provided always, That all Actions ſhall be commenced for Offences againſt this Act, and the ſaid former Act, within twelve Months after the Commiſſion of ſuch Offence; and all Actions to be commenced for the ſame ſhall ceaſe and determine, and are hereby diſcharged from and after the Expiration of eight full Months from the Commencement of the Suit; and if any Appeal, either from the Magiſtrates or Juſtices of the Peace to the Quarter-Seſſions, or from the Sheriff or Stewart Deputes, or their Subſtitutes, to the Circuit Court, ſhall not be determined at the Expiration of eight Months from the Commencement of the Action, the Sentence appealed from ſhall take Place, and be put in Execution, as if no Appeal had been entered againſt the ſaid Sentence.

Limitation of Actions.

Act to be interpreted in the most beneficial Manner.

XXVIII. And it is hereby enacted and declared by the Authority aforesaid, That all Sheriff and Stewart Deputes, Sheriff and Stewart Substitutes, Justices of Peace, and Magistrates of Burghs, shall interpret and put this Act, and the said former Act in Execution, in the most beneficial Manner for promoting the Linen and Hempen Manufactures; and if any of the said Sheriffs or Stewarts, Justices or Magistrates, shall wilfully neglect or refuse to execute the Powers and Authorities committed to them by this and the said former Act, so as that such Neglect or Refusal shall tend to the Discouragement or Detriment of the said Manufactures, such Neglect or Refusal shall be and be taken to be a Point of Dittay, and the Person or Persons so offending may be prosecuted before and punished by the Lords of Justiciary, in Manner prescribed by the said former Act.

Penalty on Magistrates refusing to execute the Powers.

Comptroller of the Customs to deliver a yearly Account to the Trustees of all Flax, Cloth, Pot-ashes, &c. imported and exported.

XXIX. And be it further enacted by the Authority aforesaid, That the Comptroller of the Customs in *Scotland*, or his Deputy, shall, without Fee or Reward, in the Month of *December* yearly, on Demand, deliver in to the said Trustees an Account for the Year ending at *Midsummer* preceding, of all Flax-seed and Hempseed, and of all Flax and Hemp, and also of all Pot-ashes, and all Linen, Flaxen or Hempen Yarn, and Linen Cloth, imported into *Scotland*, distinguishing the several Ports from whence, and at which the same were imported; as also an Account of all Flax and Hemp, and of all Linen, Flaxen or Hempen Yarn, and also of all Pot-ashes shipped in and exported from *Scotland*, distinguishing the several Ports from and to which the same shall be shipped, and of all Linen Cloth shipped in and exported from *Scotland*, distinguishing the several Ports from and to which the same shall be shipped and exported, and distinguishing the several Bounties paid upon the Exportation of such Cloth.

Contracts, &c. entered into by the Trustees,

Bonds, &c.

and Suits, &c. to be in the Secretary's Name.

XXX. And be it further enacted by the Authority aforesaid, That all Contracts, Securities and Agreements entered into and taken by the Authority of the said Trustees for promoting of the said Linen and Hempen Manufactures, or any particular Branch thereof, may be entered into, and taken in the Name of their Secretary for the Time being, and his Successors in Office, for the Use of the Fund established by the said Act for encouraging the Linen Manufacture in *Scotland*; and all Bonds, Obligations and other Securities, for the faithful Execution of any Office, or for the Performance of any other Matter or Thing relating to the said Manufacture, shall and may be taken in the Name of the said Secretary for the Time being, and his Successors in Office, for the Use of the said Fund; and all Dilligencies, Suits, Actions and Processes, may be issued and carried on in consequence of such Contracts, Securities and Agreements, Bonds and Obligations, and prosecuted to a final Issue in the Name and at the Instance of the said Secretary for the Time being.

Commencement of the Act.

XXXI. And be it further enacted, That this Act, and all the Authorities, Powers, Matters and Things herein contained, shall commence and take Place from the twenty-fifth Day of *December* one thousand seven hundred and fifty-one.

CAP. XXXII.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, *For repairing the Road from* Wendover *to the Town of* Buckingham *in the County of* Bucks; and also for repairing and widening the Road leading from the west End of the said Town of *Wendover* to the End of a Lane called *Oak Lane*, next the great Road called *The Oxford Road*, lying between the Town of *Beconsfield* in the said County of *Bucks*, and *Uxbridge* in the County of *Middlesex*, and that Part of the said great Road which leads from the west End of the said Town of *Beconsfield* to the River *Colne* near *Uxbridge* aforesaid. P R. [The Acts 7 Geo. 1. c. 24. and 15 Geo. 2. c. 5. continued for 21 Years.]

CAP. XXXIII.

An Act for enlarging the Term and Powers granted by an Act of Parliament passed in the fourth Year of his present Majesty's Reign, for repairing the Roads leading from the most southern Part of *Butt Lane*, in the Parish of *Lawton* in the County Palatine of *Chester* to *Lawton*; and from thence to *Henshall's Smithy* upon *Cranage Green* in the said County; and for making the said Act more effectual. P. R. [The Act 4 Geo. 2. c. 3. continued for 21 Years.]

CAP. XXXIV.

An Act for the better Preservation of the Game in that Part of *Great Britain* called *Scotland*.

'WHEREAS it is necessary that the Laws now in Force in *Scotland*, for regulating the Times for 'killing the Game, and for preventing the Abuses of Carriers, Poachers and others carrying and 'selling the same, should be amended and made more effectual;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person in *Scotland* shall, upon any Pretence whatsoever, kill or destroy any Moor Fowl, from the first Day of *January* to the tenth Day of *July*, or any Partridge or Heath Fowl, from the first Day of *February* to the twentieth Day of *August* in any Year.

Moor Fowl, Partridge or Heath Fowl, not to be killed out of Season. *This Clause repealed by* 2 *Geo.* 3. *c.* 21.

Penalty on Person not qualified to kill Game, having any in his Custody.

II. And be it further enacted by the Authority aforesaid, That no Person whatsoever, not qualified to kill Game in *Scotland*, shall have in his or her Custody, or carry at any Time of the Year, upon any Pretence whatsoever, any Hares, Partridges, Pheasants, Muir Fowl, Heath Fowl, Snipes or Quails, without the Leave or Orders of a qualified Person first obtained, for carrying such Hares or other Game, or for having the same in his or her Custody.

III.

III. And be it further enacted by the Authority aforesaid, That every Person transgressing this Act, shall for the first Offence forfeit and pay the Sum of twenty Shillings Sterling; and for the second and every other subsequent Offence, the Sum of forty Shillings Sterling; which respective Fines shall and may be levied by Distress and Sale of the Goods of the Offender; and in case of Insolvency the Party offending shall suffer Imprisonment for the Space of six Weeks for the first Offence, and for the Space of three Months for the second and every other subsequent Offence. Penalty of transgressing this Act.

IV. And be it further enacted by the Authority aforesaid, That all Offences against this Act shall and may be enquired into and determined, either by the Oath or Oaths of one or more credible Witness or Witnesses, or by the Confession or Oaths of the Parties accused, before any two or more of his Majesty's Justices of the Peace, or before the Sheriff of the County where the Offence shall be committed, or where the Offender shall be found; and that all Prosecutions for Offences against this Act shall be carried on either at the Instance of the Fiscal of Court, or of any other Person who will inform or complain. Offences how to be tried.

V. And be it further enacted by the Authority aforesaid, That one Moiety of the Forfeitures to be incurred for any Offence against this Act shall, when recovered, be paid to the Informer or Prosecutor, and the other Moiety shall be applied, for such publick Services within the County where the Offence shall be committed, as the Justices of the Peace or the Sheriff respectively shall direct, before whom the Offender shall be convicted. Application of the Forfeitures.

VI. Provided always, That any Persons aggrieved by the Judgment of the said Justices or Sheriff respectively, shall have Liberty to appeal to the next General or Quarter Session, in case such Judgment was given by any Justices of the Peace as aforesaid, or to the Lords of Justiciary in their next Circuit Court, or (where there are no Circuit Courts) to the Court of Justiciary at *Edinburgh*, in case the Judgment complained of was given by the Sheriff of any County; and that the Determination of the said General or Quarter Sessions or of the said Circuit Court, shall be final and conclusive to all Parties. Persons aggriev'd may appeal.

CAP. XXXV.

An Act for repairing the High Roads in the County of *Edinburgh*, to and from the City of *Edinburgh*; and from *Cramond Bridge* to the Town of *Queen's Ferry* in the County of *Linlithgow*. PR. [A private Act 12 Ann. st. 2. enlarged and continued for 21 Years.]

CAP. XXXVI.

An Act for building a Bridge over the River *Ribble*, between the Townships of *Preston* and *Penwortham*, near a Place called the *Fish-house*, in the County Palatine of *Lancaster*. PR.

CAP. XXXVII.

An Act for dividing the Parish of *St. Philip and Jacob* in the County of *Gloucester* and in the City and County of *Bristol*; and for erecting a Church in the new intended Parish. PR.

'WHEREAS the Inhabitants of that Part of the now or late Forest or Chase of *Kingswood* which lies in the Parish of *St. Philip and Jacob* in the County of *Gloucester*, within the Diocese of *Bristol*, 'are very numerous, and at a great Distance from the Mother Church in the City of *Bristol*, which said 'Church is not large enough to contain all the Inhabitants: And whereas it is now proposed, for the 'better Accommodation of the said Inhabitants, to erect a new Church upon the said now or late Forest 'or Chase, to be consecrated and used for the publick Worship of God, and the Instruction of the Inhabitants there in the Christian Religion, as it is now professed in the Church of *England*, and established 'by the Laws of this Realm; and to promote so good a Work, *Thomas Chester*, Esquire, Lord of the 'Manor of that Part of the said now or late Forest or Chase of *Kingswood* as lies in the said Parish of *St. Philip and Jacob* in the said County of *Gloucester*, hath proposed to grant a Piece of Ground commodiously situated in the Centre of the new intended Parish, for the Site of a Church and a Church-yard, 'Vicarage House and Gardens, and for other Purposes relative to the Design; and the Right Reverend 'the Lord Bishop of *Durham* (late of *Bristol*) for promoting so good a Design, is disposed and ready to 'give the Sum of four hundred Pounds, towards the Endowment of the new intended Vicarage, for the 'Maintenance of a Minister or Vicar, who shall reside in the Vicarage House, and in order to obtain the 'like Sum of four hundred Pounds to be added thereto, by the Governors of the Bounty of Queen *Anne*, 'for the Augmentation of the Maintenance of the poor Clergy, for the further Augmentation of the 'Maintenance of such Minister or Vicar of the said new intended Parish: And whereas several charitable 'and well-disposed Persons, to encourage so pious an Undertaking, have contributed, and are ready to 'contribute, towards the erecting and finishing such Church, and an House for the Minister or Vicar to 'reside in, and for the better endowing the same, in case there shall be an Overplus: And whereas the 'Mayor, Burgesses and Commonalty of the City of *Bristol*, Patrons of the Vicarage of the said Parish 'Church of *St. Philip and Jacob*, and the Inhabitants of the said Parish, are willing and desirous that a 'new Church and House may be erected as aforesaid, and that a proper District round the intended 'Church may be appointed, in order to separate the same from the said Parish, and make it a distinct and 'separate Parish: And whereas, for preventing the Trouble of separating and dividing the same by Com-

'missioners, they the said Inhabitants and Parishioners of the Parish of *St. Philip and Jacob* aforesaid, have 'agreed among themselves on the District of and for the new intended Church and Parish, and settled the 'Limits and Bounds thereof; which District so limited and bounded, is, as herein after is mentioned and 'expressed; that is to say, From a Bridge at the Foot of *Lawrence Hill*, called *Lawrence Bridge*, along 'the Lane southward called *Barton Hill Lane*; thence in a direct Line along the Lane called *Little Marsh* '*Lane*; thence along by a little Stream of Water, which runs from the said Lane into *King's Pill*; and 'thence along by the said *King's Pill* to the River *Avon*; and along up the Side of the River *Avon*, to 'the utmost Extent and Boundaries of the old Parish on that Side thereof; from *St. Lawrence Bridge* 'aforesaid, westward, to a Lane called *Dod Lane*; along this Lane, northward, to the Bridge called *Gane* '*Bridge*, in the Road leading from *Bristol* towards *Gloucester*; from thence along the said Road directly to '*Coomb Brook*; and thence to the utmost Extent and Boundaries of the old Parish, eastward, quite to the 'River *Avon* as aforesaid: And whereas, for the like Purpose aforesaid, they the said Inhabitants and Pa-'rishioners have also agreed among themselves, that the Piece of Ground so proposed to be granted by 'the said *Thomas Chester* as aforesaid, and which contains, by Estimation, two Acres one Rood and six 'Perches (be it more or less) and is situated at or near a certain Place called *Don John's Cross*; and is 'bounded on the East Side by the Road leading from *Bristol* to *Bath*; on the West, partly by *Don John's* '*Cross*, and partly by a Garden, now or late in the Tenure of *Thomas Marsh*; on the North by a Road 'leading from *Bristol* to *Marshfield*; and on the South, partly by a Lane or waste Ground, and partly by 'a small Inclosure, late in the Tenure of *John Curtis*; shall be for the Site of the new intended Church, 'and a Church-Yard or Cemetery, to be belonging to the said Parish, and a Vicarage House, with a Gar-'den or Gardens, and Conveniencies for the Habitation of the Minister or Vicar for the Time being, of 'the same Church;' Therefore, may it please your Majesty (at the humble Petition of sundry of the In-habitants of that Part of the Parish of *St. Philip and Jacob*, which is situated in the County of *Gloucester* and Diocese of *Bristol*) that it may be enacted, *&c.*

"Money for the Augmentation of the Vicarage to be paid, when the Church is built and consecrated. "The District before described, erected into a distinct Parish. The Church to be called by the Name of "*St. George*. *William Cary* appointed Vicar. Corporation declared Patrons of the Vicarage. Work-"house to be for the joint Use of both Parishes, *&c.* Power given to the Vestry to make Church Rates, "*&c.* The Church, *&c.* to be under the Jurisdiction of the Archbishop of *Canterbury*, Bishop of *Bristol*, "and Archdeacon of *Gloucester*. Rights of the Crown reserved.

CAP. XXXVIII.

An Act for levying a Duty of two Pennies *Scots*, or a sixth Part of a Penny Sterling, on every *Scots* Pint of Ale and Beer which shall be brewed for Sale, brought into, tapped or sold within the Town of *Greenock* and Baronies of *Easter* and *Wester Greenock*, and *Finnart*, and Liberties thereof, in the County of *Renfrew*, for repairing the Harbour of the said Town, and for other Purposes therein mentioned. PR. [A Duty of Excise granted to the Town for 31 Years.]

CAP. XXXIX.

An Act for the better regulating the Navigation of the River *Avon*, running through the Counties of *Warwick*, *Worcester* and *Gloucester*; and for ascertaining the Rates of Water-carriage upon the said River. PR.

'WHEREAS the River *Avon* hath for many Years past been made navigable from the River 'Severn, through Part of the Counties of *Gloucester* and *Worcester*, to or beyond the Borough of '*Stratford* in the County of *Warwick*, for Boats, Barges, Lighters and other Vessels, for the better sup-'plying the said several Counties with Pit Coal, Iron, and other Goods and Commodities, for the publick 'Good of the said Counties, whereby the Trade in those Parts hath been very much inlarged and increased: 'And whereas frequent Disputes have arisen between the Owners and Proprietors of the said Navigation, 'and the Persons navigating thereupon, touching the Rates of Tonnage of Coal, and other Goods and 'Merchandize carried thereon; for Remedy whereof, and for the ascertaining the Rates of such Ton-'nage for the future, and to the End and Intent the said River *Avon* may for ever hereafter be continued 'and preserved navigable, for the Encouragement of Trade, and the Benefit and Advantage of the Publick 'in general; and that the Locks, Weirs, Bucks, Winches, Turnpikes, Dams, Flood-gates and other 'Engines, may for the future be kept in good and sufficient Order and Repair, and the Rents and Out-'goings for Lands cut away, and other Rents, may be raised, and paid to the Persons intitled to receive 'the same:' May it please your Majesty that it may be enacted, *&c.*

"River *Avon* declared to be a free River. Rates of Tonnage to be paid for Goods carried on the River. "No publick Wharf to be kept, for unlading Goods for Sale, between *Evesham* and *Harvington* Sluices. "Royalties, *&c.* reserved. Owner answerable for Damage done by his Vessel. Rates to be paid by "Vessels passing through the Sluice at *Tewkesbury* into the *Severn*, and through the Sluice at *Evesham* and

" at

" at every Weir. Proprietors of the Navigation to keep the River cleanſed, &c. Juſtices to determine " Differences concerning the Navigation, &c. in a ſummary Way."

CAP. XL.

An Act for granting to his Majeſty an additional Duty upon Spirituous Liquors, and upon Licences for retailing the ſame; and for repealing the Act of the twentieth Year of his preſent Majeſty's Reign, intituled, *An Act for granting a Duty to his Majeſty to be paid by Diſtillers upon Licences to be taken out by them for retailing Spirituous Liquors*; and for the more effectually reſtraining the Retailing of diſtilled Spirituous Liquors; and for allowing a Drawback upon the Exportation of *Britiſh* made Spirits; and that the Pariſh of *St. Mary le Bon*, in the County of *Middleſex*, ſhall be under the Inſpection of the Head Office of Excise.

'WHEREAS the immoderate Drinking of diſtilled Spirituous Liquors by Perſons of the meaneſt and loweſt Sort, hath of late Years increaſed, to the great Detriment of the Health and Morals of the common People; and the ſame hath in great meaſure been owing to the Number of Perſons who have obtained Licences to retail the ſame, under Pretence of being Diſtillers, and of thoſe who have preſumed to retail the ſame without Licence, more eſpecially in the Cities of *London* and *Weſtminſter*, the Borough of *Southwark*, and other Places within the Weekly Bills of Mortality, contrary to the good and wholeſome Laws heretofore made for preventing thereof: And whereas we your Majeſty's dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, ever attentive to the Preſervation and Health of your Majeſty's Subjects, have taken this great Evil into our ſerious Conſideration, and propoſed ſuch Laws and Proviſions as appear to us to be moſt likely to put a ſtop to the ſame; but it may ſo happen, that in conſequence of the neceſſary Regulations for that Purpoſe, there may accrue a Failure or Deficiency in the reſpective Funds to which the Duties charged upon Spirituous Liquors and Diſtillers Licences, were appropriated and applicable:' Now, for the more effectual reſtraining ſuch Abuſes, and to the End that ſuch Failure or Deficiency may be made good, and that the publick Faith, ſo eſſential to the well-being of this Kingdom, may be ſupported, we do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *July* one thouſand ſeven hundred and fifty-one, there ſhall be raiſed, levied, collected and paid unto his Majeſty, his Heirs and Succeſſors, for the ſeveral Kinds of Spirituous Liquors herein after mentioned, ſpecified and enumerated (over and above all Duties, Charges and Impoſitions by any former Act or Acts of Parliament thereupon reſpectively ſet, rated and impoſed) the ſeveral Rates and Duties of Exciſe herein after-mentioned and expreſſed; that is to ſay,

For former Laws concerning Spirituous Liquors refer to 12 *Car.* 2. *c.* 23 & 24. 22 *Car.* 2. *c.* 4. 2 *W.* & *M. ſt.* 2. *c.* 9. 3 & 4 *W.* & *M. c.* 15. 7 & 8 *W.* 3. *c.* 30. 8 & 9 *W.* 3. *c.* 19. 10 & 11 *W.* 3. *c.* 4 & 21. 12 *W.* 3. *c.* 11. 1 *Ann. ſt.* 2. *c.* 14. 4 *Ann. c.* 12. 12 *Ann ſt.* 2. *c.* 3. 3 *Geo.* 1. *c.* 4. 6 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 18. 11 *Geo.* 1. *c.* 30. 2 *Geo.* 2. *c.* 28. 6 *Geo.* 2. *c.* 17. 7 *Geo.* 2. *c.* 14. 9 *Geo.* 2. *c.* 23. 10 *Geo.* 2. *c.* 17. 11 *Geo.* 2. *c.* 20.

15 *Geo.* 2. *c.* 25. 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17. 19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. Additional Duties on Spirituous Liquors.

For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn from any Sort of Drink or Waſh, brewed or made from any Sort of Malt or Corn, or from Brewers Waſh or Tilts, or any Mixture with ſuch Brewers Waſh or Tilts, to be paid by the Diſtillers or Makers thereof, three Half-pence.

For every Gallon of Strong Waters, or *Aqua Vitæ*, made for Sale of the Materials aforeſaid, or any of them, to be paid by the Diſtillers or Makers thereof, four Pence Half-penny.

For every Gallon of Low Wines, or Spirits of the firſt Entraction, made or drawn from Cyder, or any Sort or Kind of *Britiſh* Materials, except thoſe before-mentioned, or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, one Penny three Farthings.

For every Gallon of Spirits made for Sale from Cyder, or any Sort or Kind of *Britiſh* Materials, except thoſe before-mentioned, to be paid by the Diſtillers or Makers thereof, three Pence Half-penny.

II. And, for the better aſcertaining, charging, collecting, raiſing, levying and ſecuring the Rates and Duties by this Act impoſed on the ſaid Spirituous Liquors, and preventing Frauds therein, Be it further enacted by the Authority aforeſaid, That ſuch of the ſaid Rates and Duties by this Act granted, as are charged upon Spirituous Liquors made, extracted and manufactured in, or imported into *England*, *Wales*, or the Town of *Berwick upon Tweed*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of his Majeſty's Revenues of Exciſe in *England* for the Time being; and ſuch of the ſaid Rates and Duties as are impoſed by this Act upon Spirituous Liquors made, extracted and manufactured in, or imported into *Scotland*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of Exciſe in *Scotland* for the Time being; and the ſaid reſpective Commiſſioners of Exciſe, or the major Part of them, have hereby Power, by Commiſſion under their reſpective Hands and Seals, to conſtitute and appoint under them ſuch Officers as ſhall be neceſſary in that Behalf; and all the Monies ariſing by the ſaid Duties in *Great Britain*, or any Part thereof (the neceſſary Charges of raiſing and accounting for the ſame

Duties in England to be under the Management of the Commiſſioners of Exciſe in England, and thoſe in Scotland, under like Officers there.

Monies ariſing by the Duties to be paid into the

Exchequer, distinct from other Branches of the Revenue.

same excepted) shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer at *Westminster*, distinctly and apart from all other Branches of the publick Revenues, subject and liable to the same Uses and Purposes respectively as the present Duties on Spirituous Liquors and Licences are now liable and appropriated unto.

20 Geo. 2. c. 39.

'III. And whereas by an Act of Parliament made and passed in the twentieth Year of his Majesty's 'Reign, (intituled, *An Act for granting a Duty to his Majesty to be paid by Distillers upon Licences taken out 'by them for retailing Spirituous Liquors*) it is enacted, That from and after the twenty-fourth Day of *June* 'one thousand seven hundred and forty-seven, it should be lawful to and for the several Distillers within 'the Cities of *London* and *Westminster*, Borough of *Southwark*, or Weekly Bills of Mortality, to take out 'Licences from his Majesty's Commissioners of Excise for retailing Spirituous Liquors; and the said 'Commissioners were thereby authorized and required to grant such Licences to every Distiller and Di-'stillers within the Limits aforesaid, who should apply for the same, upon Payment of five Pounds for 'every such Licence, which were to be renewed yearly, upon Payment of the like Sum of five Pounds, 'under certain Restrictions in the said recited Act mentioned: And whereas the permitting Distillers to 'take out Licences for the retailing Spirituous Liquors, has greatly tended to increase the drinking of Spi-'rituous Liquors, many of whom have wilfully permitted and suffered the same to be tippled and drank 'in their Shops, contrary to the Direction of the said Act of the twentieth Year of his present Majesty's 'Reign;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, the Duty of five Pounds payable by every Distiller for a Licence to sell Spirituous Liquors by Retail, shall cease, determine and be no longer paid; and that no Distiller shall have a Licence, or be permitted to sell any Spirituous Liquors, mixed or unmixed with any Ingredients, by Retail, after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-one.

The Duty of 5 l. payable by Distillers for Licences to retail, repealed.

Penalties of the said Act, to be still in Force.

IV. Provided always, That nothing herein contained shall extend, or be construed to extend, to repeal or vacate the several Penalties and Forfeitures imposed by the said Act of the twentieth Year of his said present Majesty's Reign.

After 25 March 1752, an additional Duty of 20 s. to be laid on Licences to retail Spirituous Liquors.

V. And be it further enacted by the Authority aforesaid, That in lieu and stead of the said Duty of five Pounds, granted and directed to be raised by the said Act made in the twentieth Year of his said present Majesty's Reign, and which is hereby repealed as aforesaid, there shall, from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-two, be raised, levied, collected and paid unto his Majesty, his Heirs and Successors, an additional Duty of twenty Shillings *per Annum* for every Licence that shall be taken out by any Person or Persons for the retailing Spirituous Liquors, pursuant to the Directions of the Act of Parliament made in the sixteenth Year of his present Majesty's Reign, (intituled,

16 Geo. 2. c. 8.

An Act for repealing certain Duties on Spirituous Liquors, and on Licences for retailing the same; and for laying other Duties on Spirituous Liquors, and on Licences to retail the said Liquors) and of this Act, or either of them; which said additional Duty of twenty Shillings shall from Time to Time be paid down in like manner, and at the same Time, and be raised, levied, collected and paid by the same Means and Methods, and under the like Penalties, as the Duty upon Licences to be granted by virtue of the said Act made in the sixteenth Year of his present Majesty's Reign, is directed to be raised, levied, collected and paid.

Powers, &c. given by any Law of Excise, to be in Force with regard to these Duties.

VI. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties and Forfeitures, Clauses, Matters and Things which in and by an Act made in the twelfth Year of the Reign of King *Charles* the Second, (intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service, and Purveyance, and for settling a Revenue upon his Majesty in lieu thereof*) or by any other Law now in Force relating to his Majesty's Revenue of Excise upon Beer, Ale or other Liquors are provided, settled or established, for securing, enforcing, managing, raising, levying, collecting, mitigating or recovering, adjudging or ascertaining the Duties or Penalties thereby granted, and for preventing, detecting and punishing Frauds relating thereto (not otherwise altered by this Act) shall be exercised, practised, applied, used, imposed, levied, recovered and put in Execution, for the securing, enforcing, managing, raising, levying, collecting, mitigating, adjudging, ascertaining, recovering and paying the Duties and Penalties hereby granted, and for preventing, detecting and punishing Frauds relating thereto, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties and Forfeitures, Clauses, Matters and Things were particularly repeated, and again enacted in the Body of this present Act.

16 Geo. 2. c. 8.

'VII. And whereas by an Act made in the sixteenth Year of his Majesty's Reign, it is enacted, That 'no Licence shall be granted to any Person or Persons whatsoever for selling by Retail any Spirituous Li-'quors or Strong Waters whatsoever, except to such Persons only who shall keep Taverns, Victualling-'houses, Inns, Coffee-houses or Ale-houses; and that if any such Licences shall be granted to any other 'Persons than as aforesaid, the same are thereby declared void to all Intents and Purposes: And it is 'thereby also enacted, That if any Person or Persons shall presume or offer to retail any of the said Spiri-'tuous Liquors, without taking out such Licence as is therein mentioned, and renewing the same yearly, 'in manner therein mentioned, he, she or they shall respectively forfeit and lose the Sum of ten Pounds 'for each Offence; and in case such Person or Persons shall refuse or neglect to pay the said Sum of ten 'Pounds, the same being lawfully demanded, it shall and may be lawful for any one or more Justice or 'Justices of the Peace of any County, Riding, Division, City or Liberty, upon Information upon Oath 'being made before him or them, of such Refusal or Neglect, by Warrant under his or their Hand and 'Seal, or Hands and Seals, to commit such Person or Persons to the House of Correction for the County,

'Riding,

'Riding, Division, City or Liberty wherein such Person or Persons shall reside, there to remain and be 'kept to hard Labour for the Space of two Months, to be reckoned from the Day of the said Commit-'ment; and the Person or Persons shall not be discharged, until he, she or they shall have paid the said 'Sum of ten Pounds, or until the full Expiration of the said two Months; and that nothing in the said 'Act shall extend, or be construed to enable any Person or Persons to sell any Spirituous Liquors or Strong 'Waters by Retail, unless such Person or Persons be first licensed to sell Ale or Spirituous Liquors, by 'two or more of his Majesty's Justices of the Peace for the County, Riding, Division, City or Liberty 'wherein such Person or Persons shall sell the said Liquors, under the Hands and Seals of the said Justices: 'And whereas by one other Act made in the seventeenth Year of his Majesty's Reign, it is enacted, That 17 Geo. 2. c. 'in case where a Licence shall have been granted for retailing Spirituous Liquors, to any Person who shall, 17.
'at the Time of granting such Licence, keep a Tavern, Victualling-house, Inn, Coffee-house or Ale-'house, if such Person so licensed, shall afterwards, during the Time of continuing such Licence, exer-'cise the Trade of a Distiller, Grocer or Chandler, or keep a Brandy Shop or Shops for Sale of any Spi-'rituous Liquors, the Licence granted in every such Case shall be void; and such Persons retailing Spi-'rituous Liquors afterwards shall forfeit ten Pounds for every such Offence, notwithstanding such Licence so 'obtained as aforesaid; and that no Licence for retailing Spirituous Liquors shall authorize and impower any 'Person to whom the same may be granted, to sell such Spirituous Liquors in any other Place, except in 'such Houses or Places thereunto belonging, wherein he, she or they shall inhabit and dwell, at the Time 'of granting such Licence: And whereas it may be doubted, whether the said Penalty of ten Pounds can The Penalty of
'be recovered within the Limits of the Head Office of Excise in *London*, before a Justice or Justices of 10 l. on unli-
'Peace;' Be it hereby declared and enacted, That the said ten Pounds Penalty may be recovered; and any censed Retailers, may be recovered
Person retailing distilled Spirituous Liquors without a Licence, within the Limits of the said Head Office, before any
may be convicted before any Justice of the Peace for the City, County or Liberty where the Offence hath Justice.
been or shall be committed, as well as before the Commissioners of Excise; and that such Penalty shall not Penalty not to
in any Case, either by the said Commissioners or Justices of the Peace, be mitigated or reduced below the be reduced be-
Sum of five Pounds. low 5 l.

VIII. And for the further Restriction of such Licences, and the granting thereof, be it enacted by the None to be li-
Authority aforesaid, That no Licence for the selling by Retail of Spirituous Liquors shall be granted, censed to retail
within the Limits of the Head Office of Excise in *London*, but to such as shall occupy a Tenement or Te- but such as pay
nements of the yearly Value of ten Pounds or upwards, and for which they shall accordingly be rated and to Church and
pay in the Parish Rates; nor to any Person in any other Part of the Kingdom, where there are Rates to Poor.
Church and Poor, but to such as shall be assessed and pay to the Church and Poor in the several Parishes
and Places in which they shall be respectively licensed; and that no Licence shall be of any Avail to any
Person not so qualified, or for any longer Time than the Person so licensed shall be qualified as aforesaid,
but shall be absolutely void.

IX. And be it enacted by the Authority aforesaid, That if any Person not authorized by Law shall re- Penalty on unli-
tail any Spirituous Liquors, such Person shall not only be subject to the Penalties now in Being for such censed Retailers,
Offence of retailing Spirituous Liquors without Licence, but all the distilled Spirituous Liquors that shall for the first
then, or at any Time or Times afterwards, within six Calendar Months after Conviction for such Offence, Offence;
be found in the Custody of such Offender, or in the House, Lodgings, Shop or Warehouse where such
Offence shall be committed, or any Court, Yard, Ground or Place occupied therewith, whether then in
the Occupation of such Offender or not, or in the Occupation of any other Person whomsoever, shall and
may be seized by Warrant of the said Commissioners, or of any Justice or Justices of the Peace within
their respective Jurisdictions; and the same shall, by virtue of such Warrant, forthwith, on finding the
same, be staved or otherwise destroyed; for which Purpose any Peace or Parish Officer, authorized by such
Warrant as aforesaid, shall have Power at any Time within the Space of six Months after Conviction as
aforesaid, to enter such Places and break open Doors, if not opened on Demand; and if any Person who Penalty of a se-
hath been or hereafter shall be convicted of any such Offence, shall, after such Conviction, again offend in cond Offence;
like manner, and shall thereof be lawfully convicted as aforesaid, then it shall and may be lawful to and
for the Commissioners or Justices respectively, before whom such Offender shall be convicted of such sub-
sequent Offence, as well to inflict the Penalties by any former Law to be inflicted for such Offence, as also
to commit such Offender to the House of Correction, there to be kept to hard Labour for any Time not
exceeding three Months, and also (if they shall think fit) to order such Offender to be whipt; and in case third Offence
any Person who shall have been convicted of such subsequent Offence as aforesaid, shall offend again in like Felony,
manner, such farther Offence shall be deemed Felony; and the Offender being indicted, and lawfully con- and the Offender
victed thereof, shall suffer as in Cases of Felony, and may, by the Justices of the Peace of the County or to be trans-
Place where such Felony shall be committed, at their General or Quarter Sessions (who are hereby im- ported.
powered to hear and determine such Felony) be ordered to be transported to any of his Majesty's Plantations
for any Time not exceeding seven Years

X. And for the better Discovery and Punishment of such Offenders as aforesaid, Be it enacted by the Commissioners
Authority aforesaid, That it shall and may be lawful for the Commissioners of Excise, and Justices of the of Excise, and
Peace, within their respective Jurisdictions, or any one or more of such Justices, upon Oath made before Justices may
him or them, of any Offence committed against this Act, or any other Law in Force for restraining or grant Warrants
regulating the retailing of distilled Spirituous Liquors, to grant their Warrant to any of the Peace Officers, for Offences.
or other Parish Officers of the Parish or Place where such Offence shall be sworn to have been commit-
ted, to enter and search the House, Lodgings, Shop, Warehouse, Cellars and other Places where such
Offences shall be sworn to be committed, or in the Occupation of the Person sworn to be guilty thereof,

and the Officer or Officers, Person or Persons, authorized by such Warrant, shall and may enter such Houses, Lodgings, Shops, Warehouses and other Places, and break open the Doors thereof, in case they be not forthwith opened upon Demand, and search for and seize all such distilled Spirituous Liquors as they shall there find, and detain the same until the Matter of the said Offence shall be heard and determined; and in case the Offender be convicted of such Offence, the Liquors so found shall be forthwith staved and destroyed as aforesaid, and if such Person shall not be convicted, then the same shall be restored.

Distiller, &c. selling, &c. Liquors, to be unlawfully retailed, or to unlicensed Retailers, to forfeit 10 l. and treble the Value.

XI. And be it enacted by the Authority aforesaid, That if any Distiller or other Person shall knowingly sell or deliver, or cause to be sold and delivered by his Servants or others, directly or indirectly, any Quantity of distilled Spirituous Liquors to any Person, to the end that the same may be unlawfully retailed, or unto any unlicensed Retailer of Spirituous Liquors, such Distiller or other Person shall forfeit and lose the Sum of ten Pounds, and also treble the Value of all such Spirituous Liquors so sold or delivered; one Moiety thereof to the King, his Heirs and Successors, and the other Moiety to such Person or Persons as will sue for the same, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Privilege, Protection, Wager of Law, or more than one Imparlance shall be granted or allowed; and if any Person guilty of retailing distilled Spirituous Liquors shall discover the Distiller or other Person who shall have knowingly supplied him with such Liquors as aforesaid, and shall prosecute such Distiller or other Person for the same, without Fraud or wilful Delay, until he be convicted thereof, such Prosecutor shall not only be intitled to his said Share of the Penalty, but shall also be indemnified against all Penalties and Forfeitures incurred by him before the Commencement of such his Prosecution, for selling Spirituous Liquors without Licence.

Application of the Penalty. Retailer discovering and convicting the Distiller, intitled to his Share of the Penalty, and indemnified.

No Debt under 20 s. for Spirituous Liquors, contracted at one Time, recoverable, &c.

XII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *July* one thousand seven hundred and fifty-one, no Person or Persons whatsoever, shall be intitled unto or maintain any Cause, Action or Suit for, or recover either in Law or Equity, any Sum or Sums of Money. Debt or Demands whatsoever, for or on account of any Spirituous Liquors, unless such Debt shall have really been and *bona fide* contracted at one Time, to the Amount of twenty Shillings or upwards; nor shall any particular Article or Item in any Account or Demand for distilled Spirituous Liquors be allowed or maintained, where the Liquors delivered at one Time, and mentioned in such Article or Item, shall not amount to the full Value of twenty Shillings at the least, and that without Fraud or Covin; and where no Part of the Liquors so sold or delivered shall have been returned or agreed to be returned directly or indirectly; and in case any Retailer of Spirituous Liquors, with or without a Licence, shall take or receive any Pawn or Pledge from any Person or Persons whatsoever, by way of Security for the Payment of any Sum or Sums of Money owing by such Person or Persons for such Spirituous Liquors or Strong Waters, every such Person or Persons offending herein shall forfeit and lose the Sum of forty Shillings for each and every Pawn or Pledge so taken in or received by him or them, to be levied and recovered by Warrant under the Hand and Seal of one Justice of the Peace where the Offence is committed; and that one Moiety thereof shall be to the Use of the Poor of the Parish where such Offence is committed, and the other Moiety to the Informer or Informers; and the Person or Persons to whom any such Pawn or Pledge doth or shall belong, shall have the same Remedy for recovering such Pawn, or the Value thereof, as if it had never been pledged.

Retailer taking a Pledge for Liquors, to forfeit 40 s.

Application of the Penalty. Owner may recover his Pledge.

No Licence to be granted for retailing Spirituous Liquors within Gaols, Houses of Correction or Workhouses. Keeper, &c. suffering Spirituous Liquors to be used there, &c.

to forfeit 100 l.

and for a second Offence, to forfeit his Office.

XIII. And be it further enacted by the Authority aforesaid, That no Licence shall be granted for the retailing of Spirituous Liquors within any Gaol, Prison, House of Correction, Work-house, or House of Entertainment for any Parish Poor, and that all Licences granted or to be granted, contrary to this Provision, shall be void and of no Effect from and after the said first Day of *July* one thousand seven hundred and fifty-one; and if any Gaoler, Keeper or Officer of any Gaol, Prison or House of Correction, or any Governor, Master or Officer of any Workhouse or House for the Entertainment of any Parish Poor, shall sell, use, lend or give away, or knowingly permit or suffer any Spirituous Liquors or Strong Waters to be sold, used, lent or given away, in any such Gaols, Prisons or Houses of Correction, or brought into the same; other than and except such Spirituous Liquors or Strong Waters as shall be prescribed or given by the Prescription and Direction of a regular Physician, Surgeon or Apothecary, and to be applied in pursuance of such Prescription, from the Shop of some regular Apothecary; every such Gaoler, Keeper, Governor, Master or other Officer, shall, for every such Offence, forfeit and lose the Sum of one hundred Pounds; one Moiety thereof to his Majesty, and the other Moiety thereof, with full Costs of Suit, to such Person or Persons as will sue for the same, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*, by Action of Debt, Bill, Plaint or Information; wherein no Essoin, Privilege, Protection, Wager of Law, or more than one Imparlance shall be granted or allowed; and in case any such Gaoler or other Officer, being convicted thereof as aforesaid, shall again offend in like manner, and be thereof a second Time lawfully convicted, such second Offence shall be deemed a Forfeiture of his Office.

Justices, upon Information that Liquors are kept, &c. in such Houses, may enter and search, or impower any Constable so to do,

XIV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *July* one thousand seven hundred and fifty-one, it shall and may be lawful for his Majesty's Justices of the Peace, or any one of them, upon Information upon Oath, That any such Spirituous Liquors or Strong Waters are kept and disposed of in any such Gaol, Prison, House of Correction, Workhouse or House of Entertainment for Parish Poor, in *Great Britain*, to enter and search, or to authorize and impower any Constable, Headborough or other Peace Officer of the Parish where any such Places are situated, by Warrant under his Hand and Seal to enter and search any such Gaol, Prison, House of Correction, Work-

Work-house or House of Entertainment for Parish Poor; and in case any such Spirituous Liquors or Strong Waters shall be found therein (except such as are directed to be used medicinally as aforesaid) it shall and may be lawful for such Constable, Headborough or Overseer of the Poor, to seize such Spirituous Liquors or Strong Waters, and to cause the same to be forthwith staved and destroyed. and seize and stave the same.

XV. And be it enacted by the Authority aforesaid, That no Person shall carry or bring, or attempt or endeavour to carry or bring any distilled Spirituous Liquors (except to be used in the way of Medicine as herein before-mentioned) into any Gaol, Prison, House of Correction, Work-house or House of Entertainment for Parish Poor; and if any Person or Persons shall offend therein, it shall be lawful for the Gaoler, Keeper, Master or Chief Officer of such Gaol, Prison, House of Correction, Work-house or House of Entertainment for Parish Poor, or his or their Servants, to apprehend such Person or Persons, and to carry him, her or them before a Justice of the Peace for the County, Division, City, Town Corporate or Liberty, where such Gaol, Prison, House of Correction, Work-house or House of Entertainment for Parish Poor is situate (who is hereby impowered to hear and determine such Offence in a summary Way, and to administer an Oath to the Witnesses); and if by the Oath of one credible Witness or otherwise, he shall convict such Person or Persons of such Offence, he shall forthwith commit such Offender or Offenders to Prison, or to the House of Correction, there to be kept in Custody for any Time not exceeding three Months, without Bail or Mainprize, unless such Offenders respectively shall immediately pay down such Sum or Sums of Money, not exceeding twenty Pounds, and not less than ten Pounds, as the Justice shall impose upon such Offenders severally, as their Fines; to be paid, one Moiety to the Informer, and the other Moiety to the Use of the Poor of such Gaol, Prison, House of Correction, Work-house or House of Entertainment for Parish Poor. Persons carrying &c. Liquors into such Houses, to be taken before a Justice; and on Conviction, to be committed, or pay a Sum not exceeding 20 l. nor less than 10 l. Application of the Forfeiture.

XVI. And be it further enacted by the Authority aforesaid, That every Gaoler, Keeper, Master and Chief Officer of every Gaol, Prison, House of Correction, Work-house and House of Entertainment for any Parish Poor, shall on or before the first Day of *August* one thousand seven hundred and fifty-one, procure one or more Copy or Copies of the three preceding Clauses, to be printed or fairly written, and hung up in one of the most publick Places of his Gaol, Prison, House of Correction, Work-house or House of Entertainment for Parish Poor, and renew the same from Time to Time, so that it may be always kept fair and legible; on pain of forfeiting the Sum of forty Shillings for every wilful Default, to be levied by Warrant of any Justice of the Peace of the County, Division, City, Town Corporate or Liberty where such Gaol, Prison, House of Correction, Work-house or House of Entertainment for Parish Poor, shall be situate, to be granted on Conviction of such Default, in a summary Way, before such Justice, by the Oath of one or more credible Witness or Witnesses (which Oath such Justice is hereby impowered to administer); and it shall and may be lawful for every Justice of Peace, to enter into any Gaol, Prison, House of Correction, Work-house or House of Entertainment for Parish Poor, within the Limits of his Jurisdiction, and demand a Sight of such Copy so hung up as aforesaid; and if the same shall not be forthwith shewn to him so hung up in some publick Place, fair and legible as aforesaid, such Justice shall and may immediately convict such Gaoler, Keeper, Master or Officer of such Default, and so, from Time to Time, as often as he shall think fit; one Moiety of the said Penalty to be paid to the Informer, and the other Moiety (or the whole if there be no Informer) to the Use of the Poor of such Gaol, Prison, House of Correction, Work-house or House of Entertainment for Parish Poor. A Copy of the three preceding Clauses, to be kept hung up in Gaols, &c. under Penalty of 40 s. Justice may demand a Sight thereof; and if the same be not fair, may convict the Gaoler, &c. Application of the Penalty.

XVII. And be it further enacted by the Authority aforesaid, That all and every his Majesty's Justices of the Peace within the Cities of *London* and *Westminster*, and Borough of *Southwark*, or within the Limits of the Head Office of Excise in *London*, shall once in every Month transmit to the Clerk of the Peace for the County where they act, a Certificate of all Persons convicted before them respectively, for any Offences committed against this or any former Act or Acts of Parliament, relating to Spirituous Liquors or Strong Waters, or for licensing the Retailers thereof; who is hereby authorized and required to keep and enter the same among the publick Records of the Court of the Quarter-Sessions of the Counties respectively, where such Conviction shall be so certified; which Certificates shall be Evidence upon any Information directed by this or any other Act relating to Spirituous Liquors. Justices to transmit monthly, to the Clerk of the Peace, a Certificate of Persons convicted, to be entered among the Records, &c.

'XVIII. And whereas by an Act of Parliament made and passed in the eighth and ninth Years of the 'Reign of his Majesty King *William* the Third, (intituled, *An Act for repealing a Clause in a former Act 'relating to Party Guiles, and for the better preventing Frauds and Abuses of Brewers, and others charge-'able with the Duties of Excise*;) it was (amongst other Things) enacted, That no common Distiller or 'Maker of Low Wines, Spirits or Strong Waters for Sale or Exportation, should at any Time after the 'tenth Day of *April* one thousand six hundred and ninety-seven, erect or set up any Tun, Cask, Wash-'batch, Copper, Still or other Vessel for the brewing, making or keeping any Worts, Wash, Low Wines, 'Spirits or Strong Waters, nor alter or enlarge any Tun, Cask, Washbatch, Copper, Still or other 'Vessel already erected or set up, nor should have or keep any private or concealed Tun, Cask, Wash-'batch, Copper, Still or other Vessel, nor any private or concealed Warehouse, Storehouse, Cellar or 'other Place for the brewing, making, laying or keeping any Worts, Wash, Low Wines, Spirits or 'Strong Waters, without first giving Notice thereof at the next Office of Excise, within the Limits or 'Jurisdiction whereof he or they did or should inhabit; upon pain of forfeiting for every Tun, Cask, 'Washbatch, Copper, Still, Warehouse, Storehouse, Cellar or other Place, so erected or set up, altered 'or enlarged, kept private or concealed, the Sum of twenty Pounds; and that all and every Person or 'Persons in whose Occupation any House, Out-house or other Place whatsoever, was or should be, 'where any such private or concealed Tun, Cask, Washbatch, Copper, Still, Warehouse, Storehouse 'or Cellar should be discovered or found, should also forfeit and lose the Sum of fifty Pounds: And 'whereas the Number of Casks and other Vessels used by Distillers being very great, and the Officers not 8 & 9 W. 3. c. 19.

'being impowered to mark the same, so as to be enabled to distinguish the entered Vessels from those that 'are not entered, it is impossible for the Gauger to prove the particular Vessel unentered, and consequently 'to convict the Offender, agreeable to the Intent and Meaning of the aforesaid Act: And whereas Di- 'stillers at present are not confined to keep their After-runnings or Feints from the second Extraction in 'any particular Vessels, which makes it impossible for the Gauger to keep an exact Stock of the said After- 'runnings or Feints. And whereas some Distillers taking the Opportunity of the Officers Absence, do 'frequently charge their Stills, either in the Whole or in Part, with Wash privately brought in, and 'when the Officers find the Still so charged, the Distillers alledge, by Way of Excuse, that such Stills 'are charged with After-runnings or Feints, which the Officers are not able to disprove, by reason of 'their not having an exact Account of the said After-runnings or Feints; in which Cases the Revenue is 'greatly defrauded by the Distillers obtaining Relief of the Duty wherewith they are charged, upon their 'Complaints of an Overcharge:' Therefore to remedy such Defects, and the better to prevent such

Distiller to make Entry of all Vessels for Distillation, &c.

Frauds; Be it enacted by the Authority aforesaid, That from and after the said first Day of *July* one thousand seven hundred and fifty-one, every Distiller or Maker of Low Wines or Spirits for Sale or Exportation, shall within ten Days after the said first Day of *July* one thousand seven hundred and fifty-one, and all Persons who shall, after the said first Day of *July* one thousand seven hundred and fifty-one, become Distillers or Makers of Low Wines or Spirits for Sale or Exportation, shall ten Days before he, she or they distil or make any Spirituous Liquors, make a true and particular Entry in Writing at the next Office of Excise, within the Limits whereof his, her or their Work-house, Stillhouse, Storehouse, Warehouse or other Place used for distilling or keeping Wash, Low Wines or Spirits, is or shall be situate, of all and every Still, Copper, Tun, Washbatch, Cask or other Vessel which he, she or they shall make use of for the brewing, distilling, working, making, laying or keeping any Worts, Wash, Low Wines, Spirits or Strong Waters, and also of the Casks or Vessels which every such Distiller or Maker of

Vessels for brewing or keeping the After-runnings or Feints of the second Extraction, not to exceed two; Penalty.

Low Wines or Spirits for Sale or Exportation as aforesaid, shall make use of, for the brewing, holding or keeping of the After-runnings or Feints from the second Extraction, which shall from Time to Time be drawn from every such Still, (which said last-mentioned Casks or Vessels shall not at any one Time exceed two in Number, at any such Distillers or Makers of Low Wines or Spirits for Sale or Exportation) and also of all such new Utensils as such Distillers or Makers of Low Wines or Spirits for Sale or Exportation shall make use of for the Purposes aforesaid; on pain that every such Distiller or Maker of Low Wines or Spirits for Sale or Exportation, shall forfeit and lose for every such Still, Copper, Tun, Washbatch, Cask or other Vessel herein before mentioned, which shall be made use of and not entered as aforesaid, the

Distiller to shew the Gauger every Still and Vessel.

Sum of fifty Pounds; and every such Distiller or Maker of Low Wines or Spirits for Sale or Exportation as aforesaid, is hereby required to shew to the Gauger or Officer of Excise, who surveys his, her or their Workhouse, Stillhouse, Storehouse, Warehouse or other Place used for distilling or keeping Wash, Low Wines or Spirits, every such Still, Copper, Tun, Washbatch, Cask or other Vessel so entered, and he the said Officer is hereby required to mark the same with a particular, distinct and durable Mark; and every Still, Copper, Tun, Washbatch, Cask, and any Vessel which shall at any Time or Times be used by any such Distiller or Maker of Low Wines and Spirits for Sale or Exportation, for any of the Purposes aforesaid, without being so shewn or marked, shall be deemed a Vessel or Utensil of which no Entry has been made; and if any Person or Persons whatsoever, shall at any Time or Times hereafter, after such Still, Copper, Tun, Washbatch, Cask or other Vessel, shall have been so marked by such Officer as aforesaid, rub out or deface any such Mark so fixed upon any such Still, Copper, Tun, Washbatch, Cask or other Vessel by such Officer as aforesaid, he, she or they so offending, shall for every such Offence forfeit and lose the Sum of twenty Pounds.

XIX. And in order to enable the Gauger the better to detect such Frauds, by having proper Proof to lay before the respective Courts where such and other Offences against the Laws relating to these Duties

The Gauger may take a Sample of Low Wines and Feints, paying for the same.

shall be heard and determined; Be it further enacted, That from and after the said first Day of *July* one thousand seven hundred and fifty-one, it shall and may be lawful for any Gauger or Officer of Excise at any Time or Times to take a Sample of such Low Wines or Spirits, and of Feints and Spent Wash, paying for such Spirits or Low Wines, after the Rate of ten Shillings *per* Gallon; and for the said Feints and Spent Wash, after the Rate of one Shilling *per* Gallon; and in case any such Distiller or Maker of Low Wines or Spirits for Sale or Exportation, or any Workman or Servant belonging to him, her or

Penalty of obstructing Officers therein.

them shall refuse to permit such Gauger or Officer to take such Samples as aforesaid, or shall any ways hinder or obstruct him or them in taking such Samples, such Distiller or Maker of Low Wines or Spirits for Sale or Exportation, shall for every such Offence respectively forfeit and lose the Sum of fifty Pounds.

'XX. And whereas Distillers and Makers of Low Wines or Spirits for Sale or Exportation, very 'frequently take in Wash, when privately prepared, and charge their Stills in the Officers Absence, and 'by these Means run great Quantities of Wash, Low Wines and Spirits;' The better to prevent such Frauds for the future, be it further enacted, That from and after the said first Day of *July* one thousand

Distiller to give Notice before he receives any fermented Wash;

seven hundred and fifty-one, every Distiller or Maker of Low Wines or Spirits for Sale or Exportation, within the Limits of the Weekly Bills of Mortality, shall, twenty-four Hours at least, and in other Parts of *Great Britain*, forty-eight Hours at least, before he, she or they receive any Quantity of Wine, Cyder, Sugar, Water or any kind of fermented Wash whatsoever, into his, her or their Custody, give Notice to the Gauger or Officer of Excise, who surveys his, her or their Workhouse, of the particular Quantity of such Wine, Cyder, Sugar, Water or any kind of fermented Wash, and the Species thereof, and of the

under Penalty of 50l.

Time when he, she or they shall intend to receive the same into his, her or their Custody, on pain of forfeiting and losing for every Offence in not giving such Notice, the Sum of fifty Pounds.

XXI. And

XXI. And for the Encouragement of the Exportation of Spirits, drawn or made in *Great Britain*, from the Materials aforesaid, or any of them; Be it enacted by the Authority aforesaid, That from and after the said first Day of *July* one thousand seven hundred and fifty-one, there shall be a Drawback or Allowance of the several and respective Duties charged by this Act, on such Spirits so drawn or made in *Great Britain*, which shall be exported to Parts beyond the Seas; and upon Oath being made before any two or more of the Commissioners of Excise, or Justices of the Peace for the County or Place from whence any such Spirits are intended to be exported, that the Duties of the same are duly entered and paid, and that the same are exported for Merchandize to be spent beyond the Seas; and upon producing a Certificate under the Hands of the Officers of Excise for the Port or Place where such Spirits were shipped, of the Quantities so shipped, and that the same were shipped in the Presence of such Officers; the Distiller or Distillers, or other Person or Persons exporting the same, shall be allowed or paid back by the Commissioners of Excise, or their Collector, for the Port or Place where such Spirits shall be shipped off, the several Duties charged thereupon by this Act accordingly. Drawback of the Duties allowed on Exportation of Spirits made in Great Britain.

XXII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *July* one thousand seven hundred and fifty-one, no Person or Persons whatsoever, being a common Brewer of Ale or Beer, or Innkeeper, Distiller or other Seller of or Dealer in any Kind of Spirituous Liquors, or who is or are or shall be interested in any of the said Trades or Businesses, shall, during such Time as he or they shall be such common Brewer, Innkeeper, Distiller or other Seller of or Dealer in Spirituous Liquors, or interested in any of the said Trades or Businesses, be capable or have any Power to act, or shall be directly or indirectly concerned in acting as a Justice of the Peace, in any Matter or Thing whatsoever, which shall any ways concern the Execution of the Powers or Authorities given or granted by any Act or Acts of Parliament, in any wise relating to Distillers or Makers of Low Wines, Spirits or Strong Waters for Sale, or to the Duty or Duties imposed upon Low Wines, Spirits or Strong Waters, or any other Kinds of Spirituous Liquors whatsoever, or to the granting Licences to the Retailers of Spirituous Liquors. Brewers, Innkeepers, Distillers or Dealers in Spirits, &c. not to act as Justices relating to the Distillery.

'XXIII. And whereas it has been doubted whether the several Powers, Authorities, Directions, Rules, 'Methods, Penalties, Punishments and Forfeitures, Clauses, Matters and Things which were provided, 'settled, directed, established or imposed by any Act or Acts of Parliament made since the sixth Year of 'his present Majesty's Reign, relating to the selling Spirituous Liquors without Licence, might be law- 'fully exercised, imposed, inflicted and recovered against any Person for retailing Spirituous Liquors, in 'less Quantity than two Gallons, in regard to the Quantity of Spirituous Liquors which might be lawfully 'sold without Licence, without subjecting the Seller thereof to be deemed a Retailer of Spirituous Li- 'quors, is different in the said Act of the sixteenth Year of his present Majesty's Reign, from that in 16 Geo. 2. c. 8. 'the seventeenth Year of his said Majesty's Reign, (intituled, *An Act for granting to his Majesty the Sur-* 17 Geo. 2. c. 17. '*plus or Remainder of the Monies arisen or to arise by the Duties on Spirituous Liquors, granted by an Act of the* '*last Session of Parliament; and for explaining and amending the said Act, in relation to the Retailers of such* '*Liquors; and for establishing an Agreement with the United Company of Merchants of* England, *trading to the* 'East Indies;' Now in order to put an end to such Doubts, Be it enacted and declared, That all and The Powers and every the Powers, Authorities, Directions, Rules, Methods, Penalties, Punishments and Forfeitures, Penalties, &c. Clauses, Matters and Things, provided, settled, directed, established or imposed, by any Act or Acts provided by any of Parliament made since the sixth Year of his present Majesty's Reign, relating to the selling Spiri- Acts made since tuous Liquors without Licence, except the Forfeiture or Penalty of one hundred Pounds imposed by an 6 Geo. 2. re- Act of the ninth Year of his present Majesty's Reign, intituled, *An Act for laying a Duty upon the Re-* lating to the sel- *tailers of Spirituous Liquors; and for licensing the Retailers thereof)* may for the future, and from the Time ling Spirituous of the Commencement of the said Act of Parliament, made in the seventeenth Year of his present Ma- Liquors, Exception. jesty's Reign, might have been lawfully exercised, practised, applied, used, imposed, inflicted, levied and to be in Force. recovered, in regard to all and every Person and Persons that have offended, or shall offend against the said Acts of the sixteenth and seventeenth Years of his said Majesty's Reign, or this Act, or any or either of them, in like manner as they might have been, in relation to Persons offending against the said several and respective Acts, or any of them, made since the sixth Year of his said present Majesty's Reign.

'XXIV. And whereas by a Clause in an Act of Parliament passed in the ninth Year of his present 9 Geo. 2. c. 23. 'Majesty, (intituled, *An Act for laying a Duty upon the Retailers of Spirituous Liquors, and for licensing* '*the Retailers thereof)* it is enacted, That nothing in the same Act contained should extend to enable 'any Person to sell any Spirituous Liquors or Strong Waters by Retail, unless such Person be first li- 'censed by two or more Justices of the Peace for the County or Place where such Person should sell the 'said Liquors, under the Hands and Seals of the said Justices; for which Licence or Licences the Sum 'of two Shillings and six Pence, and no more, should be paid to the Clerks of such Justices, and 'no Fee or Sum of Money, or other Reward whatsoever, to the Clerk or Clerks of the Peace for en- 'tering the same, or on any other Account, on Pain of forfeiting five Pounds, in case any of the said 'Justices Clerks, or any Clerk of the Peace, should ask or receive any Fee, other than as above, on 'account of such Licences: And whereas by another Clause in an Act of Parliament passed in the 16 Geo. 2. c. 8. 'sixteenth Year of the Reign of his present Majesty, (intituled, *An Act for repealing certain Duties on* '*Spirituous Liquors, and on Licences for retailing the same; and for laying other Duties on Spirituous Li-* '*quors, and on Licences to retail the said Liquors)* the said first-recited Act is in part repealed; and some 'Doubts having arisen, whether the said first-recited Clause, limiting the Fees for Licences to two Shil- 'lings and six Pence each, be repealed or not, the Clerks of Justices of the Peace, in many Parts of this 'Kingdom, have taken larger Fees for such Licences, contrary to the Intention of the said Act: And

'whereas

'whereas no particular Method is prescribed in the same Act for the Recovery of the before-mentioned 'Penalty of five Pounds:' Now, to put an end to all Doubts concerning the said first-recited Clause, and the Method of suing for and recovering the said Penalty therein contained, Be it declared and enacted by the Authority aforesaid, That the said recited Clause in the aforesaid Act of the ninth Year of his present Majesty's Reign, restraining or intending to restrain the Clerks of Justices of the Peace for asking or receiving more than two Shillings and six Pence for each Licence therein mentioned, is now and shall, from henceforth, be and remain in full Force.

The Clause in 9 Geo. 2. restraining the Fees of Justices Clerks for Licences, to be in Force.

Penalties how to be recovered.

XXV. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by the said first-recited Clause imposed, shall or may be sued for, levied and recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or by Indictment at the Assizes, or at the General or Quarter-Sessions of the Peace of the County or Place where such Offence shall be committed, for the Use of the Person or Persons who shall sue or prosecute for the same; in which Suits no Essoin, Wager of Law, or more than one Imparlance shall be allowed.

Aqua Vitæ made in Scotland exempted.

XXVI. Provided nevertheless, That nothing in this Act contained shall extend to charge with any of the Duties directed to be paid, levied or received as aforesaid, any Spirits made or distilled from Malt, and retailed and consumed within that Part of *Great Britain* called *Scotland*, which Spirits are commonly called and known by the Name of *Aqua Vitæ*, in that Part of the Kingdom, or to subject the Makers, Sellers and Retailers thereof, within that Part of the Kingdom, to take such Licences as are herein before directed.

12 Car. 2. c. 24.

'XXVII. And whereas by an Act of Parliament made and passed in the twelfth Year of the Reign of 'his late Majesty King *Charles* the Second, intituled, *An Act for taking away the Court of Wards and Li-* 'veries, and Tenures in Capite, *and by Knights Service, and Purveyance; and for settling a Revenue upon his* 'Majesty in lieu thereof) it is amongst other Things enacted, That all Parts of the Cities of *London* and 'Westminster, and the Borough of *Southwark*, and the several Suburbs thereof, and Parishes within the 'Weekly Bills of Mortality, shall be under the immediate Care, Inspection and Management of the Head 'Office of Excise in *London*: And whereas since the passing of the said Act, the Parish of Saint *Mary le* 'Bon in the County of *Middlesex*, is greatly increased in Buildings and Inhabitants, and is contiguous to 'the Parishes within the said Bills of Mortality;' Be it therefore further enacted by the Authority aforesaid, That the said Parish of Saint *Mary le Bon* shall, from and after the said first Day of *July* one thousand seven hundred and fifty-one, be deemed and taken, and is hereby declared to be under the immediate Care, Inspection and Management of the said Head Office of Excise; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

The Parish of Saint Mary le Bon to be under the Inspection of the Head Office of Excise.

Persons assembling to rescue Offenders, or to beat Informers, &c.

XXVIII. And it is further enacted by the Authority aforesaid, That if any Persons, to the Number of five or more, shall from and after the said first Day of *July* one thousand seven hundred and fifty-one, in a tumultuous and riotous Manner assemble themselves to rescue any Offenders against this or any other Act, relating to Spirituous Liquors or Strong Waters, or for licensing the Retailers thereof, or to assault, beat or wound any Person or Persons who shall have given, or be about to give any Information against, or shall have discovered or given Evidence against, or shall seize or bring to Justice any Person or Persons offending against this or any of the said former Acts, or forcibly to oppose the Execution of any of the Powers given by this Act, that then, all and every Person or Persons so assembling, their Aiders and Abettors, being thereof lawfully convicted, shall be, and be adjudged to be guilty of Felony; and every such Felon shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Courts by and before whom he, she or they shall be convicted, shall have full Power and Authority of transporting such Felon and Felons for the Space of seven Years, to any of his Majesty's Colonies or Plantations in *America*, upon the like Terms and Conditions as are given, directed and enacted by an Act made in the fourth Year of the Reign of his late Majesty King *George* the First (intituled, *An Act for the further preventing Robbery, Burglary and other Felonies; and for the more effectual Transportation of Felons, and unlawful Exporters of Wool;*) and by an Act made in the sixth Year of the Reign of his said late Majesty King *George* the First, (intituled, *An Act for the further preventing Robbery, Burglary, and other Felonies; and for the more effectual Transportation of Felons.*)

to be guilty of Felony,

and transported for 7 Years.

4 Geo. 1. c. 11.

6 Geo. 1. c. 25.

Penalties how to be recovered.

XXIX. And be it further enacted and declared by the Authority aforesaid, That all Fines, Penalties and Forfeitures imposed by this or any other Act relating to the Duties of Excise, or other Duties under the Management of the Commissioners of Excise, shall be sued for, levied, recovered or mitigated by such Ways, Means and Methods as any Fine, Penalty or Forfeiture is or may be recovered or mitigated by any Law or Laws of Excise (not otherwise directed by this Act) or by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*; and that one Moiety of every such Fine, Penalty or Forfeiture shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them who shall discover, inform or sue for the same.

Limitation of Actions.

XXX. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times be sued or prosecuted for any Thing by him or them done or executed in pursuance of or by Colour of this Act, or of any Matter or Thing in this Act contained, such Action or Prosecution shall be commenced within the Space of three Months next after the Offence shall be committed, and shall be laid in the proper County; and such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his and their Defence; and if upon Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his Suit or Prosecution, or if Judgment be given for the Defendant or Defendants, upon Demurrer or otherwise;

General Issue.

wise; then such Defendant or Defendants shall have treble Costs to him or them awarded against the Plaintiff or Plaintiffs. Treble Costs.

XXXI. And be it further enacted by the Authority aforesaid, That all Persons sued or prosecuted for any Thing done in or relating to the Execution of this present Act, shall be intitled to all the Privileges and Benefits for their legal Defence that are provided or enacted in or by an Act of Parliament made in the eleventh Year of his Majesty's Reign (intituled, *An Act for the enforcing the Execution of an Act made in the ninth Year of his Majesty's Reign, intituled*, An Act for laying a Duty on the Retailers of Spirituous Liquors, and for licensing the Retailers thereof) for Persons employed in the Execution of the said Act. Persons sued, intitled to the Benefit of 11 Geo. 2. c. 26.

XXXII. And for the Encouragement of those who shall discover Offences committed against this Act, be it enacted by the Authority aforesaid, That from and after the said first Day of *July* one thousand seven hundred and fifty-one, where any Person or Persons shall be lawfully convicted of any Offence in unlawfully retailing distilled Spirituous Liquors, and the pecuniary Penalty hereby, or by any other Act of Parliament inflicted for such Offence, shall not be paid, and cannot be levied by the Space of one Month next ensuing the Time of such Conviction, it shall and may be lawful for the Commissioners of Excise in *England* and *Scotland* respectively, to cause such Reward as they shall think fit, not exceeding five Pounds each, to be paid to the several and respective Persons who shall appear to them to be intitled thereto as Informers, out of any Monies in their Hands arising by any Penalties or Forfeitures for the like Offences as aforesaid. Where the Penalty on Conviction of unlawful Retailers, shall not be paid within 1 Month, the Commissioners of Excise to reward the Informers. *Concerning Spirituous Liquors*

see farther 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

CAP. XLI.

An Act for the more effectual securing the Duties upon Tobacco.

'WHEREAS, notwithstanding the Laws heretofore made relating to the Importation of Tobacco into *Great Britain* from his Majesty's Plantations in *America*, and for securing the Duties due and payable thereon upon the Importation thereof into *Great Britain*, and also with regard to the Exportation of Tobacco from *Great Britain* to foreign Parts, many great Frauds and Abuses are frequently contrived, committed and carried on by several ill-designing Persons concerned in the different Branches of Business and Trade in Tobacco, to the great Prejudice of his Majesty's Revenue, and to the great Loss and Discouragement of the fair Traders, so that it is become necessary that some further Provision should be made for the more effectual preventing the same for the future;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-two, when any Ship or Vessel whatsoever, shall have taken in Tobacco at any Port or Place whatsoever within his Majesty's Plantations in *America*, in order to convey the same from thence into *Great Britain* (except such Tobacco as shall be water-born before the said twenty-fifth Day of *March* one thousand seven hundred and fifty-two) the Collector or Comptroller, or other chief Officer, or any two of them, employed in the Management of the Customs, at such Port or other Place, where such Ship or Vessel shall have taken in Tobacco, shall, at and upon the clearing of every such Ship or Vessel by the proper Officer or Officers of the Customs appointed for that Purpose, deliver to the Master, Commander or other Person taking Charge of any such Ship or Vessel, a Manifest or Content in Writing, under his and their Hands and Seals of Office, which shall contain a true Account of all the Tobacco loaden on board every such Ship or Vessel, with the Number of Hogsheads, Casks, Chests and other Packages containing the same, and the Quantity of the Tobacco contained in each particular Hogshead, Cask, Chest and other Package, together with the Marks and Numbers set on each and every Hogshead, Cask, Chest or other Package thereof, with the Tare of each particular Hogshead, Cask, Chest or other Package in which such Tobacco shall be contained; and also shall, at and upon the clearing of every such Ship or Vessel as aforesaid, immediately transmit a Duplicate of such Manifest or Content to the respective Commissioners of the Customs in *Great Britain:* And any Collector, Comptroller or other chief Officer or Officers of the Customs at any Port or Place in his Majesty's Plantations in *America*, who shall, at and upon the clearing of any Ship or Vessel having Tobacco loaden on board her as aforesaid, neglect or refuse to deliver to the Master, Commander or other Person taking charge of such Ship or Vessel, such Manifest or Content as is herein before specified and directed; or who shall not, at and upon the clearing any such Ship or Vessel, immediately transmit a Duplicate of such Manifest or Content to the said respective Commissioners of the Customs in *Great Britain*, shall forfeit and lose the Sum of two hundred Pounds, to be recovered in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Admiralty in his Majesty's Plantations where such Offence shall be committed. *For these Laws refer to* 12 *Car.* 2. *c.* 34. 15 *Car.* 2. *c.* 7. 22 & 23 *Car.* 2. *c.* 26. 1 *Jac.* 2. *c.* 4. 7 & 8 *W.* 3. *c.* 10. 10 & 11 *W.* 3. *c.* 21. 2 *Ann. c.* 9. 6 *Ann. c.* 22. 8 *Ann. c.* 13. 12 *Ann. stat.* 2. *c.* 8. 1 *Geo.* 1. *stat.* 2. *c.* 46. 5 *Geo.* 1. *c.* 11. § 19. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 21. 12 *Geo.* 1. *c.* 28. 21 *Geo.* 2. *c.* 2. Vessels taking in Tobacco at the Plantations for Great Britain, Officer of the Customs to give the Master a Manifest with the Number and Tare of the Packages, &c. and transmit a Duplicate to the Commissioners of the Customs, under Penalty of 200*l.*

II And be it further enacted by the Authority aforesaid, That every Master, Commander or other Person or Persons taking charge of any Ship or Vessel having Tobacco loaden on board as aforesaid, at any Port or Place whatsoever in any of his Majesty's Plantations in *America* as aforesaid, shall, upon his Arrival at his Port of Discharge in *Great Britain*, and at the Time that he makes his Report of his Ship at the Custom-house, deliver to the Collector of the Customs at the said Port (who is hereby required and directed to deliver the same to the Land-waiters appointed for the Delivery of such Ship or Vessel) the Manifest or Content of the Lading of his Ship or Vessel which he received from the Collector, Comptroller or other Master to deliver to the Collector in Great Britain the Manifest;

chief

chief Officer of the Customs at the Port or other Place in the Plantations where he took in his Lading; and if any Master, Commander or other Person or Persons taking charge of any such Ship or Vessel, shall neglect or refuse to deliver such Manifest or Content to the Collector of the Customs, at the Time he makes his Report of his Ship at the Custom-house at the Port of his Discharge, he and they shall forfeit and lose the Sum of one hundred Pounds.

under Penalty of 100 l.

Land-waiter not to permit Tobacco to be landed till he has entered the Manifest, &c. of the several Packages, under Penalty of 50 l.

III. And be it further enacted by the Authority aforesaid, That the Land-waiters appointed for the Delivery of every Ship or Vessel arriving at any Port or Place in *Great Britain* from any of his Majesty's Plantations in *America*, having Tobacco on board her, shall not suffer any Part of the Tobacco on board any Ship or Vessel to be landed, until they have, from and agreeable to the Manifest delivered to them by the Collector, entered into their respective Books (given them by the Directions of the Commissioners of his Majesty's Customs for keeping Accounts of Goods by them delivered or suffered to be delivered from on board such Ships) the said several and respective Manifests, Marks, Numbers, Weights, Tares and Contents of the several Hogsheads, Casks, Chests and other Packages, under the Penalty of the Forfeiture of fifty Pounds; and the said Land-waiters are hereby authorized and required, upon the Landing of any such Tobacco, to cause such Landing-mark to be fixed and set upon every Hogshead, Cask, Chest, or other Package whatsoever containing the same, as shall be directed by the respective Commissioners of the Customs aforesaid; and the said Land-waiters are hereby also required to enter every such Landing-mark in their several Books aforesaid, on pain of forfeiting the Sum of fifty Pounds.

Landing Mark to be set upon every Hogshead, &c. and an Entry to be made thereof.

No Debenture or Drawback allowed on Exportation, unless the Tobacco be shipped from the Port at which it was imported, and in the original Package, if unmanufactured, &c.

IV. And be it further enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-one, no Debenture shall be made forth for any Tobacco imported into *Great Britain* after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, or any Drawback be paid or allowed for the same, when exported or entered outwards for Exportation to any Part or Parts beyond the Seas, unless the same and every Part thereof be shipped and exported from the very same Port or Place at which such identical Tobacco was at first originally imported into *Great Britain*, and no other; and also unless the same identical Tobacco, if unmanufactured, and every Part thereof, be shipped and exported in the original Package, with the same Marks, in and with which it was at first imported into *Great Britain*, and no other, without any Alteration whatsoever being made in the Package (except such as shall be occasioned by necessary Cooperage for the Repair of the said Package) or any other Tobacco being put therein, or any Part of the Tobacco being removed or taken out of the Package in which it was at first imported (except only ten Pounds Weight of Tobacco, which shall be allowed to be taken out of each Hogshead, Cask, Case or other Package after the same is weighed at the Importation, as is now the Practice; and if any Person or Persons whatsoever shall enter any Tobacco for Exportation at any other Port or Place than that at which the same identical Tobacco was imported, or in any other Cask or Package than the same in which the same unmanufactured Tobacco was originally imported, or without the same Marks, all such Tobacco shall be forfeited, and no Drawback thereupon shall be paid, or if any shall be paid, the same shall be repaid, and the Person who entered, or caused the same to be entered, shall forfeit the Sum of two hundred Pounds; and whoever shall knowingly export beyond the Seas any Hogshead or other Package of Tobacco, out of which more than ten Pounds Weight of Tobacco has been taken for Samples, he, she and they so offending shall forfeit and lose the Sum of twenty Pounds for every such Hogshead or other Package of Tobacco so exported.

Penalty of entering Tobacco at any other Port or in other Package, &c.

Where unmanufactured Tobacco shall be found damaged upon Landing,

what is found may be put into the same Hogsheads, and the Land-waiter is to enter the same in his Books, &c.

and Debentures and Drawback may be allowed for the same.

V. Provided nevertheless, and it is hereby declared and enacted, That when any unmanufactured Tobacco is imported in Hogsheads or Casks into *Great Britain* from any of his Majesty's Plantations in *America*, if upon the Landing and Examination thereof it shall appear, that the Tobacco contained in any of such Hogsheads or Casks is so much damaged, that by cutting off the damaged Part thereof (for which no Duty is paid) the sound Tobacco remaining in any of such Hogsheads (for which Duty is to be paid) is under the Weight of four hundred and fifty Pounds, then and in such Case it shall and may be lawful for the Importer or Importers thereof, in the Presence of the Land-waiters appointed to deliver the Ship in which the same was imported, to cause all such sound Tobacco to be put together in one or more of the same Hogsheads out of which the damaged Tobacco was taken; and the said Land-waiters, or other proper Officers, are hereby directed and required to enter into their respective Books the true and exact Weight of all such sound Tobacco put into each and every such Hogshead, with the several and respective Marks and Numbers set on each and every such Hogshead; and also to note and specify in their Books, that such Hogsheads were packed and refilled in their Presence; and all and every such Hogsheads of unmanufactured Tobacco shall and may be exported from the same Ports, and no other, at which they were originally imported; and Debentures shall be made out, and the Drawback be paid for the Tobacco therein contained (provided the Quantity of the Tobacco in each such Hogshead amounts to four hundred and twenty-five Pounds Weight or more) in the same Manner and Form, to all Intents and Purposes, as if the Package of such Tobacco had not been altered; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

Exporter to endorse on the Cocquet, the Marks, Numbers and Weight of the Tobacco when first imported, &c.

VI. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, all and every Person and Persons, who shall enter any unmanufactured Tobacco outwards, except unmanufactured Tobacco imported before the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, at any Port or Place in *Great Britain*, in order to be shipped and exported in any Ship or Vessel whatsoever to any Part or Parts beyond the Seas, shall, before the same or any Part thereof is laden on board any Ship or Vessel to be exported,

endorse

endorse upon the Cocquet and Bill (to be delivered to the Searcher or Searchers belonging to the Customs, and appointed to examine Tobacco shipped for Exportation) in a fair, distinct and legible Manner, the Plantation or Manifest Mark and Number, which was upon each and every Hogshead, Cask, Chest or other Package of such Tobacco, at the Time when the same was first imported into *Great Britain*; and also the Landing Mark or Number which was placed and set upon each and every Hogshead, Cask, Chest or other Package thereof, when the same was first landed in *Great Britain*, together with the exact Weight that each and every Hogshead, Cask, Chest or other Package, with the Tobacco therein contained, was of at the Time of its being landed in *Great Britain*; and also the particular Mark and Number set upon each Hogshead, Cask, Chest or other Package thereof by the Exporter or Exporters thereof at the Time the same shall be brought to the Water-side to be shipped for Exportation, together with the then Weight which each particular Hogshead, Cask, Chest or other Package, and the Tobacco therein contained, shall be of at the Time it is so entered for Exportation; and the Searcher shall not admit any Cocquet unless marked as aforesaid; and all and every Exporter and Exporters of Tobacco shall also, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, write off, and they are hereby required and directed to write off the Weight of each Hogshead, Cask, Chest or other Package of unmanufactured Tobacco by him, her or them exported from any Port of *Great Britain* to any Part or Parts beyond the Seas, from the identical and particular Entry made of each and every such Hogshead, Chest or other Package of such unmanufactured Tobacco, at the Time when it was first imported into *Great Britain*; and if any Person or Persons whatsoever, who after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, shall enter outwards for Exportation to any Part or Parts beyond the Seas from any Port or Ports of *Great Britain*, any unmanufactured Tobacco, shall neglect or refuse to endorse upon the Cocquet and Bill for the said Tobacco delivered to the Searchers, in a fair, distinct and legible Manner, all and each and every of the several and respective Marks, Numbers and Weights herein beforementioned and described, and in the Manner and Form the same is hereby required and directed to be done, or who shall neglect or refuse to write off the Weight of each Hogshead, Cask, Chest or other Package of unmanufactured Tobacco by him, her or them exported, from the identical Entry made thereof at the Time when the same was first imported into *Great Britain*, agreeable to the Directions herein before given for that Purpose; all and each and every such Person and Persons offending in each or either of these Cases shall forfeit and lose the Sum of five Pounds for every Hogshead, Cask, Chest, or other Package of such unmanufactured Tobacco for each and every such Offence or Offences, to be sued for, recovered, levied and divided in the Manner herein after directed; any Law, Statute or Usage to the contrary in any wise notwithstanding; and no Drawback or Debenture for or on account of the Exportation thereof shall be made out, granted or paid.

and to write off the Weight of each Hogshead, &c. exported from the Entry made at Importation,

under Penalty of 5 l. for every Hogshead,

and no Drawback or Debenture to be granted.

VII. And it is hereby further enacted by the Authority aforesaid, That all and every Person and Persons who, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, shall import any Tobacco into *Great Britain* from any of his Majesty's Plantations in *America*, and who shall in any wise manufacture the same, or any Part thereof, upon his, her or their own Account or Accounts, or cause or procure the same, or any Part thereof, to be manufactured for his, her or their own Account or Accounts, by any other Person or Persons, shall (before the same, or any Part thereof, be manufactured by the Importer or Importers, or shall be delivered out by the Importer or Importers to any other Person or Persons to be manufactured for the Account of such Importer or Importers) deliver, and they are hereby directed and required to deliver, to the Collector or other Chief Officer of the Customs at the Port or Place where such Tobacco was imported, an Account in Writing, containing the Plantation or manifest Mark and Number of every Hogshead, Cask, Chest, or other Package of Tobacco intended to be manufactured, with the Name of the Ship or Ships in which the same was imported, and the Time when, and also the Landing Mark and Number set on each Hogshead, Cask, Chest, or other Package, at the Time of their Importation into *Great Britain*; and also the exact Weight which all, and each, and every of such Hogsheads, Casks, Chests, or other Packages, and the Tobacco therein contained, were of at the Time of their being first landed in *Great Britain*, and the exact Weight the same were of at the Time of Delivery thereof to be manufactured; which Account shall be signed by such Importer or Importers, or one of his, her or their known Servants or Agents, and also by such Person or Persons to whom such Tobacco is delivered to be manufactured; or one of his, her or their known Servants or Agents, with their several and respective Names and Places of Abode; and such Importer and Importers shall, at the Time of their delivering in such Accounts as aforesaid, write off from the Entries made at the Time and Times the Tobacco contained in such Account was imported, and against each and every particular Ship in which the same was imported, the Weight of each particular Hogshead, Cask, Chest or other Package, contained in such Account of Tobacco intended to be manufactured as aforesaid, in the very same Manner and Form as if the same Tobacco had been delivered for Exportation; and in case any Importer or Importers of Tobacco shall neglect to give in such Account as aforesaid, at the Time, and in such Manner and Form in all Respects, to all Intents and Purposes, as is herein before directed and required; or in case such Account shall, at the Time the same is given in, or at any Time afterwards, appear to be false and fraudulent in any respect whatsoever, he, she or they knowingly offending in any or either of the Cases aforesaid, shall forfeit and lose the Sum of thirty Pounds for every Hogshead or other Package of Tobacco, an Account of which is omitted to be given as before directed, or of which a wrong Account shall knowingly be given; and the Person or Persons to whom such Tobacco shall have been delivered to be manufactured, neglecting by him, her or themselves, or by his, her or their known Servant or Agent, to sign such Account as aforesaid, or knowingly signing any fraudulent Account, shall also forfeit and lose the Sum of thirty Pounds for every such Hogshead or other Package of Tobacco, of which no Account, or for which a fraudulent Account is knowingly given.

Importer manufacturing Tobacco, to deliver to the Officers at the Port of Importation, the Marks, Numbers and Weights, &c. of the Hogsheads and the Ship's Name, &c.

Account to be signed by the Importer and Manufacturer, &c.

and Importer to write off from the Entry, the Weight, &c.

Penalty of Neglect, or giving a false Account.

Importer within 14 Days after the Delivery of Tobacco to the Purchaſer,

to give the Officer an Account of the Marks, Numbers, and Weights, &c. of every Hogſhead ſold, and the Ship's Name, &c.

Account to be ſigned by the Importer and Purchaſer.

Importer to write off from the Entry the Weight, &c. Penalty of Neglect, or giving a falſe Account.

VIII. And it is hereby further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who, from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-one, ſhall import any Tobacco into *Great Britain* from any of his Majeſty's Plantations in *America*, and who ſell or deliver the ſame, or any Part thereof, to any Perſon or Perſons whatſoever, ſhall, within fourteen Days after the Delivery thereof out of his Cuſtody, to the Purchaſer or Purchaſers thereof, or their Order, give and deliver to the Collector or other chief Officer of the Cuſtoms at the Port or Place where ſuch Tobacco was imported, an Account in Writing, containing the Plantation or manifeſt Mark and Number of every Hogſhead, Caſk, Cheſt or other Package of Tobacco, ſo ſold or delivered, with the Name of the Ship or Ships in which the ſame was imported, and Times when, and alſo the Landing Mark and Number ſet on each Hogſhead, Caſk, Cheſt or other Package, at the Time of their Importation into *Great Britain*, with the exact Weight which all, and each, and every ſuch Hogſheads, Caſks, Cheſts or other Packages, and the Tobacco therein contained were of, at the Time of their being firſt landed in *Great Britain*; and alſo the exact Weight thereof, at the Time of their Sale or Delivery to the Purchaſer or Purchaſers thereof; which Account ſhall be ſigned by ſuch Importer or Importers, or one of his, her or their known Servants or Agents, and alſo by ſuch Perſon or Perſons to whom ſuch Tobacco is ſold or delivered, or one of his, her or their known Servants or Agents, with their ſeveral and reſpective Names and Places of Abode; and ſuch Importer and Importers ſhall, at the Time of their delivering in ſuch Accounts as aforeſaid, write off from the Entries made at the Time and Times the Tobacco contained in ſuch Account was imported, and againſt each and every particular Ship in which the ſame was imported, the Weight of each particular Hogſhead, Caſk, Cheſt or other Package of Tobacco contained in ſuch Account, in the ſame Manner and Form as if the ſaid Tobacco had been delivered for Exportation; and in caſe any Importer or Importers of Tobacco ſhall neglect to give in ſuch Account as aforeſaid, at the Time, and in ſuch Manner and Form in all Reſpects, and to all Intents and Purpoſes, as is herein before directed and required, or in caſe ſuch Account ſhall at the Time the ſame is given in, or at any Time afterwards, appear to be falſe or fraudulent in any Reſpect whatſoever, he, ſhe or they knowingly offending in any or either of the Caſes aforeſaid, ſhall forfeit and loſe the Sum of thirty Pounds for every Hogſhead or other Package of Tobacco, an Account of which is omitted to be given as before directed, or of which a wrong Account ſhall be knowingly given; and the Perſon or Perſons to whom, or to whoſe Order ſuch Tobacco ſhall have been ſold or delivered, neglecting by him, her or themſelves, or his, her or their known Servant or Agent, to ſign ſuch Account as aforeſaid, or knowingly ſigning any fraudulent Account, ſhall alſo forfeit and loſe the Sum of thirty Pounds for every ſuch Hogſhead or other Package of Tobacco, of which no Account, or for which a fraudulent Account is knowingly given.

No Tobacco, or Tobacco Stalks, above 24 lb. nor Snuff above 10lb. to be carried by Land from any Port of Importation, unleſs in Manner herein directed.

IX. And be it further enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-one, no Tobacco or Tobacco Stalks, exceeding twenty-four Pounds Weight, nor any Snuff exceeding ten Pounds Weight, ſhall be in any Form or Manner whatſoever removed, carried, or conveyed by Land from any Port or Place of Importation in *Great Britain*, to any other Port or Place within this Kingdom, unleſs in the Manner herein after directed; that is to ſay, if it is unmanufactured Tobacco, which is to be carried by Land as aforeſaid, the ſame ſhall not be conveyed, removed, or paſs without a Certificate being firſt had and obtained from the Collector and Comptroller, or other chief Officers at the Port or Place where ſuch Tobacco was imported, together with the Importer's Oath thereto (in caſe ſuch Importer ſhall apply for the ſame) that the Duties thereof were paid or ſecured at the Importation, and by whom, and the Time when, and in what Ship or Veſſel, Ships or Veſſels, the ſame and every Part thereof was imported; and in caſe the Perſon applying for the ſame, be a Purchaſer from the Importer, then on Oath of ſuch Purchaſer, atteſting the Marks and Numbers of the identical Hogſhead or Hogſheads ſo purchaſed, or out of which the ſaid Tobacco was taken, and from whom purchaſed, and the Time when; and if it is Tobacco Stalks or Snuff, or other manufactured Tobacco which is to be carried by Land as aforeſaid, the ſame ſhall not be conveyed, removed, or paſs without a Certificate, and Oath of the Importer (in caſe the Importer applies for the ſame) being firſt had and obtained as aforeſaid, that ſuch Stalks were ſtripped or ſeparated, or ſuch Snuff or other manufactured Tobacco was made from one or more Hogſhead or Hogſheads of Tobacco, for which the Duties were by him paid or ſecured, at the Time of Importation; and in caſe the Perſon applying for ſuch Certificate be a Purchaſer, ſuch Purchaſer ſhall make Oath, that ſuch Stalks were ſtripped or ſeparated, or ſuch Snuff or other manufactured Tobacco, was made from one or more Hogſhead or Hogſheads of Tobacco, which had been delivered and received according to the Directions of this Act; which ſaid ſeveral Certificates ſuch Officer and Officers are hereby required and directed to grant, and after writing the ſame off their Books, to deliver to all and every Perſon or Perſons, who ſhall apply to him or them for the ſame, without any Fee or Reward whatſoever for ſuch Certificates or Oaths, on Pain of forfeiting the Sum of ten Pounds for every ſuch Offence.

Officer to grant Certificates,

on Penalty of 10l.

Before removing ſuch Tobacco, the Proprietor to inſert on the Back of the Certificate, the Package, Marks, Numbers, Weight and Species, and to make Oath thereof; Certificate to accompany the Goods,

X. And it is hereby enacted, That before any ſuch Tobacco, Tobacco Stalks or Snuff for which ſuch Certificate is granted, ſhall be removed or carried by Land as aforeſaid, the Proprietor, Factor or Agent thereof ſhall deſcribe and inſert on the Back of ſuch Certificate, in a fair and legible Manner, the Names of each particular Package in which ſuch Goods are contained, together with the particular Marks and Numbers ſet on each Package, and alſo the true and exact Weight of each particular Species of Goods contained in each particular Package, and the Place from whence the ſame are to be delivered, and to which they are to be carried and conveyed, and by whom, and the Name of the Perſon to whom the Goods are conſigned; and ſuch Proprietor, Factor or Agent ſhall ſubſcribe his, her or their Name or Names, and make Oath to the Truth thereof; and the Certificate ſo granted ſhall expreſs the Number of Days it ſhall continue in Force, and ſhall accompany the Goods to ſuch Place to which they are to be carried and conveyed, and upon its coming to ſuch Place, the Perſon or Perſons receiving the ſame,

or

or to whom the Goods belong, shall cause such Certificate to be delivered to the chief Officer of the Customs, if any such there be; and in case there be no Officer of the Customs, then to the Officer of the Excise of the Division whereunto such Goods are carried and conveyed; and such Officer is hereby directed to examine the same with the Goods, and if they agree therewith, the Goods may be taken away and disposed of by the Person or Persons to whom of Right they belong or appertain, and such Officer is thereupon to enter such Certificate distinctly in a Book to be kept by him for that Purpose; and the Officer of Customs or Excise receiving such Certificate shall from Time to Time transmit an Account of the same to the Officer to be appointed by the High Treasurer or Commissioners of the Treasury for keeping such Accounts.

and to be delivered to the Officer where the Goods are conveyed, &c. and an Account to be transmitted to the Officer appointed by the Treasury.

XI. And be it further enacted, That the Officers of the Customs who shall grant such original Certificates at the Port or Place of Importation, shall once in every Month transmit Duplicates thereof to the Person to be appointed by the High Treasurer or Commissioners of the Treasury for keeping the Accounts herein after mentioned.

Officer granting Certificates, to transmit Duplicates monthly to the Officer appointed by the Treasury.

XII. And be it further enacted by the Authority aforesaid, That if any Tobacco or Tobacco Stalks exceeding twenty-four Pounds Weight, or any Snuff exceeding ten Pounds Weight, shall, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, be found removing by Land from the Port or Place of Importation, without having one or other of the Certificates herein before directed, all such Tobacco, Tobacco Stalks and Snuff, and the Casks, Chests, Cases or other Package containing the same, together with the Horses, Cattle, Carts, Waggons and all other Carriages whatsoever, employed or in any wise made use of in the Removing or Carriage or Conveyance of such Tobacco, Tobacco Stalks and Snuff, or any or either of them, shall be forfeited and lost, and shall and may be sued for and prosecuted by any Officer or Officers of the Customs or Excise in the Manner herein after directed; and the Carrier or other Person employed or entrusted in the removing, carrying or conveying such Goods, or any of them, shall, besides the Loss of his Carriage and Carriages, also be committed to the County Gaol for the Space of one Month, by any Justice of the Peace for the County where the Offence is committed, or the Offender shall be found; and if any Person or Persons whatsoever shall counterfeit, forge, eraze, or in any wise alter any such Certificate or Duplicate thereof, as herein before is mentioned and described, or shall cause or procure the same, or either of them to be counterfeited, forged, erazed, or altered in any Respect, he, she, or they so offending shall forfeit and pay the Sum of fifty Pounds for every such Offence, to be sued for, recovered, levied, and divided in the Manner as is herein after expressed.

Tobacco or Snuff, above a certain Weight, found removing without a Certificate, to be forfeited, with the Horses and Carriages; and the Carrier to be committed. Penalty of counterfeiting a Certificate.

XIII. And it is hereby further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, no Tobacco, Tobacco Stalks or Snuffs shall be shipped or laden on board any Ship or Vessel whatsoever, to be carried by Water from any Port or Place whatsoever in *Great Britain*, to any other Port or Place whatsoever in *Great Britain*, until the same, and every Part thereof, be first entered at the Custom-house at the Port where or neareſt to the Place where such Goods shall be shipped and laden; and if it is Tobacco unmanufactured which is to be carried by Water as aforesaid, the same shall not be shipped or laden on board any Ship or Vessel whatsoever, to be carried by Water as aforesaid, but in the original Package in which it was imported, preserving the same Marks and Numbers, nor without a Certificate being first had and obtained from the Collector and Comptroller or other chief Officer of the Customs at the Port or Place where such Tobacco was imported in *Great Britain*, that the Duties thereof were paid or secured at the Importation, and by whom, and the Time when, and in what Ship or Vessel, Ships or Vessels, the same and every Part thereof was imported; and if it is Tobacco Stalks or Snuff, or other manufactured Tobacco, which is to be carried by Water as aforesaid, the same shall not be shipped or laden on board any Ship or Vessel whatsoever to be carried by Water as aforesaid, without a Certificate being first had and obtained from the Collector and Comptroller or other chief Officer of the Customs at the Port or Place where the Tobacco was imported in *Great Britain*, from which such Stalks were stripped or separated, or such Snuff was made or manufactured, that the Duties were paid or secured for such Tobacco at the Importation thereof; which said several Certificates such Officer or Officers are hereby required and directed to grant and deliver to all and every Person and Persons being the Importer or Importers of such Tobacco, or their known Agents or Servants, who shall apply to him or them for the same, without any Fee or Reward whatsoever, on pain of forfeiting the Sum of ten Pounds for every such Offence.

No Tobacco, &c. to be shipped Coast-wise, till Entry made, and if unmanufactured, to be in the original Package, with a Certificate of the Duties being paid; and if manufactured, with a Certificate that the Duties were paid for the Tobacco of which the same was manufactured. Officers to grant such Certificates gratis, under Penalty of 10*l.*

XIV. And it is hereby further enacted, That before any such Tobacco, Tobacco Stalks or Snuff for which such Certificate is granted, shall be shipped or laden on board any Ship or Vessel whatsoever in *Great Britain*, to be carried by Water as aforesaid, the Proprietor or Proprietors thereof shall describe and insert on the Back of such Certificate, in a fair and legible Manner, the Names of each particular Package in which such Goods are contained, together with the particular Marks and Numbers set on each Package, and also the true and exact Weight of each particular Species of such Goods contained in each particular Package, and the Place or Places from whence the same were brought, and to which they are to be carried and conveyed by Water as aforesaid.

and the Proprietor to insert on the Back of the Certificate the Packages, Marks, Numbers, Weight and Species.

XV. And it is hereby further enacted, That such Certificate as aforesaid shall, by the Proprietor or Proprietors of such Tobacco, Tobacco Stalks and Snuff before the same be shipped or laden on board any Ship or Vessel for the Purposes aforesaid, be delivered to the Master or other Person or Persons taking charge of any Ship or Vessel, Ships or Vessels on board which such Tobacco, Tobacco Stalks or Snuff shall be shipped or laden, in order to be removed and carried by Water as aforesaid; which Certificate the Master or other Person or Persons taking charge of any such Ship or Vessel, Ships or Vessels on board

Certificate to be delivered to the Master of the Vessel,

and by him to the chief Officer of the Port,

and to be transmitted to the Officer appointed by the Treasury.

which any such Tobacco, Tobacco Stalks or Snuff shall be laden as aforesaid, shall immediately after his or their Arrival in any Port or Place in *Great Britain* with such Goods on board, deliver to the Collector or other chief Officer at such Port or Place, who is hereby directed and required to cause such Goods to be examined by the said Certificate, to see that they agree therewith; and if upon such Examination it shall be found that such Goods agree with the Certificate in all Respects, then such Certificate shall be transmitted by him within the Space of one Month after he receives the same, to the Person appointed by the High Treasurer or Commissioners of the Treasury for the Time being, for keeping the Accounts herein after-mentioned; and the same Goods shall be discharged by the Officer who examines them, and shall and may be taken away and disposed of by such Person or Persons to whom they are consigned, or to whom they of Right belong or appertain.

Tobacco, &c. shipt without such Certificate,

to be forfeited,

and the Master to pay 6d. per lb.

Penalty of counterfeiting such Certificate.

XVI. And it is hereby further enacted, That if any Tobacco, Tobacco Stalks or Snuff shall, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty one, be found laden on Board any Ship or Vessel whatsoever, at any Port or Place in *Great Britain*, without such Certificate as aforesaid being first had and obtained, or without such Certificate being on board any such Ship or Vessel with the Goods to which the same belongs; or if upon Examination it shall appear that such Certificate is forged or counterfeited, or that it does not agree in all Respects with the Goods to which the same belongs; then, and in any or either of such Cases, all such Tobacco, Tobacco Stalks, and Snuff, and the Casks, Chests, Cases, or other Packages containing the same, shall be forfeited and lost, and shall and may be seized and prosecuted by any Officer or Officers of the Customs, in the Manner herein after directed; and the Master or other Person or Persons taking charge of any such Ship or Vessel, Ships or Vessels, shall forfeit and lose six Pence *per* Pound Weight for every Species of the Goods aforesaid; and if any Person or Persons whatsoever shall counterfeit, forge, eraze, or in any wise alter any such Certificate as is herein last before mentioned and described, or shall cause or procure the same to be counterfeited, forged, erazed, or altered in any Respect, he, she or they so offending shall forfeit and lose the Sum of one hundred Pounds, to be sued for, recovered, levied, and divided, in the Manner as herein after is expressed.

Land-waiters Books for Entry and Discharge of Tobacco, to be transmitted monthly to the Officers appointed by the Treasury,

with Copies of the Entries for Exportation, &c.

and Accounts of Tobacco manufactured by the Importer, &c.

or sold by him.

Officer appointed by the Treasury to make Entries of the Accounts,

and where any Thing shall appear to be done against this Act, immediately to transmit to the Commissioners of the Customs an Account thereof,

and to the Treasury once in six Months.

Penalty on Collectors, &c. not transmitting Land-waiters Books, &c.

XVII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty one, the Collector and Comptroller, or other chief Officer or Officers of the Customs in the Port of *London*, and also at every Port or Place in *Great Britain*, where any Tobacco shall be imported, after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, from any of his Majesty's Plantations in *America*, do once in every Calendar Month transmit or deliver to such Person as shall be deputed and appointed by the High Treasurer, or Commissioners of the Treasury for the Time being, to receive the same, one of the Land-waiters Books, in which his Account is entered and kept of the landing and discharging of Tobacco imported in any Ship or Vessel at such Port or Place, from any of his Majesty's Plantations in *America*; and also true and exact Copies of every Entry of Tobacco for Exportation, and of the several and respective Indorsements relating thereto, which are delivered to the Searcher or Searchers, or any other Officer or Officers, at such Port, or Place where any such Tobacco is entered and shipped for Exportation to foreign Parts; and also true and exact Copies of every Account which, pursuant to the Directions herein before given, shall be delivered to any Officer or Officers of the Customs at such Port or Place, of Tobacco intended to be manufactured by the Importer or Importers thereof, on his, her or their own Account, or which shall be delivered by the Importer or Importers thereof to any other Person or Persons whatsoever to be manufactured for the Account of such Importer or Importers; and also true and exact Copies of every Account which, pursuant to the Directions herein before given, shall be delivered to any Officer or Officers at such Port or Place by the Importer or Importers of Tobacco sold by them to any other Person or Persons whatsoever: Which said several Accounts are to be kept by the said Person who shall be deputed as aforesaid by the High Treasurer or Commissioners of the Treasury for the Time being, who is to keep proper Books, and enter therein the said several and respective Accounts so transmitted or delivered to him; which several Entries shall be made, and an Account thereof kept, in such Manner and Form, that the Marks and Numbers on every Hogshead, Cask or other Package of Tobacco, with the Weights thereof, at the Importation thereof, may be compared and chequed with the Marks, Numbers and Weights, at the Exportation thereof, or when sold or delivered for Home Consumption, or to be manufactured, to the Intent that the Identity of all such Tobacco imported, exported, sold, or delivered to be manufactured, may be thereby known and ascertained; and when any Thing shall appear to him to be done or practised at any Port or Place, contrary to the Directions and Intentions of this Act, he shall immediately transmit an Account thereof in Writing to the Commissioners of the Customs for the Time being, at *London*, or at *Edinburgh* respectively, under whose Management the same shall happen; and a Copy of such Representations made by him to the Commissioners of the Customs, either at *London* or *Edinburgh*, shall be by him, once in every six Months, laid before the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being; and if any Collector, or other chief Officer or Officers of the Customs, at any Port or Place of *Great Britain*, shall neglect or refuse to transmit and deliver one of the Land-waiters Books, and a true Copy of every Entry of Tobacco for Exportation, and of the several Indorsements relating thereto, herein before-mentioned and described, and also true Copies of all or any or either of the Accounts herein before-mentioned and described, within the Time and Times herein before limited and appointed for that Purpose, he and they so neglecting or refusing shall forfeit fifty Pounds for every such Neglect or Refusal, to be sued for, recovered, levied and divided in the Manner herein after expressed.

XVIII.

XVIII. And be it further enacted by the Authority aforesaid, That all and every Person and Persons whatsoever who shall import any Tobacco into *Great Britain* from any of his Majesty's Plantations in *America*, shall within the Space of twenty-one Calendar Months, to be reckoned and computed from the said twenty-fifth Day of *March* one thousand seven hundred and fifty-two, transmit and deliver to the Collector or other Chief Officer of the Customs at the Port or Place where any such Tobacco is imported, a true Account in Writing under his Hand, and their respective Hands, of all such Tobacco which he shall at the Time of giving in such Account, have in his Custody, Power or Possession; which Account shall contain the Number of Hogsheads, Casks, Chests, Cases or other Packages in which such Tobacco is contained, together with all, and each, and every of the several and respective Marks, Numbers and Weights set upon all, and each and every such Hogshead, Cask, Chest, Case or other Package, and the particular Warehouses, Storehouses, Cellars, or other Places where the same are then lodged and lie; and all and every such Person or Persons shall from and after the Expiration of the aforesaid Term of twenty-one Months, transmit and deliver annually, and every Year, between the first and twenty-fourth Days of *June* in each Year, to such Collector or other Chief Officer of the Customs, at the Port or Place where any such Tobacco is imported, a true Account in Writing under his and their respective Hands, of all such Tobacco which he shall, at the Time of giving in such Account, have in his Custody, Power or Possession which has been entered in *Great Britain* eighteen Months, or more, at the Time of giving in such Account; which Account shall also contain the Number of Hogsheads, Casks, Chests or other Packages in which such Tobacco is contained, and also all, and each, and every of the several and respective Marks, Numbers and Weights set upon all, and each and every such Hogshead, Cask, Chest or other Package, and the particular Warehouses, Storehouses, Cellars or other Places where the same are then lodged and lie; and every such Collector or other Chief Officer is, upon Receipt of such Accounts, forthwith to cause the several and respective Goods contained in such Accounts to be examined thereby, and then to transmit such Accounts to the Person appointed by the High Treasurer or Commissioners of the Treasury for keeping the Accounts herein before-mentioned; and if any Importer or Importers of Tobacco shall neglect to give in such Account and Accounts as aforesaid, at the Time and Times, and in such Manner and Form, in all respects, as is herein before limited, directed and appointed, or if such Account or Accounts shall, upon Examination, appear to be false or fraudulent in any respect whatsoever, he, she or they so offending in both or either of these Cases, shall forfeit and lose the Sum of fifty Pounds for each and every such Offence.

Importer to transmit to the Collector, within 21 Months from 25 March 1752, an Account of all Tobacco then in his Custody;

and the like Account annually;

the Goods to be examined thereby, and the Accounts to be transmitted to the Officer appointed by the Treasury.

Penalty.

XIX. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall at any Time or Times hereafter, in order to defeat any of the Purposes or Intents of this Act, eraze, cut out, burn out, blot out or in any wise whatsoever alter, change or deface any Mark or Number, Marks or Numbers whatsoever, which was burnt in, or set upon any Hogshead, Cask, Chest, Case or other Package whatsoever of Tobacco, in the Plantations in *America*, or which was burnt in or set thereon in *Great Britain*, upon the Importation or Landing thereof, or which was burnt in or set thereon in *Great Britain* upon the Exportation thereof from thence to foreign Parts, he, she and they so offending shall forfeit and lose the Sum of twenty Pounds for each Hogshead, Cask, Chest, Case or other Package whatsoever of Tobacco, the Mark whereof shall be so altered or defaced as aforesaid, to be sued for, recovered, levied and divided as is herein after directed.

Penalty of altering or defacing the Marks set upon the Packages.

XX. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-two, no Tobacco shall be brought or imported into the Kingdom of *Great Britain* otherwise than in Cask, Chest or Case only, each Cask, Chest or Case whereof shall contain four hundred and fifty Pounds Weight of neat Tobacco at the least, under the Penalty of the Forfeiture of all such Tobacco as shall be imported contrary to this Act, together with the Casks, Chests, Cases or other Package containing the same.

Penalty of importing Tobacco otherwise than in Cask, Chest or Case of 450 lb. Weight, at the least.

XXI. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-two, no Tobacco unmanufactured shall be loaden or laid on board in any Ship or Vessel whatsoever in any Port or Place in *Great Britain*, to the Intent to be exported to foreign Parts, but in Casks, Chests or Cases only, containing four hundred and twenty-five Pounds Weight or more of Tobacco, in each Cask, Chest or Case, under the Penalty of the Forfeiture of such Tobacco, and of the Cask, Chest or Case containing the same, except Casks or other Packages containing Samples of Tobacco shipped and exported at the same Time and Place, and with the same Hogsheads or Casks out of which such Samples were taken; and the same Goods and Package shall and may be seized and prosecuted by any Officer or Officers of the Customs in such Manner and Form as herein after is expressed.

Unmanufactured Tobacco not to be exported but in Casks, &c. of 425 lb. Weight, or more.

XXII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, no Tobacco or Tobacco Stalks exceeding twenty-four Pounds Weight, nor any Snuff exceeding ten Pounds Weight (which shall have been removed or carried Coastwise, or by Water, from the Port or Place of Importation in *Great Britain*, to any other Port or Place within this Kingdom) shall afterwards be removed or carried from thence by Land to any other Place whatsoever, without a Certificate being first had and obtained from the Collector and Comptroller, or the Chief Officers of the Customs at the Port or Place to which such Goods were carried Coastwise, or by Water, as aforesaid, that it appears to them by the Entries of the Certificate or Certificates in their Books which came with the Goods from the Port or Place of Importation, that the Duties thereof were paid or secured at the said Port or Place of Importation; and also in what Ship or Vessel, Ships or Vessels, such Goods and every Part thereof came or were brought Coastwise, or by Water,

No Tobacco, Stalks or Snuff, above a certain Weight, carried Coastwise, to be afterwards removed by Land, without a Certificate of the Duties being paid.

Water, as aforesaid, and the Time when; and also that the Person or Persons who shall apply to them for the same, had made Oath to the Truth thereof; which said Certificate such Officers are hereby required and directed, after writing the same off in their Books, to grant and deliver to every Person and Persons who shall apply to them for the same, and shall immediately transmit a Duplicate of such Certificate to the Person appointed by the Lord High Treasurer, or the Commissioners of the Treasury, for the Time being, for keeping the Accounts herein after mentioned; and that before any such Tobacco, Tobacco Stalks or Snuff for which such Certificate is granted, shall be removed or carried by Land as aforesaid, the Proprietor thereof, or his Factor or Agent, shall describe and insert on the Back of such Certificate, in a fair and legible manner, the Names of each particular Package in which such Goods are contained, together with the particular Marks and Numbers set on each Package, and also the true and exact Weight of each particular Species of such Goods contained in each particular Package, and the Place and Places from whence the same were brought, and to which they are to be carried and conveyed, and the Name of the Person to whom the same shall be sent, to which such Proprietor, Factor or Agent shall subscribe his, her or their Name or Names, and make Oath to the Truth thereof; and if any Tobacco, Tobacco Stalks or Snuff exceeding the respective Quantities before-mentioned, shall, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, be found removing by Land from the Port or Place of its Importation, without such Certificate therewith as is herein before directed to be granted by the proper Officers; or if upon Examination it shall appear that such Certificate is forged or counterfeited, all such Tobacco, Tobacco Stalks and Snuff, and the Casks, Chests, Cases or other Package containing the same, together with the Horses, Cattle, Carts, Waggons, and all other Carriages whatsoever employed, or in any wise made use of in the removing, or Carriage or Conveyance of such Tobacco, Tobacco Stalks and Snuff, or any or either of them, shall be forfeited and lost, and shall and may be seized and prosecuted by any Officer or Officers of the Customs, in the manner herein after directed; and the Carrier or other Person employed or intrusted in the removing, carrying or conveying such Goods, or any of them, shall, besides the Loss of his Cattle and Carriages, also forfeit and lose the Sum of ten Pounds, and be committed to the County Gaol for one Month, by any Justice of the Peace for the County where the Offence is committed or the Offender shall be found; and if any Person or Persons whatsoever shall counterfeit, forge, eraze or in any wise alter any such Certificates or Duplicate thereof, as are directed by this Act, or shall cause or procure the same or either of them to be counterfeited, erazed or altered in any respect, he, she, or they so offending shall forfeit and lose the Sum of one hundred Pounds for every Offence, to be sued for, recovered, levied and divided in the manner as herein after is expressed.

Officers to grant such Certificate, and to transmit a Duplicate to the Officer appointed by the Treasury.

Proprietor to insert on the Back of the Certificate, the Packages, &c.

and make Oath thereof.

Penalty of removing Tobacco without Certificate, &c.

and of counterfeiting thereof.

XXIII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, no Tobacco or Tobacco Stalks exceeding the Quantity of twenty-four Pounds Weight, nor any Snuff exceeding ten Pounds Weight, shall be conveyed or carried by Land from any Place in *Great Britain* to any other Place in *Great Britain*, in any Hogshead, Cask, Chest or Package, unless such Hogshead, Cask, Chest or Package be stamped or marked on the Outside, with the respective Words, Tobacco, Tobacco Stalks or Snuff, in large Letters, not less than three Inches in Length, under the Penalty and Forfeiture of all such Tobacco, Tobacco Stalks or Snuff, with the Package thereof, and one Shilling for every Pound Weight thereof, to be paid by the Owner of such Tobacco, Tobacco Stalks or Snuff.

No Tobacco, Stalks or Snuff, above a certain Weight, to be carried by Land, unless the Species be marked with large Letters on the Package. Penalty.

XXIV. And be it further enacted by the Authority aforesaid, That no Drawback shall be allowed for any Tobacco which is mixed with Rubbish or Dirt, or any other Matter or Thing whatsoever; and all and every Person or Persons who shall enter or ship for Exportation, or cause to be entered or shipped for Exportation, any Tobacco mixed with Rubbish or with Dirt, or any other Matter or Thing whatsoever, or who shall enter any Thing as Tobacco for Exportation, and which upon Examination by the proper Officers, shall appear not to be Tobacco, shall forfeit all such Goods, and the Casks, and other Package in which they are contained, and also the Sum of fifty Pounds of lawful Money of *Great Britain* for each and every Hogshead or other Package thereof.

No Drawback to be allowed for Tobacco mixed with Rubbish, &c. Penalty of entering such for Exportation, or any other Thing for Tobacco.

XXV. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, no Tobacco either manufactured or unmanufactured shall be entered or shipped for Exportation to any Parts beyond the Seas (*Ireland* only excepted) in any Ship or Vessel whatsoever, unless such Ship or Vessel shall be of the Burthen of seventy Tons or upwards; and if any Officer or Officers of the Customs shall apprehend, or have Reason to believe, that any such Ship or Vessel bound to foreign Parts, and having Tobacco on board her, shall not be of the Burthen of seventy Tons or upwards, it shall and may be lawful for such Officer or Officers to stop and detain such Ship or Vessel, and the whole Cargo laden on board her, of Tobacco, and all other Goods, until he or they shall cause such Ship or Vessel to be admeasured, according to the Admeasurement prescribed by an Act passed in the sixth Year of the Reign of his late Majesty King *George* the First, (intituled, *An Act for preventing Frauds and Abuses in Excise, Customs, Stamp Duties, Post Office, and House Money*;) and if it shall appear by such Admeasurement, that any such Ship or Vessels is of the Burthen of seventy Tons or upwards, the Officer or Officers so stopping and detaining her and her Cargo, shall not be subject or liable to any Action for Damages occasioned by such Stoppage and Detention; and if the Master or Commander of any Ship or Vessel outward bound to foreign Parts, having Tobacco on board her, shall enter and clear out such Ship or other Vessel in the Collector's Book at the Custom House, as of the Burthen of seventy Tons or upwards, and such Ship or Vessel shall not be of so great Burthen, according to the Admeasurement prescribed by the aforesaid Act, he shall forfeit and lose the Sum of one hundred Pounds for every such Offence.

No Tobacco to be shipped for Exportation (except to Ireland) unless in Vessels of 70 Tons, or upwards. Officer, where the Vessel appears not to be of that Burthen, may detain her till admeasured, according to 6 Geo. 1. c. 21.

Penalty on Master clearing out Vessels as of 70 Tons, not being of that Burthen.

XXVI. And

XXVI. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, where any Ship or Vessel whatsoever under the Burthen of seventy Tons coming or arriving from foreign Parts, or having cleared outwards in *Great Britain* for foreign Parts, and having on board one hundred Pounds Weight of Tobacco, or any Tobacco Stalks, or Stems stript from the Leaf, or fifty Pounds Weight of Snuff, shall be found at Anchor, or hovering within the Limits of any of the Ports of this Kingdom, or within two Leagues of the Shore, or shall be discovered to have been within the Limits of any Port, and not proceeding on her Voyage, Wind and Weather permitting, (unless in case of unavoidable Necessity and Distress of Weather, of which Necessity and Distress the Master, Purser or other Person having or taking the Charge or Command of such Ship or Vessel, shall give Notice to, and make Proof of, before the Collector or other Chief Officer of the Customs of such Port as aforesaid, immediately after the Arrival of such Ship or Vessel into the said Port,) all such Tobacco and Tobacco Stalks, or Stems stript from the Leaf, and Snuff, together with the Hogsheads, Bags, Boxes, Casks or other Package whatsoever, containing the same Goods, or the Value thereof, shall be forfeited and lost, (whether Bulk shall then have been broken or not) and the Master or other Person taking Charge of every such Ship or Vessel shall forfeit and lose the Sum of one hundred Pounds; and the same Goods and Package shall and may be seized and prosecuted, or the Value thereof be sued for by any Officer or Officers of the Customs, in such Manner and Form as herein after is expressed, any Law, Statute or Usage to the contrary notwithstanding; and if any Ship or Vessel whatsoever above the Burthen of seventy Tons, having such Goods on board as aforesaid, either homeward bound or outward bound, shall be found at Anchor, or hovering as aforesaid, and no Notice of Distress be given as aforesaid, the Master or other Person taking Charge of every such Ship or Vessel shall forfeit and lose the Sum of one hundred Pounds.

Penalty on Vessels under 70 Tons, with Tobacco, &c. above a certain Weight, being found at Anchor or hovering near the Ports, or within two Leagues of the Shore, unless in case of Distress, &c.

Penalty on Vessels above 70 Tons found at Anchor or hovering as aforesaid.

XXVII. And be it enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, all Tobacco, Tobacco Stalks and Snuff which shall be seized and condemned, shall be burnt and destroyed in the Presence of the Collector and Comptroller of the Customs for the Port where such Tobacco shall happen to be at the Time of such Condemnation, or in the Presence of such Officer as shall be appointed by them for that Purpose; and if there shall be no such Officer of the Customs at the Place where such Tobacco shall be at the Time of the Condemnation thereof, then in the Presence of the Collector or Supervisor of Excise of the District in which such Place is situate; and that all Rewards or Allowances to which the Officer or Officers who shall seize and prosecute the same, are intitled to by Law, shall be paid by the Receivers General of the Customs at *London* or *Edinburgh* respectively, or by the respective Collector in the Out-ports where such Tobacco, Tobacco Stalks or Snuff was seized, and burnt or destroyed, to such Officer or Officers, out of any of the Duties or Revenues arising from the Customs applicable to Incidents; that is to say, If it is Tobacco or Tobacco Snuff so burnt and destroyed, the same shall be paid at and after the same Rate and Proportion, as if the said Tobacco or Tobacco Snuff had been sold on Condemnation for six Pence *per* Pound; and if it is Tobacco Stalks, or damaged Tobacco, then, the Officer so seizing shall have and be intitled unto one Penny *per* Pound, for every Pound's Weight of Tobacco Stalks or damaged Tobacco so condemned and burnt in lieu of all other Allowances.

All Tobacco, &c. which shall be condemned, to be burnt,

and the Allowance payable to the Officer who shall seize the same, to be paid out of the Customs,

after the Rate of 6 d. per Pound, for Tobacco or Snuff,

and 1 d. per Pound for Stalks or damaged Tobacco.

XXVIII. Provided always, That the Officers of Customs or Excise respectively, in whose Presence the same shall be burnt, shall certify to the Commissioners of the Customs, in such Part of the united Kingdom where the same shall be burnt, the exact Quantity so burnt, whereupon the said Commissioners shall grant their Order for the Payment of the said Rewards or Allowances in manner above-mentioned; and if the same shall have been burnt in the Presence of such Officer of Excise, then the said Commissioners shall order the same to be paid by the Receivers General of the Customs, in either Part of the united Kingdom, as the same shall happen.

Officer to certify to the Commissioners the Quantity burnt,

and they are to grant Order for Payment of the Reward.

'XXIX. And whereas some Doubts have arisen, whether the Bonds which are given to the Crown for 'the Payment of the several and respective Duties on Tobacco, within eighteen Months as the Law di-'rects, ought on the Expiration of the said eighteen Months to be put in Suit, and whether any Interest 'shall accrue thereon to the Crown, from and after the Expiration of the said eighteen Months, until the 'said Bonds shall be vacated by a proper Debenture to be made out for that Purpose, in as much as the 'Exporter upon the Exportation of the Tobacco within the Time limited by Law, which is three Years, 'is to be paid, or allowed to draw back the whole Duty or the Security vacated on the Bond or Bonds 'given on the Importation of the same Tobacco;' Now to clear up and remove all such Doubts for the future; Be it declared and enacted by the Authority aforesaid, and it is hereby declared and enacted, That all Bonds which have been given, and are now subsisting at the Time of making this Act, for the several and respective Duties on Tobacco, or which shall hereafter be given for the Payment of the said Duties, are and shall be deemed and taken to be due and payable immediately upon the Day mentioned in the Condition of the said Bond for Payment thereof; and that such Interest shall be paid to the Crown, on all such Bonds, as is directed by an Act of Parliament made in the fourth Year of her late Majesty Queen *Anne*, (intituled, *An Act for continuing an additional Subsidy of Tonnage and Poundage, and certain Duties upon Coals, Culm and Cinders, and additional Duties of Excise; and for settling and establishing a Fund thereby, and by other Ways and Means for Payment of Annuities to be sold for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and six, and other Uses therein mentioned)* which Interest

Bonds for Payment of the Duties on Tobacco,

to be due on the Day of Payment mentioned in the Bond, and Interest thereon to be paid to the

Crown, according to 4 Ann. c. 6.

Intereſt ſhall be computed from the Day the Bond becomes due, to the Day whereon it ſhall be paid off in Money, or the Day the Searcher certifies upon the Debenture, that the Tobacco was ſhipt for Exportation, notwithſtanding ſuch Tobacco doth or ſhall remain unexported, and the three Years (being the Time limited for the Allowance of the Drawback on Exportation) ſhall not be expired and no ſuch Security ſhall hereafter be vacated, until all ſuch Intereſt ſhall be paid thereon; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Exchequer may grant a Fiat for Proceſs of immediate Extent for Payment of the Bonds before due,

upon Affidavit that the Debt is in Danger.

XXX. And be it further declared and enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Chancellor and Under Treaſurer of his Majeſty's Court of *Exchequer*, the Lord Chief Baron, and other Barons of the ſaid Court of the Degree of the Coif, or any or either of them, to grant his or their *Fiat* for the iſſuing of Proceſs of immediate Extent againſt any Perſon or Perſons who has or have, or ſhall have given his or their Bond to the Crown for Duties on Tobacco, although the Day mentioned in the Condition of the ſaid Bond for Payment be not come, upon an Affidavit laid before him, by one of the Securities, or Executor or Adminiſtrator of ſuch Security, that the Perſon bound to the Crown in ſuch Bond is decayed in his Circumſtances, and that the Crown's Debt is in Danger of being loſt, unleſs ſome more ſpeedy Method than the uſual Way of Proceeding be forthwith had for Recovery thereof; and if the Crown recovers the Money due on ſuch Bond, before the Day of Payment ſhall become due, the Obligor is to be allowed out of the Money ſo recovered the uſual Diſcounts.

Crown recovering thereon, the Obligor to be allowed the uſual Diſcounts.

21 Geo. 2. c. 2.

'XXXI. And whereas by an Act made in the twenty-firſt Year of his preſent Majeſty's Reign, (intituled, *An Act for granting to his Majeſty a Subſidy of Poundage upon all Goods and Merchandizes to be imported into this Kingdom; and for raiſing a certain Sum of Money by Annuities, and a Lottery, to be charged on the ſaid Subſidy; and for repealing ſo much of an Act made in the twentieth Year of his preſent Majeſty's Reign, as enacts, that Prize Goods and Merchandizes may be exported, without paying any Duty of Cuſtom or Exciſe for the ſame)* it is provided, That the Importers of Tobacco ſhall, upon paying down the Subſidy thereby granted, have the ſame Allowance with reſpect to the ſaid Subſidy, as they are intitled to by any Law now in Force upon Tobacco imported; but no Allowance is given by the ſaid Act to the Importers of Tobacco, when the ſaid Subſidy is bonded, which has been found detrimental to Trade;' Be it therefore enacted by the Authority aforeſaid, That the Importers of Tobacco ſhall, from and after the firſt of *June* one thouſand ſeven hundred and fifty-one, have the ſame Allowances and Diſcounts on giving Bonds for the ſaid Subſidy, or paying the ſame before they become due, as they are now intitled to by any Law now in Force upon Bonds given for Tobacco imported; and that if any Importer of Tobacco who hath already given Security, or ſhall before the ſaid firſt of *June* one thouſand ſeven hundred and fifty-one, give Security for the ſaid Subſidy, ſhall be deſirous to diſcharge his Bond or Bonds, or any Part thereof in Ready Money, before the Expiration of eighteen Months from the Date thereof, he ſhall be abated upon ſuch Bond or Bonds ſo much as the Diſcount at the Rate of ſeven *per Centum per Annum* ſhall amount to in proportion to the Time unexpired.

Importers of Tobacco to have a Diſcount on giving Bonds for the ſaid Subſidy, or paying the ſame before due, &c.

12 Ann. ſt. 2. c. 8.

'XXXII. And whereas by an Act of Parliament made in the twelfth Year of the Reign of her late Majeſty Queen *Anne*, (intituled, *An Act for the encouraging the Tobacco Trade)* it was enacted, That any Perſon importing Tobacco, that ſhould pay down in ready Money the Subſidy of one Penny *per* Pound, due and payable by the Act of the twelfth Year of the Reign of his late Majeſty King *Charles* the Second, or by any Act or Acts continuing the ſame, and ſhould then deſire to have the ſaid Tobacco put into Warehouſes under the Queen's and Merchants Locks for the Security of the Remainder of the Duties, the Merchant or his Servants ſhould have free Acceſs into the ſaid Warehouſe at all ſeaſonable Times, which ſaid Act was to continue in Force for five Years, and to the End of the then next Seſſion of Parliament: And whereas by an Act of Parliament paſſed in the fifth Year of the Reign of his late Majeſty King *George* the Firſt, (intituled, *An Act for continuing an Act made in the twelfth Year of the Reign of her late Majeſty Queen* Anne, intituled, *An Act for encouraging the Tobacco Trade)* it is declared, That the putting of Tobacco into Warehouſes had been found beneficial to the Tobacco Trade; and therefore enacted, That the ſaid recited Act of the twelfth Year of the Reign of her late Majeſty Queen *Anne* ſhould continue in Force during ſuch Time as the reſpective Duties on Tobacco ſhould reſpectively continue in Force: And whereas Doubts have ariſen, whether the ſaid recited Act of the twelfth Year of the Reign of her ſaid late Majeſty Queen *Anne* is now in Force;' For obviating whereof, Be it further enacted by the Authority aforeſaid, That the ſaid Act, ſo far as the ſame relates to the putting Tobacco into Warehouſes, and every Article, Rule, Clauſe, Matter and Thing therein contained, ſhall be and continue, and are hereby declared to be in full Force.

5 Geo. 1. c. 7.

The recited Act of 12 Ann. ſo far as it relates to putting Tobacco into Warehouſes, to be in Force.

Recovery of the Penalties and Forfeitures.

XXXIII. And be it further enacted by the Authority aforeſaid, That one Moiety of the ſeveral Penalties and Forfeitures in this Act before mentioned, ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon and Perſons as ſhall inform, proſecute or ſue for the ſame; and that all the ſame Penalties and Forfeitures ſhall and may be proſecuted and ſued for, and the Cauſes and Controverſies ariſing thereupon, tried, heard and determined in any of his Majeſty's Courts of Record at *Weſtminſter*, (if the Offence ſhall be committed in *England*, or if the Offender or Offenders be in *England* at the Time of commencing the Proſecution) or in the Court of *Exchequer* at *Edinburgh*, (if the Offence ſhall be committed in *Scotland*, or if the Offender or Offenders be in *Scotland* at the Time of commencing the Proſecution) at the Election of the Commiſſioners of his Majeſty's Cuſtoms in that Part of

of the said United Kingdom where the Offence or Offences shall be committed, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed; any Law, Usage or Custom to the contrary notwithstanding.

Limitation of Actions.

XXXIV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance of and by Authority of this Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

General Issue.

Treble Costs.

Concerning Tobacco see farther 26 *Geo.* 2. *c.* 13.

CAP. XLII.

An Act to explain and amend an Act passed in the last Session of Parliament, intituled, *An Act for the more easy and speedy Recovery of small Debts within the City and Liberty of* Westminster, *and that Part of the Dutchy of* Lancaster *which adjoineth thereto*; and for making the said Act more effectual. PR.

23 Geo. 2. c. 27.

'WHEREAS several Doubts have arisen in the Execution of an Act passed in the twenty-third Year of his present Majesty's Reign, intituled, *An Act for the more easy and speedy Recovery of small Debts within the City and Liberty of* Westminster, *and that Part of the Dutchy of* Lancaster *which adjoineth thereto*; and the said Act has, in many Respects, been found insufficient to answer the Purposes thereby intended: And whereas Doubts have arisen, whether Attornies and Solicitors are subject to the Processes of the said Court:' Therefore, for explaining, amending, and making the said Act more effectual, May it please your most Excellent Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Persons admitted as Attornies or Solicitors shall be, and they are hereby declared to be subject to all the Processes of the said Court of Requests for the City and Liberty of *Westminster*, and that Part of the Dutchy of *Lancaster* which adjoineth thereto; any Thing in the said Act to the contrary in any wise notwithstanding.

Attornies and Solicitors subject to the Processes of the Court.

'II. And whereas the Commissioners nominated and appointed to put the said Act in Execution, are directed by the said Act to meet in three different Divisions, one Day in each Week: And whereas divers Mistakes and Inconveniencies have happened, for want of knowing the particular Bounds and Limits of the several Divisions or Districts:' For Remedy thereof, Be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, so much of the said Act as relates to the dividing the said City and Liberty of *Westminster*, and that Part of the Dutchy of *Lancaster* which adjoineth thereto, into three Districts or Divisions, shall be, and is hereby repealed.

So much of the recited Act as relates to the dividing the City and Liberty of Westminster, &c. into 3 Divisions repealed.

Court to be held in two Divisions.

III. And be it further enacted by the Authority aforesaid, That the Commissioners nominated and appointed, or to be nominated and appointed, by virtue of the said Act, are hereby authorized and required to assemble, sit and hold the said Court in and for the said City and Liberty, and that Part of the Dutchy of *Lancaster* which adjoineth thereto, in two Divisions only; *videlicet*, The several Parishes of *St. Margaret*, *St. John* the Evangelist, *St. Martin in the Fields*, *St. Paul Covent Garden*, *St. Clement Danes*, *St. Mary le Strand*, and that Part of the Dutchy of *Lancaster* which adjoineth to the said Liberty of *Westminster*, to be one of the said Divisions; and the several Parishes of *St. George Hanover Square*, *St. James*, and *St. Anne*, to be the other Division, in such manner as is herein after-mentioned and declared; *videlicet*, The Commissioners for the said several Parishes of *St. Margaret*, *St. John* the Evangelist, *St. Martin in the Fields*, *St. Paul Covent Garden*, *St. Clement Danes*, *St. Mary le Strand*, and that Part of the Dutchy of *Lancaster* which adjoineth to the said Liberty of *Westminster*, on every *Thursday* in every Week, or oftener, if necessary, in some convenient Part of the said Division; and the said Commissioners for the Parishes of *St. George Hanover Square*, *St. James*, and *St. Anne*, on every *Tuesday* in every Week, or oftener, if necessary, in some convenient Part of the said Division, for the putting in Execution the several Powers and Authorities granted by this and the said former Act.

Days of sitting of the Court for each Division.

'IV. And whereas the erecting or hiring, fitting up and maintaining two convenient Court-houses for the Purposes aforesaid, will be attended with very great Expence to the Officers appointed to put the said Act of the last Session of Parliament in Execution: And whereas by the said Act the said Officers are obliged to pay an annual Allowance to the Council of the *Marshalsea Court*; which Expences and Allowances, and other necessary Charges attending the Execution of the said Act, have rendered, and will

'continue to render, the Profits arising to the said Officers of the Court very inconsiderable:' Therefore, to enable the said Officers to defray such Expences, and in order to provide some Compensation for their Trouble, Be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, instead of the Fees limited by the said former Act, the several Fees hereafter limited, and no other Fee or Fees, shall be taken for the respective Services of the High Bailiff of the City and Liberty of *Westminster* for the Time being, and the Clerks of the said Court; that is to say,

The Fees following to be taken in lieu of those limited by the former Act.

For issuing out every Summons, to the Clerk or Clerks four Pence.
For the Service of such Summons, to the High Bailiff four Pence.
For every Hearing, to the Clerk or Clerks six Pence, to the High Bailiff three Pence.
For an Execution, to the Clerk or Clerks one Shilling, to the High Bailiff one Shilling and six Pence.
For paying Money into Court, to the Clerk or Clerks seven Pence.
For acknowledging Satisfaction in full, to the Clerk or Clerks six Pence.
For every Search, to the Clerk or Clerks two Pence.
For calling the Defendant before the Court, to the Clerk or Clerks two Pence, to the High Bailiff two Pence.
For every Order upon Hearing, and the Entry thereof, to the Clerk or Clerks four Pence.
For the Service of every such Order, to the High Bailiff two Pence.
For a Nonsuit on the Plaintiff's not appearing, to the Clerk or Clerks four Pence.

Table of Fees to be hung up in each Court-house.

A Table of which Fees shall be hung up by the Clerks of the said Court, or one of them, in some publick and conspicuous Place of the two Court-houses where the said Commissioners shall meet for the Purposes aforesaid, to the end that all Persons may at all Times see and read the same.

The Number of Clerks to be reduced upon the Death, Resignation or Removal, &c.

'V. And whereas by the said Act of the last Session of Parliament four Clerks are appointed for the said 'three Divisions, which Divisions are by this Act reduced to two;' Be it enacted by the Authority aforesaid, That upon the Death, Resignation or Removal of any one of the said four Clerks, the remaining three Clerks shall continue to act; and upon the Death, Resignation or Removal of any one of the said three Clerks, then the remaining two shall in like manner proceed to act; and shall continue to carry into Execution all the Powers and Authorities by the said former and this present Act vested in the said Clerks; nor shall the Commissioners proceed to chuse another Clerk in the Place or Stead of any one so dying, resigning or being removed, until the Number of the said Clerks shall be reduced to one; at which Time, or so soon after as the same shall be publickly known, the Commissioners appointed to put the said former and this present Act in Execution shall proceed to elect another Clerk, to be joined with the surviving or remaining Clerk, according to the Directions for that Purpose in the said former Act, so as such Number of Clerks shall not at any Time afterwards exceed the Number of two.

Clerks not to act as Justices in any Matters relative to the Jurisdiction of the Court.

VI. And be it further enacted by the Authority aforesaid, That no Clerk or Clerks of the said Court shall act as a Justice or Justices of the Peace in any Matter or Thing whatsoever relative to the Proceedings of the said Court, or any Matter which may arise in relation to the Jurisdiction of the same: But nothing in this or the said former Act contained shall prevent or exclude any Clerk of the said Court from acting as a Justice of the Peace in any Matter not relative to the Business or Jurisdiction of the said Court.

Persons residing within the Limits, subject to the Jurisdiction though the Plaintiff be not resiant therein.

'VII. And whereas Doubts have arisen, whether any Person or Persons residing within the City and 'Liberty of *Westminster*, or that Part of the Dutchy of *Lancaster* adjoining thereto, and who are indebted 'to Persons who did not reside within the Limits aforesaid, are subject to the Jurisdiction of the said 'Court;' For Remedy thereof, Be it declared and enacted by the Authority aforesaid, That all Persons inhabiting within the Limits aforesaid shall be, and are hereby declared to be, subject to the Process and Jurisdiction of the said Court, although the Plaintiff suing out such Process shall not inhabit or reside within the said City and Liberty of *Westminster*, and that Part of the Dutchy of *Lancaster* which adjoineth thereto.

CAP. XLIII.

An Act for the more effectual Preservation of the Turnpike Roads in that Part of *Great Britain* called *England*; and for the Disposition of Penalties given by Acts of Parliament relating to the Highways, in that Part of *Great Britain* called *England*, and for enforcing the Recovery thereof; and for the more effectual preventing of Mischiefs occasioned by the Drivers riding upon Carts, Drays, Carrs and Waggons, in the City of *London*, and within ten Miles thereof.

For former Laws refer to 13 *Ed.* 1. *st.* 2. *c.* 5. 2 & 3 *P. & M. c.* 8. 5 *El. c.* 13. 29 *El. c.* 5. 13 & 14 *Car.* 2. *c.* 6.

'WHEREAS great Sums of Money have been expended in amending and repairing the Turnpike 'Roads of this Kingdom, yet the said Roads cannot be kept in sufficient Repair, and are in many 'Places become ruinous by the great and excessive Weights which the Number of Horses now allowed 'by Law to draw Waggons and other Carriages enable Carriers and other Persons using the said Roads 'to carry upon the same:' For Remedy whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

sent Parliament assembled, and by the Authority of the same, That from and after the first Day of *July* one thousand seven hundred and fifty-two, it shall and may be lawful for all Trustees or Commissioners appointed, or hereafter to be appointed, by any Act or Acts of Parliament, for the Repair of any Highway or Highways in that Part of *Great Britain* called *England*, in their respective Districts, or any five of them, or any Person or Persons impowered by them, or any five of them, to demand, receive and take, and they are hereby required to demand, receive and take, at all the Gates and Bars they have erected, or shall erect, for the receiving and collecting any Toll or Duty, the Sum of twenty Shillings for every Waggon or other Carriage drawn by six Horses, before such Waggon or other Carriage shall be permitted to pass through any such Toll-gate or Toll-bar, over and above the Tolls or Duties already granted, or hereafter to be granted; which said additional Toll or Duty hereby granted and made payable, shall and may be levied and recovered upon any Person who shall after Demand made thereof refuse or neglect to pay the same, in such Manner as any other Toll or Duty payable at the same Turnpike-gate or Bar is by Law to be levied and recovered; and the Money arising from such additional Duty shall be applied to the Repair of the Highway where the same shall be collected.

22 *Car.* 2. *c.* 12. 3 *W. & M. c.* 12. 7 *W.* 3. *c.* 29. 8 & 9 *W.* 3. *c.* 16. 7 *Geo.* 2. *c.* 9. 8 *Geo.* 2. *c.* 20. 9 *Geo.* 2. *c.* 18. 14 *Geo.* 2. *c.* 42. 21 *Geo.* 2. *c.* 28.

Trustees of the Roads may take 20*s.* above the Tolls for every Waggon, &c. drawn with 6 Horses passing through any Turnpike, &c.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall take off, or cause to be taken off, any Horse or Horses from any Waggon or other Carriage, at or before the same shall come to any of the said Gates or Turnpikes, with Intent to avoid paying the said additional Toll or Duty, each and every Person so offending, and being convicted thereof before the said Trustees, or any five or more of them, or one or more Justice or Justices of the Peace for the County, Riding or Division, where the Offence shall be committed, upon the Oath of one or more credible Witness or Witnesses, which Oath the said Trustees, or any five or more of them, or the said Justice or Justices, are hereby impowered to administer, shall forfeit and pay to the Informer the Sum of five Pounds; which Sum, in case the same be not forthwith paid, shall be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or Hands and Seals of the said Trustees, or any five or more of them, or the said Justice or Justices, rendering the Overplus to the Owner (if any be) on Demand, after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Trustees, or any five or more of them, or by the said Justice or Justices.

Penalty of taking off Horses to avoid the Duty,

to be levied by Distress and Sale.

III. And be it enacted and declared by the Authority aforesaid, That every Person who shall drive any Waggon or other Carriage upon any Part of any Turnpike Road with more Horses than such Waggon or other Carriage shall on the same Day pass through any Turnpike-bar or Gate with, shall be deemed and adjudged to have taken off the said Horses with Intent to avoid paying the said additional Toll or Duty.

Persons driving with more Horses than such Waggon shall pass with the same Day, deemed to incur the Penalty.

IV. Provided always, and be it further enacted by the Authority aforesaid, That from and after the first Day of *September* one thousand seven hundred and fifty-one, no Waggon, Cart or other Carriage, travelling for Hire upon any of the said Turnpike Roads, shall be drove or turned out of the same into any of the Roads adjacent, not being Turnpike Roads, in order to avoid, and thereby avoiding paying the Tolls and Duties appointed by this or any former Act or Acts to be paid at any Gate or Turnpike erected for the collecting and receiving the same; upon pain of forfeiting and losing any one of the Horses drawing such Waggon, Cart or Carriage, (not being the Thill or Shaft Horse) with all his Geers and Accoutrements, to the sole Use and Benefit of any Person or Persons who shall seize or distrain the same; and the Person or Persons making such Seizure or Distress shall proceed in like manner, and be intitled to the like Remedies, as is directed and given in Cases of Seizure of Horses, by an Act of Parliament made in the fifth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for making more effectual the several Acts passed for repairing and amending the Highways of this Kingdom.*

Penalty of driving Waggons out of the Turnpike Roads to avoid the Tolls,

to be levied according to 5 Geo. 1. c. 12.

V. Provided always, That nothing in this Act shall be deemed or construed to extend to any Coach, Berlin, Chariot, Chaise, Calash or Hearse, or to any Waggon, Wain, Cart, or other Carriage, employed only about Husbandry, or in carrying only of Hay, Straw, Corn unthrashed, or Chalk, or any Stone, Block of Marble, or Piece of Timber, nor to Carravans, or the covered Carriages of Noblemen and Gentlemen for their private Use, or such Timber, Ammunition or Artillery, as shall be for his Majesty's Service.

Carriages exempted.

'VI. And whereas an Act of Parliament was made in the fourteenth Year of the Reign of his present 'Majesty, intituled, *An Act for the Preservation of the publick Roads, in that Part of* Great Britain *called* 'England, which hath proved insufficient for the Purpose, by reason that few of the Cranes, Machines 'or Engines, therein mentioned for the weighing of Carriages, have been erected; and to avoid such as 'have been erected, the Owners and Drivers of Waggons, and other Carriages, with excessive Weights, 'have in several Places left the Turnpike Road, and gone through other Roads and By-lanes, which have 'been repaired at a great Expence by the Inhabitants of the several Parishes and Places where the same lie, 'and thereby such Roads and By-lanes have been greatly damaged and made ruinous, to the great Preju-'dice and Expence of such Inhabitants, and the Income of the Toll hath been also much lessened:' For Remedy whereof, and rendering the said Act more effectual for the Purposes thereby intended, Be it further enacted by the Authority aforesaid, That on or before the twenty-fifth Day of *March* one thousand seven hundred and fifty-two, all Commissioners or Trustees already appointed by any Act or Acts of Parliament for the Repairs of any Highway or Highways in that Part of *Great Britain* called *England*, or any five or more of them, shall, and they are hereby required, at one or more Gate or Gates, Bar or Bars, or at some other convenient Place or Places within their respective Districts, to order and cause to be built and erected a Crane, Machine or Engine proper for the weighing of Carts, Waggons or other Carriages

14 Geo. 2. c. 42.

Trustees to erect Engines for weighing Carriages.

for the carrying of any Goods or Merchandize whatsoever, and order and cause all and every such Carts and Waggons or other Carriages (except such as by this Act are excepted) which shall pass through any such Gate or Bar to be weighed, together with the Loading thereof, and shall receive and take such Toll and additional Duty of twenty Shillings the Hundred, as is by the said Act authorized and directed to be received and taken, and shall apply the same for the Purposes in the said Act mentioned.

Trustees for Roads beyond 30 Miles from London, or where the Tolls do not amount to the annual Sum of 150 l. not obliged to erect Engines.

VII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend to oblige the Trustees of any Turnpike Road beyond thirty Miles Distance from *London*, or where the Tolls and Duties granted to such Trustees do not amount to the annual Sum of one hundred and fifty Pounds within thirty Miles Distance from London, to erect any Engine or Machine for the weighing Waggons or Carriages; any Thing in this Act to the contrary notwithstanding.

1 Geo. 1. c. 57.

'VIII. And whereas an Act passed in the first Year of the Reign of King *George* the First has not been 'found sufficient to prevent the Mischiefs that frequently happen by the Negligence of Carters, Draymen, 'Carmen and Waggoners riding on their Carriages in the City of *London*, or within ten Miles thereof;' Now, in order more effectually to prevent such Mischiefs for the future, and for the more speedy and easy Conviction and punishing Offenders against the said Act, Be it therefore enacted, That if any Carter, Drayman, Carman, Waggoner or other Driver shall, after the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, ride upon such Cart, Dray, Carr or Waggon in the City of *London*, or within ten Miles thereof, not having some other Person or Persons on Foot to guide or conduct the same, every such Person, being thereof convicted according to the Tenor of the aforesaid Act, shall forfeit and pay the Sum of ten Shillings, in case such Driver shall not be the Owner of such Carriage; and in case the Offender be the Owner of such Carriage, then any Sum not exceeding twenty Shillings: Which Penalties shall be recovered, levied and applied, as by the said former Act is directed concerning the ten Shillings Penalty aforesaid.

Penalty on Carter riding upon his Cart, not having some Person on Foot to guide the same.

Any Person may apprehend such Offender, and carry him before a Justice. Penalty of resisting, &c.

IX. And be it enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, though not a Peace Officer, to stop and apprehend such Offender, and to carry him, as soon as conveniently may be, before any Justice of the Peace for the County, City or Place where such Offence is committed; and in case any Person or Persons shall resist, abuse or prevent any Person endeavouring to apprehend any such Offender, or when he is apprehended, shall rescue or endeavour to rescue him, such Person so offending shall for every such Offence incur the Penalty of twenty Shillings, to be recovered and applied as aforesaid.

Waggons drawing up steep Hills, may use as many Horses as the Justices at Sessions shall direct,

X. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this or any former Act contained, shall extend, or be construed to extend to restrain or hinder any Owner or Owners of any Waggon or other Carriage, or his or their Servants, using or drawing with as many Horses or Beasts as shall be necessary for the drawing such Waggons or other Carriages up any such steep Hills, as the Justices of the Peace of the respective Counties, Ridings, Divisions and Places where such steep Hills do lie, shall at their Quarter-Sessions from time to time order and direct; which said Order and Direction shall be kept by the respective Clerks of the Peace among the Records of the Sessions, to which all Persons, at reasonable Times, shall have Recourse without Fee or Reward.

'XI. And whereas several Acts have been made, as well for repairing and amending divers publick 'Roads in that Part of *Great Britain* called *England*, as for punishing Offences done or committed upon or 'to the Highways, the good Intentions whereof have not been answered for want of a due Execution of 'the said Laws;' For Remedy whereof, and as a further Encouragement to Informers, Be it enacted by the Authority aforesaid, That all Penalties and Forfeitures imposed by this or any former Act, shall, from and after the tenth Day of *September* in the Year one thousand seven hundred and fifty-one, be wholly given to and vested in the Informer or Person who shall sue for the same; any Law or Statute to the contrary notwithstanding: And every such Informer or Prosecutor shall and may from thenceforth sue for and recover such Forfeitures or Penalties by this or any of the said Acts imposed, in the same Manner as the same are severally and respectively directed to be sued for and recovered, or by Action at Law, to be brought by such Informer or Prosecutor in any of his Majesty's Courts of Record at *Westminster*, in Manner following; that is to say, where any Person shall for any such Offence be liable to pay any pecuniary Penalty, it shall be lawful to sue for the same by Action of Debt; in which it shall be sufficient to declare, that the Defendant is indebted to the Plaintiff in the Sum of being forfeited by an Act, intituled,

Penalties vested in the Informer.

Method of Recovery.

And where the Penalty or Forfeiture is of any Horse or Horses, Gelding or Geldings, Mare or Mares, or other Goods, by an Action of Trover against the Person liable to such Penalty or Forfeiture, in which the Value of such Horse or Horses, Gelding or Geldings, Mare or Mares, or other Goods as is or are liable to the Forfeiture, shall be given in Damages, without any Seizure or Demand thereof; and the Plaintiff, if he recover in any such Action, shall have double Costs; provided that there shall not be more than one Recovery for the same Offence: And that no Action shall be brought, by virtue of this Act, in any of his Majesty's said Courts of Record, unless the same be brought before the End of six Calendar Months after the Offence committed.

Double Costs. Limitation of Actions.

Concerning Highways see farther 26 *Geo.* 2. *c.* 28 & 30. 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

CAP.

CAP. XLIV.

An Act for the rendering Justices of the Peace more safe in the Execution of their Office; and for indemnifying Constables and others acting in Obedience to their Warrants.

1 *Ed.* 3. *c.* 16. 2 *Ed.* 3. *c.* 6. 18 *Ed.* 3. *stat.* 2. *c.* 2. 34 *Ed.* 3. *c.* 1 & 5. 12 *R.* 2. *c.* 10. 13 *R.* 2. *c.* 7. 14 *R.* 2. *c.* 11. 17 *R.* 2. *c.* 9. 2 *H.* 5. *stat.* 1. *c.* 4. 2 *H.* 5. *stat.* 2. *c.* 1. 11 *H.* 6. *c.* 6. 14 *H.* 6. *c.* 4. 18 *H.* 6. *c.* 11. 1 *Ed.* 4. *c.* 2. 1 *R.* 3. *c.* 3. 3 *H.* 7. *c.* 1. 4 *H.* 7. *c.* 12. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 7. 5 *Geo.* 2. *c.* 18 & 19. 7 *Geo.* 2. *c.* 10. 15 *Geo.* 2. *c.* 24. 18 *Geo.* 2. *c.* 20.

'WHEREAS Justices of the Peace are discouraged in the Execution of their Office by vexa-
'tious Actions brought against them for or by reason of small and involuntary Errors in their Pro-
'ceedings: And whereas it is necessary that they should be (as far as is consistent with Justice, and the
'Safety and Liberty of the Subjects over whom their Authority extends) rendered safe in the Execution
'of the said Office and Trust: And whereas it is also necessary that the Subjects should be protected
'from all wilful and oppressive Abuse of the several Laws and Statutes committed to the Care and Exe-
'cution of the said Justices of the Peace;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, no Writ shall be sued out against, nor any Copy of any Process, at the Suit of a Subject, shall be served on any Justice of the Peace for any Thing by him done in the Execution of his Office, until Notice in Writing of such intended Writ or Process shall have been delivered to him, or left at the usual Place of his Abode, by the Attorney or Agent for the Party who intends to sue or cause the same to be sued out or served, at least one Calendar Month before the suing out or serving the same; in which Notice shall be clearly and explicitly contained the Cause of Action which such Party hath or claimeth to have against such Justice of the Peace; on the Back of which Notice shall be indorsed the Name of such Attorney or Agent, together with the Place of his Abode, who shall be intitled to have the Fee of twenty Shillings for the preparing and serving such Notice, and no more.

No Writ to be sued against any Justice for what he shall do in the Execution of his Office, 'till Notice given him;

II. And be it further enacted, That it shall and may be lawful to and for such Justice of the Peace, at any Time, within one Calendar Month after such Notice given as aforesaid, to tender Amends to the Party complaining, or to his or her Agent or Attorney; and in case the same is not accepted, to plead such Tender in Bar to any Action to be brought against him, grounded on such Writ or Process, together with the Plea of Not Guilty, and any other Plea, with the Leave of the Court; and if upon Issue joined thereon the Jury shall find the Amends so tendered to have been sufficient, then they shall give a Verdict for the Defendant; and in such Case, or in case the Plaintiff shall become nonsuit, or shall discontinue his or her Action, or in case Judgment shall be given for such Defendant or Defendants upon Demurrer, such Justice shall be intitled to the like Costs as he would have been intitled unto, in case he had pleaded the General Issue only; and if upon Issue so joined the Jury shall find that no Amends were tendered, or that the same were not sufficient, and also against the Defendant or Defendants on such other Plea or Pleas, then they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, which he or she shall recover, together with his or her Costs of Suit.

he may tender Amends;

and plead the same in Bar, &c. *Extended by* 30 *Geo.* 2. *c.* 24. §. 23.

III. And be it further enacted, That no such Plaintiff shall recover any Verdict against such Justice in any Case where the Action shall be grounded on any Act of the Defendant, as Justice of the Peace, unless it is proved upon the Trial of such Action, that such Notice was given as aforesaid; but in Default thereof such Justice shall recover a Verdict and Costs as aforesaid.

Plaintiff not to recover without Proof of such Notice.

IV. And be it further enacted by the Authority aforesaid, That in case such Justice shall neglect to tender any Amends, or shall have tendered insufficient Amends, before the Action brought, it shall and may be lawful for him, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he shall see fit; whereupon such Proceedings, Orders and Judgments shall be had, made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Justice may pay into Court before Issue joined, such Sum as he shall think fit.

V. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff on the Trial of any such Action as aforesaid, of any Cause of Action, except such as is contained in the Notice hereby directed to be given.

Evidence not to be given of any Cause, but such as is contained in the Notice.

VI. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-one, no Action shall be brought against any Constable, Headborough or other Officer, or against any Person or Persons acting by his Order and in his Aid, for any thing done in Obedience to any Warrant under the Hand or Seal of any Justice of the Peace, until Demand hath been made or left at the usual Place of his Abode, by the Party or Parties intending to bring such Action, or by his, her or their Attorney or Agent, in Writing, signed by the Party demanding the same, of the Perusal and Copy of such Warrant, and the same hath been refused or neglected for the Space of six Days after such Demand; and in case after such Demand and Compliance therewith, by shewing the said Warrant to, and permitting a Copy to be taken thereof by the Party demanding the same, any Action shall be brought against such Constable, Headborough or other Officer, or against such Person or Persons acting in his Aid for any such Cause as aforesaid, without making the Justice or Justices who signed or sealed the said Warrant, Defendant or Defendants, that on producing or proving such Warrant at the Trial of such Action, the Jury shall give their Verdict for the Defendant or Defendants, notwithstanding any Defect of Jurisdiction in such Justice or Justices; and if such Action be brought jointly against such Justice or Justices, and also against such Constable, Headborough or other Officer, or Person

Action not to be brought against any Constable acting in Obedience to Justice's Warrant, till Demand made of the Copy of the Warrant, and Refusal thereof, &c.

or

or Persons acting in his or their Aid as aforesaid, then on Proof of such Warrant the Jury shall find for such Constable, Headborough or other Officer, and for such Person or Persons so acting as aforesaid, notwithstanding such Defect of Jurisdiction as aforesaid; and if the Verdict shall be given against the Justice or Justices, that in such Case the Plaintiff or Plaintiffs shall recover his, her or their Costs against him or them, to be taxed in such Manner by the proper Officer, as to include such Costs as such Plaintiff or Plaintiffs are liable to pay to such Defendant or Defendants for whom such Verdict shall be found as aforesaid.

Where the Judge shall certify the Cause of Action was wilfully committed, Plaintiff to recover double Costs.

VII. Provided always, That where the Plaintiff in any such Action against any Justice of the Peace shall obtain a Verdict, in case the Judge before whom the Cause shall be tried, shall in open Court certify on the Back of the Record, that the Injury for which such Action was brought, was wilfully and maliciously committed, the Plaintiff shall be intitled to have and receive double Costs of Suit.

Limitation of Actions.

VIII. Provided also, and be it enacted by the Authority aforesaid, That no Action shall be brought against any Justice of the Peace for any thing done in the Execution of his Office, or against any Constable, Headborough or other Officer, or Person acting as aforesaid, unless commenced within six Calendar Months after the Act committed.

Concerning Justices of Peace, see ch. 55. *and farther* 26 *Geo.* c. 14 & 27. 27 *Geo.* 2. c. 16 & 20. 1 *Geo.* 3. c. 13.

CAP. XLV.

An Act for the more effectual preventing of Robberies and Thefts upon any navigable Rivers, Ports of Entry or Discharge, Wharfs, and Keys adjacent.

'WHEREAS divers wicked and ill-disposed Persons are encouraged to commit Robberies and Thefts 'upon navigable Rivers, Ports of Entry and Discharge, Wharfs and Keys adjacent, by the Privi'lege, as the Law now is, of being admitted to the Benefit of their Clergy;' Therefore, for the more effectual preventing such Felonies for the future, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons that shall at any Time from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, feloniously steal any Goods, Wares or Merchandize, of the Value of forty Shillings, in any Ship, Barge, Lighter, Boat or other Vessel, or Craft, upon any navigable River, or in any Port of Entry or Discharge, or in any Creek belonging to any navigable River, Port of Entry or Discharge, within the Kingdom of *Great Britain*; or shall feloniously steal any Goods, Wares or Merchandize, of the Value of forty Shillings, upon any Wharf or Key adjacent to any navigable River, Port of Entry or Discharge, or shall be present, aiding and assisting in the committing any of the Offences aforesaid, being thereof convicted or attainted, or being indicted thereof shall of Malice stand mute, or will not directly answer to the Indictment; or shall peremptorily challenge above the Number of twenty Persons returned to be of the Jury, shall be excluded from the Benefit of Clergy.

Persons convicted of Theft of 40 s. Value on board any Vessel, or on any Wharf, or assisting therein, &c. excluded from the Benefit of Clergy.

CAP. XLVI.

For former Provisions concerning Linen refer to 28 *H.* 8. c. 4. 1 *El.* c. 12. 7 & 8 *W.* 3. c. 39. 17 *Geo.* 2. c. 30.

An Act for repealing the Duties now payable upon Foreign Linen Yarns, and for granting other Duties in lieu thereof.

1 *Ann. stat.* 2. c. 8. 3 *Ann.* c. 8. 7 *Ann.* c. 7. 10 *Ann.* c. 19 & 21. 12 *Ann. stat.* 2. c. 9, 19 & 21. 1 *Geo.* 1. c. 36. 3 *Geo.* 1. c. 7 & 21. 18 *Geo.* 2. c. 24, 25, 27 & 36. 21 *Geo.* 2. c. 26.

'WHEREAS the Support and Encouragement of the *British* Manufactures of striped and chequered 'Linen, and of Linen mixed with Cotton, is of great Importance to the Trade and Navigation of 'this Kingdom: And whereas the Exports of the said Manufactures have of late Years considerably de'creased: And whereas the reducing of the Duties now payable upon foreign Linen Yarns, would greatly 'tend to the Encouragement and Support of the said Manufactures, by putting them upon a more equal 'Footing with the Manufactures of other Nations, and thereby enable the *British* Manufacturers to regain 'and enlarge their Export Trade:' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-two, all the Rates, Duties, Subsidies, and Impositions, which are now payable by virtue of several Acts of Parliament upon the Importation of Raw Foreign Linen Yarns, known by the Name of *Dutch Yarn* and *French Yarn*, and of *Spruce* or *Muscovia Yarn*; and also upon the Importation of Whitened or Bleached Foreign Linen Yarns, known by the Name of *Unwrought Incle* and *Short Spinnell*; and also upon the Importation of all other Raw and Whitened or Bleached Foreign Linen Yarn, shall cease and determine, and be no longer paid.

The present Duties upon Dutch, French, and Spruce Yarns, and Unwrought Incle and Short Spinnell, and other Foreign Yarn imported, repealed.

II. And be it further enacted by the Authority aforesaid, That in lieu of the said Rates, Duties, Subsidies and Impositions by this Act repealed as aforesaid, there shall, from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-two, be granted and paid to his Majesty, his Heirs, and Successors, the respective Duties following, upon the Importation of Foreign Linen Yarns into this Kingdom, (that is to say)

Duties granted in lieu thereof.

For

For every Pound Weight of *French*, *Dutch*, *Muscovia*, or *Spruce* Raw Linen Yarn, the Sum of one Penny.

And for every Pound Weight of Whitened or Bleached Linen Yarn, known by the Name of *Unwrought Incle* or *Short Spinnell*, of the Manufacture of any Part or Place not belonging to the Crown of *Great Britain*, the Sum of three Pence.

And also the said Duty of one Penny for every Pound Weight of all other Raw Linen Yarn.

And the said Duty of three Pence for every Pound Weight of all other Whitened or Bleached Linen Yarn respectively, of the Manufacture of any Part or Place not belonging to the Crown of *Great Britain*.

III. And be it further enacted by the Authority aforesaid, That the Duties hereby granted shall be raised, levied, and collected, by the respective Officers of his Majesty's Customs in this Kingdom, under the Management and Direction of the respective Commissioners of the Customs for the Time being; and that the said Duties shall be collected, raised, and levied, in the same Manner, and with the same Authorities and Powers, and under the like Regulations, Restrictions, Penalties, and Forfeitures, as the Rates, Duties, Subsidies, and Impositions, hereby repealed as aforesaid, are now raised, collected, and levied, as fully and effectually, to all Intents and Purposes, as if the Provisions and Clauses, Directions, Matters and Things, relating to the raising, collecting and levying of the said Rates, Duties, Subsidies, and Impositions, were herein particularly inserted and re-enacted. Duties how to be levied, &c.

IV. And be it further enacted by the Authority aforesaid, That all the Monies arising by the said Duties hereby granted, shall be paid into the Exchequer separate and apart from all the Branches of the publick Revenues, and shall be subject and liable to the same Uses and Purposes respectively, as the Duties hereby repealed and taken off are now liable and appropriated unto. to be paid into the Exchequer separate from other Branches of the Revenue.

See farther 29 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 32.

CAP. XLVII.

An Act for granting to his Majesty the Sum of six hundred thousand Pounds out of the Sinking Fund, for the Service of the Year one thousand seven hundred and fifty-one; and for Allowances to the poor Widows of Commission and Warrant Officers of the Royal Navy; and for the further appropriating the Supplies granted this Session of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Orders of Loan, or Annuity Orders, payable at the Exchequer in lieu of such as shall be lost, burnt or destroyed; and also for making forth new Orders of Loan or Annuity Orders, in lieu of such as shall become defaced, obliterated or otherwise incumbered with Assignments or Endorsements thereon.

MOST Gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, for the Service of the Year one thousand seven hundred and fifty-one, in the easiest Manner we are able, for the Benefit of your Majesty's Subjects, and also to use such Ways and Means therein as that your Majesty may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto your Majesty the Sum of six hundred thousand Pounds out of the Surpluses, Excesses and Overplus Monies, commonly called the *Sinking Fund*; and to that End and Purpose do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are or shall from Time to Time be and remain in the Receipt of the Exchequer, of the said Surpluses, Excesses or Overplus Monies, commonly called the *Sinking Fund*, (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament, to be paid out of the same) there shall and may be issued and applied, a Sum not exceeding the said Sum of six hundred thousand Pound, for and towards the Supply granted to his Majesty for the Service of the said Year one thousand seven hundred and fifty-one; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly. 600,000 *l.* granted out of the Sinking Fund, towards the Supply for the current Year.

II. And it is hereby enacted by the Authority aforesaid, That in case the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall think it adviseable to raise the said Sum of six hundred thousand Pounds, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money not exceeding the said Sum of six hundred thousand Pounds, upon the Credit of the said Surpluses, Excesses or Overplus Monies, commonly called the *Sinking Fund*, and to have and receive for the Forbearance of the Money lent, Interest after a Rate not exceeding three Pounds *per Centum* Clause of Loan at 3 *l.* per Cent.

per

per Annum, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, who are hereby authorized to issue their Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service; and moreover, that no Money to be lent upon the Security of this Act, shall be rated or assessed to any Tax or Assessment whatsoever.

Tallies and Orders for Repayment,

to carry 3 l. Cent. Interest.

The Orders to be registered, and paid in Course.

III. And be it further enacted, That all and every Person and Persons who shall lend any Money upon the Credit of this Act as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tally, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, not exceeding the said Rate of three Pounds *per Centum per Annum*; and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Money so to be lent, shall be registered in Course, according to the Dates respectively, and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registered in the said Register Books, so as the Person or Persons, Natives or Foreigners, his, her or their Executors, Administrators or Assigns who shall have his, her or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surplusses, Excesses or Overplus Monies; and he, she or they who shall have his, her or their Order or Orders next entered, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in of or for the said Surplusses, Excesses or Overplus Monies, commonly called the *Sinking Fund* as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors or Assigns respectively, without any undue Preference of one before another, and not otherwise, and shall not be diverted or divertable to any other Use, Intent or Purpose whatsoever (other than such Uses and Purposes as are appointed by any other Act or Acts of Parliament in that Behalf as aforesaid) and that no Fee, Reward or Gratuity directly or indirectly shall be demanded or taken of any of his Majesty's Subjects for providing or making of any such Books or Registers, or any Entries, Views or Searches, in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies; on pain of Payment of treble Damages to the Party grieved by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, with full Costs of Suit, to the Party grieved, and shall be forejudged of his Place or Office; and if any such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Office or Place; and in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Orders, according to each Person's due Place and Order as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending, to be liable to such Action, Debt, Damages and Costs in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, Wager of Law, Injunction or Order of Restraint shall be in any wise granted or allowed.

No Fee for registering.

Penalty.

Forfeitures how to be recovered.

No undue Preference, where Tallies are dated the same Day.

IV. Provided always, and it is declared, That if it shall happen that several Tallies of Loan, or Orders for Payment as aforesaid, bear Date or be brought the same Day to the Auditor of the Receipt, to be registered, then it shall be interpreted no undue Preference which of those be entered first, so as he enters them all the same Day.

Nor if subsequent Orders be paid before such as were not demanded in Course.

V. Provided also, That it shall not be interpreted any undue Preference to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies and bring their Orders, before other Persons that did not come to take their Monies and bring their Orders in Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed of, but kept for them, Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Orders assignable toties quoties.

VI. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans, to be registered by virtue of this Act, after Order entered in the Book of Register as aforesaid, his, her or their Executors, Administrators or Assigns, by proper Words of Assignment to be indorsed and written upon his, her or their Order, may assign and transfer his, her or their Right, Title, Interest and Benefit of such Order, or any Part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforesaid; and an Entry or Memorial thereof also made in the Book of Registry aforesaid, for Orders (which the Officers shall upon Request, without Fee or Charge, accordingly make) shall intitle such Assignee, his, her or their Executors, Administrators, Successors and Assigns to the Benefit thereof, and Payment thereon, and such Assignee may in like manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release or discharge the same, or any the Monies thereby due, or any Part thereof.

No Fee for Entry.

The Assignment not to be voided.

VII. And,

VII. And, to the end there may be no Want or Failure of a certain Sum, not to exceed in the whole the said Sum of six hundred thousand Pounds, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills, as is herein after mentioned, or by both or either of those Ways or Means, for the publick Service; Be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall judge it more adviseable, to raise the said Sum of six hundred thousand Pounds, or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorized and impowered, at any Time or Times, to prepare and make, or cause to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the said Sum of six hundred thousand Pounds, together with such Loans as aforesaid, in the same or like Manner, Form or Order, and according to the same or like Rules and Directions as in and by a certain Act of Parliament, *(For continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry for the Service of the Year one thousand seven hundred and fifty-one,)* are enacted and prescribed concerning the Exchequer Bills to be made in pursuance of the said Act.

Commissioners of the Treasury may make new Exchequer Bills for raising the said 600,000l.

VIII. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last-mentioned Act, relating to the Loans or Exchequer Bills, authorized to be made by the same Act (except such Clauses as do charge the same on the Rates and Duties granted by the same Act) shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this present Act.

The Exchequer Bills to be subject to the Regulations in the Malt Act.

IX. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, *Præmium*, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and born by and out of the growing Produce of the said Surpluses, Excesses and Overplus Monies, commonly called the *Sinking Fund*, (except such Monies of the said *Sinking Fund*, as are appropriated to any particular Use or Uses by any former or other Act or Acts of Parliament in that Behalf;) and such Monies of the said *Sinking Fund* shall and may be issued and applied as fast as the same can be regularly stated and ascertained for and towards the paying off, cancelling and discharging such Exchequer Bills, Interest, *Præmium*, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

Exchequer Bills, &c. to be repaid out of the Sinking Fund.

X. And be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, there shall be allowed upon the Books of every Ship of War in Sea Pay, one other Seaman in every hundred Men that the Complement of such Ship of War shall consist of, for such Time only as the Number of Men employed in the Service of the Royal Navy shall not exceed twenty thousand; and that the Produce of the Wages of each such Seaman, and the Value of his Victuals, shall be given and applied to the Relief of the poor Widows of Commission and Warrant Officers of the Royal Navy, according to such Rules, Orders and Regulations as his Majesty hath established or appointed, or shall establish or appoint for that Purpose, over and above the one Seaman allowed them by an Act of the sixth Year of his present Majesty's Reign; and the principal Officers and Commissioners of the Navy Royal now and for the Time being, and all other Persons herein concerned, shall and are hereby authorized and impowered to give Allowance on such Ships Books, of the said one other Man in every hundred Men, borne thereupon accordingly.

1 Man extraordinary in every 100, to be allowed on the Books of Ships of War in Sea Pay, and his Wages, and Value of his Victuals, to be applied in Relief of the Widows of Commission and Warrant Officers. 6 Geo. 2. c. 25. § 18. *Concerning Seamen see farther* 31 Geo. 2. c. 10.

XI. Provided always, and it is hereby further enacted by the Authority aforesaid, That all the Monies coming into the Exchequer either by Loans or Exchequer Bills, upon one Act of this Session of Parliament (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry for the Service of the Year one thousand seven hundred and fifty-one)* and so much Money, if any such be, of the Duties thereby granted as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, *Præmium*, Rate and Charges thereupon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Monies sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament (intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-one)* and so much Monies, if any such be of the Tax thereby granted, as shall arise or remain after the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, *Præmium*, Rate and Charges thereupon, and the Charges thereby allowable for raising the said Land Tax shall be satisfied, or Money sufficient shall be reserved in the Exchequer to discharge the same; and also all the Monies coming into the Exchequer by Contributions for Annuities and a Lottery, after the Rate of three Pounds *per Centum per Annum*, granted by one other Act of this present Session of Parliament (intituled, *An Act for granting to his Majesty the Sum of two millions one hundred thousand Pounds, to be raised by Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament)* and also all the Monies coming into the Exchequer by Exchequer Bills to be made forth in pursuance of one other Act of this present Session of Parliament (intituled, *An Act for enabling his Majesty to raise the several Sums of Money therein mentioned by Exchequer Bills, to be charged on the Sinking Fund; and for impowering the Commissioners of the Treasury to pay off the Old and New unsubscribed* South-Sea *Annuities out of the Supply granted*

Appropriation of the Monies of the Malt Act, &c.

Land Tax,

Lottery Act,

and Sinking Fund,

granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-one; and for enabling the Bank of England *to hold General Courts, and Courts of Directors, in the Manner therein directed; and for giving certain Persons Liberty to subscribe Bank and* South-Sea *Annuities omitted to be subscribed pursuant to two Acts of the last Session of Parliament)* and also the Sum of six hundred thousand Pounds by this Act granted, shall be further appropriated, and are hereby appropriated for and towards the several Uses and Purposes herein after expressed; that is to say,

and the 600,000 l. granted by this Act.

XII. It is hereby enacted and declared by the Authority aforesaid, That out of all or any of the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one million forty-six thousand five hundred and fifty-nine Pounds seven Shillings and ten Pence, for or towards the Naval Services herein after more particularly expressed; that is to say, For or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea-officers, and for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services, in the Office of Ordnance, performed and to be performed, and for or towards the Buildings, Re-buildings and Repairs of his Majesty's Ships for the Year one thousand seven hundred and fifty-one, and for or towards paying off and discharging such Part of the Debt of the Navy as is due upon the Head of Seamens Wages.

1,046,559 l. 7 s. 10 d. towards the Naval Services,

XIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

10,000 l. towards the Support of Greenwich Hospital,

XIV. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one hundred and ten thousand eight hundred and fifty Pounds three Shillings and one Penny, for or towards defraying the Charge of the Office of Ordnance for Land Service for the Year one thousand seven hundred and fifty-one, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

110,850 l. 3 s. 1 d. towards defraying the Charge of the Office of Ordnance for Land-Service,

XV. And it is hereby likewise enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one million seventy-seven thousand three hundred and forty-five Pounds nineteen Shillings and one Halfpenny, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; that is to say, Any Sum or Sums of Money not exceeding six hundred and twelve thousand three hundred and fifteen Pounds seven Shillings and eleven Pence, for defraying the Charge of eighteen thousand eight hundred and fifty-seven effective Men, including Commission and Non-commission Officers, and one thousand eight hundred and fifteen Invalids, for Guards, Garrisons and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Service of the Year one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding two hundred and thirty-six thousand four hundred and twenty Pounds eighteen Shillings and six Pence Half-penny, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons in *Nova-Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding sixty-two thousand five hundred and sixty-seven Pounds two Shillings and six Pence, upon Account for Out-pensioners of *Chelsea* Hospital, for the Year one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding sixty-four thousand Pounds, upon account of the reduced Officers of his Majesty's Land Forces and Marines for the Year one thousand seven hundred and fifty-one, subject to such Rules to be observed in the Application of the said Half-pay, as are hereafter prescribed concerning the same; and any Sum or Sums of Money not exceeding three thousand three hundred and ten Pounds, for paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and fifty-one; which said Sum of three thousand three hundred and ten Pounds shall be issued to such Person or Persons as his Majesty shall, by Warrant or Warrants under his Majesty's Royal Sign Manual, direct and appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assigns, according to such Establishments, Lists or other Directions, and with and subject to such Conditions, Qualifications and other Allowances for the same as his Majesty, by such and the like Warrant or Warrants, shall be graciously pleased to direct and appoint; and any Sum or Sums of Money not exceeding four thousand seven hundred and forty-seven Pounds fifteen Shillings and ten Pence, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse reduced, and to the superannuated Gentlemen of the four Troops of Horse Guards for the Year one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding sixteen thousand Pounds, for the Pay of the General and Staff Officers of his Majesty's Land Forces for the Year one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding thirty thousand Pounds, to enable his Majesty to make good his Engagements with the Elector of *Bavaria*, pursuant to Treaty; and any Sum or Sums of Money not exceeding forty seven thousand nine hundred and eighty-four Pounds fourteen Shillings and three Pence, for defraying the extraordinary Expences of his Majesty's Land Forces and other Services incurred in the Year one thousand seven hundred and fifty, and not provided for by Parliament.

of which 612,315 l. 7 s. 11 d. for Guards, &c. in Great Britain, Guernsey and Jersey; 236,420 l. 18 s. 6 d. 2 q. for Garrisons, &c. in the Plantations, Minorca and Gibraltar, Nova Scotia, Newfoundland and Providence.

62,567 l. 2 s. 6 d. to Out Pensioners of Chelsea Hospital;

64,000 l. to the reduced Officers;

3,310 l. to the reduced Officers Widows, &c.

4,747 l. 15 s. 10 d. to the two Troops of Horse Guards, and Regiment of Horse reduced, &c.

16,000 l. for General and Staff Officers;

30,000 l. to the Elector of Bavaria;

47,984 l. 14 s. 3 d. towards Expences of the Land Forces in 1750.

XVI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding fifty-seven thousand five hundred and eighty-two Pounds nineteen Shillings and three Pence Halfpenny, upon Account, for defraying the Charges incurred by transporting to his Majesty's Colony of *Nova Scotia* and supporting and maintaining there a Number of reduced Officers and private Men dismissed his Majesty's Land and Sea Service, and other his Majesty's Subjects, settled in the said Colony in the Year one thousand seven hundred and forty-nine, and by supporting, maintaining and enlarging the Settlement of his Majesty's said Colony in the Year one thousand seven hundred and fifty, and not provided for by Parliament; and any Sum or Sums of Money not exceeding fifty-three thousand nine hundred and twenty-seven Pounds fourteen Shillings and four Pence, upon Account, for supporting and maintaining his Majesty's Colony of *Nova Scotia* for the Year one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding ten thousand Pounds, towards the Support of the *British* Forts and Settlements upon the Coast of *Africa*, to be applied in such Manner as his Majesty shall think proper; and any Sum or Sums of Money not exceeding three thousand Pounds towards laying out, making and keeping in Repair, a Road proper for the Passage of Troops and Carriages between the City of *Carlisle* and the Town of *Newcastle upon Tyne*.

57,582 l. 19 s. 3 d. 2 q. for Charges of transporting, &c. to Nova Scotia a Number of reduced Officers and Men;

53,927 l. 14 s. 4 d. for supporting the said Colony for the Year 1751.

10,000 l. towards the Settlements on the Coast of Africa.

3,000 l. towards making a Road from Carlisle to Newcastle.

XVII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding two millions two hundred and seventy-six thousand eight hundred and ninety-three Pounds eleven Shillings and seven Pence, to pay off and discharge the unsubscribed *Old* and *New* Annuities, after the Rate of four Pounds *per Centum per Annum*, transferrable at the *South-Sea* House, commonly called *Old* and *New South-Sea* Annuities, at the stated Times mentioned in one other Act of this present Session of Parliament in that Behalf.

2,276,893 l. 11 s. 7 d. to pay off the unsubscribed South-Sea Annuities.

XVIII. And it is hereby declared by the Authority aforesaid, That the Sum of one million thirteen thousand one hundred and forty-eight Pounds four Shillings and six Pence, to be advanced by the Governor and Company of the Bank of *England* for Exchequer Bills to be made forth in pursuance of the Act herein before mentioned in that Behalf, shall be issued and applied to pay off and discharge the several unsubscribed Exchequer Orders payable there, out of the Duties on wrought Plate, and also the several unsubscribed Annuities, after the Rate of four Pounds *per Centum per Annum*, transferrable at the Bank of *England*, at the stated Times appointed by the Act herein before-mentioned in that Behalf.

1,013,148 l. 4 s. 6 d. to be advanced by the Bank, to pay off the unsubscribed Exchequer Orders, and four per Cent. Annuities.

XIX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding six thousand four hundred and sixty-one Pounds one Shilling and one Penny, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Stamp Duties at *Christmas* one thousand seven hundred and forty-nine; and any Sum or Sums of Money not exceeding twelve thousand five hundred and thirty-four Pounds two Shillings and one Halfpenny, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets or Wines made from *British* or foreign Fruit or Sugar at *Michaelmas* one thousand seven hundred and fifty; and any Sum or Sums of Money not exceeding thirty-five thousand Pounds, to replace to the said Sinking Fund the like Sum paid out of the same, to answer one Year's Interest due at *Michaelmas* one thousand seven hundred and fifty, after the Rate of three Pounds ten Shillings *per Centum per Annum* on the principal Sum of one Million lent on Credit of the Salt Duties, which were continued for six Years from *Lady-day* one thousand seven hundred and fifty-three, towards the Supply for the Year one thousand seven hundred and forty-five; and any Sum or Sums of Money not exceeding four thousand five hundred and ninety-two Pounds sixteen Shillings and nine Pence, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Duties on Wines at *Midsummer* one thousand seven hundred and fifty; and any Sum or Sums of Money not exceeding seven thousand eight hundred and eighty Pounds seventeen Shillings and one Penny, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty on Licences for retailing Spirituous Liquors at *Lady-day* one thousand seven hundred and fifty; and any Sum or Sums of Money not exceeding thirty thousand four hundred and twenty-two Pounds six Shillings and three Pence, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duties on Glass and Spirituous Liquors at *Midsummer* one thousand seven hundred and fifty; and any Sum or Sums of Money not exceeding seventy thousand and ninety-seven Pounds fourteen Shillings and eight Pence, to replace to the said Sinking Fund the like Sums paid out of the same, to make good the Deficiency of the Rates and Duties upon Houses, Windows and Lights, at *Michaelmas* one thousand seven hundred and fifty; and any Sum or Sums of Money not exceeding forty-two thousand five hundred and fifty-nine Pounds twelve Shillings and seven Pence Halfpenny, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency at *Michaelmas* one thousand seven hundred and fifty, of the Subsidy of Poundage upon all Goods and Merchandizes imported into this Kingdom since the first Day of *March* one thousand seven hundred and forty-seven; and any Sum or Sums of Money not exceeding sixty-five thousand seven hundred and ninety-seven Pounds eight Shillings and eleven Pence three Farthings, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and fifty.

6,461 l. 1 s. 1 d. to make good the Deficiency of the Stamp Duties.

12,534 l. 2 s. 2 q. to make good the Duties on Sweets,

35,000 l. for Interest on the Salt Duties.

4,592 l. 16 s. 9 d. to make good the additional Duties on Wines.

7,880 l. 17 s. 1 d. to make good the Duty on Licences for retailing Spirituous Liquors.

30,422 l. 6 s. 3 d. to make good the Duties on Glass and Spirituous Liquors at Midsummer 1750.

70,097 l. 14 s. 8 d. to make good the Duties on Houses, &c. at Michaelmas 1750.

42,559 l. 12 s. 7 d. 2 q. to make good the Subsidy of Poundage on Goods imported at Michaelmas 1750. 65,797 l. 8 s. 11 d. 3 q. to make good the Deficiency of the Grants for 1750.

The Supplies to be applied only as this Act directs.

XX. And be it further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

Rules to be observed in the Application of the Half pay. *See further* 25 *Geo.* 2. *c.* 25. § 24.

XXI. And as to the said Sum of sixty-four thousand Pounds by this Act appropriated on account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Employment of Profit Civil or Military under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great-Britain*.

23 Geo. 2. c. 21.

'XXII. And whereas by an Act of Parliament made in the twenty-third Year of his Majesty's Reign, '(intituled, *An Act for granting to his Majesty the Sum of nine hundred thousand Pounds out of the Sinking Fund* '*for the Service of the Year one thousand seven hundred and fifty, and for applying certain Surplus Monies re-* '*maining in the Exchequer, as Part of the Supply of the said Year, and for the Application of certain Savings* '*in the Hands of the Pay master General; and for obviating a Doubt in an Act of the fifth Year of King* George '*the First, in respect to the Payment of certain Annuities thereby granted for the Improvement of Fisheries and* '*Manufactures in* Scotland, *and for the further appropriating the Supplies granted this Session of Parliament,* '*and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of* '*Clerks and Apprentices, and for transferring the Bounties now payable upon the Exportation of* British *Sail* '*Cloth to the Customs, and for enforcing the Laws against the clandestine Importation of Soap, Candles and* '*Starch into this Kingdom)* several Supplies which had been granted to his Majesty, as is therein men-'tioned, were appropriated to several Uses and Purposes therein expressed, amongst which any Sum or 'Sums of Money not exceeding sixty-seven thousand Pounds, was appropriated to be paid to the reduced 'Officers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in 'the Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf;' Now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of sixty-seven thousand Pounds, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed, or lost their Limbs in the late Wars, or such others as by reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act, or the said former Act, to the contrary notwithstanding.

Overplus of 67,000 l. appropriated to the reduced Officers, to be applied to such Objects of Charity as his Majesty shall direct.

'XXIII. And whereas several Bills, commonly called Exchequer Bills, several Tickets in the publick 'Lotteries, and Certificates made forth in lieu thereof, and likewise several Orders of Loan, and Orders for 'Annuities of several Denominations, payable at the Receipt of his Majesty's Exchequer, made forth by 'Authority of Parliament, have been or may hereafter by Casualty or Mischance be lost, burnt, or other-'wise destroyed;' Be it therefore enacted by the Authority aforesaid, That in all Cases where it shall appear by Affidavit to be made before any of the Barons of the Exchequer for the Time being, (who shall interrogate the Deponent thereupon) to the Satisfaction of such Baron or Barons, That any such Exchequer Bills, Lottery Tickets, Certificates, Orders of Loan or Annuity Orders as aforesaid, have been or shall hereafter be lost, burnt or destroyed, or that there be good Reason to believe that the same have been lost, burnt or destroyed, it shall and may be lawful for the respective Officers and Persons appointed, to issue and make forth such Exchequer Bills, Tickets, Certificates, Orders of Loan, or Annuity Orders, or to pay or discharge the same, or to issue any Monies thereon, upon producing a Certificate from any of the said Barons of such Affidavit made before him or them, (which Affidavit the said Barons, or any of them, is and are hereby required to take, and which Certificate he or they are hereby required to grant without Fee or Reward) and on sufficient Security given to the King, his Heirs and Successors, to indemnify the said respective Officers and Persons against all other Persons whatsoever, for and concerning the Monies specified in or due upon such respective Bill or Bills, Ticket or Tickets, Certificate or Certificates, Order or Orders, they the said Officers and Persons respectively shall and are hereby required to make forth Duplicates of the said Bills, Tickets, Certificates and Orders, at the Request of the respective Owners or Proprietors thereof, and to pay and discharge the same, and all such Interest as shall be due on any of them carrying Interest, as he or they should have paid or discharged on the said original Bills, Tickets, Certificates, Orders of Loan, or Annuity Orders, if the same had been produced; and shall be allowed all such Payments in their respective Accounts.

Duplicates to be made forth of such Exchequer Bills, Lottery Tickets, Certificates, Orders of Loan, or Annuity Orders, as shall be lost, or otherwise destroyed.

XXIV.

XXIV. And in all Cases where the signing of the Commissioners of his Majesty's Treasury, or the High Treasurer of *Great Britain* for the Time being, is necessary for making the said Duplicates, or any of them, effectual, for the Purposes aforesaid; it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners of his Majesty's Treasury, or any three or more of them, or the said High Treasurer for the Time being, to sign such Duplicates accordingly. Commissioners of the Treasury to sign such Duplicates.

'XXV. And whereas it may so happen that several of the said Orders of Loan, and other Orders for 'Annuities of several Denominations, payable at the said Receipt of Exchequer, may become defaced, 'obliterated or incumbered with many Assignments indorsed thereupon, and it may be necessary that new 'Orders should be made forth in lieu thereof;' Be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners of the Treasury, or any three or more of them, or the High Treasurer for the Time being, and they are hereby also impowered to cause new Orders to be made out in lieu of such respective Orders as shall become defaced, obliterated, or otherwise incumbered as aforesaid, which said respective Orders shall at the same Time be delivered up and cancelled, and the new Order or Orders made out in lieu thereof, shall be made payable and delivered to the Person or Persons who shall appear to be the Proprietor or Proprietors of the said Order or Orders, so to be delivered up and cancelled, at the Time of such Delivery up as aforesaid; and the Auditor of the said Receipt of Exchequer shall always take care that such Entries or Memorandums be made upon the said new Orders, as may denote their being made in lieu of such defaced, obliterated, incumbered, or otherwise defective Orders cancelled, and as may secure the Publick against any double Payments, for or by reason of the making out or issuing such new Orders in Manner aforesaid. New Orders of Loan, and for Annuities, &c. to be made out in lieu of such as shall be filled up with Indorsements, or defaced. Entry to be made on the new Orders.

CAP. XLVIII.

An Act for the Abbreviation of *Michaelmas* Term.

'WHEREAS in the Beginning of the Term of Saint *Michael*, commonly called *Michaelmas* Term, 'very little Business can be done, on account of the several Holidays that are observed by the High 'Courts of Record of our Sovereign Lord the King, between the first Day of the said Term and the sixth 'Day of *November* following;' Therefore, for the Ease and Benefit of his Majesty's Subjects, may it please your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Feast Day of Saint *Michael* the Archangel in the Year of our Lord one thousand seven hundred and fifty-two, there shall be in *Michaelmas* Term four common Days of Return only (that is to say) the first Day of Return thereof shall be and be called the Morrow of *All Souls*; the second Day of Return of the same Term shall be and be called the Morrow of Saint *Martin*; the third Day of Return of the same Term shall be and be called In eight Days of Saint *Martin*; and the fourth Day of Return of the same Term shall be and be called In fifteen Days of Saint *Martin*. *Refer to* 16 Car. 1. c. 6. After 29 September 1752, four common Days of Return only to be in Michaelmas Term;

II. And be it further enacted by the Authority aforesaid, That the same Days of Returns shall be observed and kept in all the High Courts of Record of our Sovereign Lord the King, his Heirs and Successors, hereafter to be holden at *Westminster*, or other Place or Places, at the Assignment or Appointment of our Sovereign Lord the King, his Heirs and Successors; and that from and after the Feast Day of Saint *Michael* the Archangel in the Year of our Lord one thousand seven hundred and fifty-two, there shall not be nor be called any Days of Return From the Day of Saint *Michael* in three Weeks, nor from the Day of Saint *Michael* in one Month, nor either of them; and that the said Term of Saint *Michael* yearly for ever, from and after the said Feast of Saint *Michael* the Archangel one thousand seven hundred and fifty-two, shall begin in and upon the said Morrow of *All Souls* whensoever it shall happen to fall, (except it be on the Lord's Day, commonly called *Sunday*) and then on the Morrow next after for the keeping of Essoigns, Profers, Returns, and other Ceremonies heretofore used and kept, in like Manner and Form as hath been used to be done in the Day of the Return, commonly called From the Day of Saint *Michael* in three Weeks; and that the full Term of Saint *Michael* shall yearly for ever, from and after the said Feast of Saint *Michael* one thousand seven hundred and fifty-two, in all the aforesaid Courts of Record, begin and take its Commencement upon the fourth Day of the said Morrow of *All Souls*, (except it be on the Lord's Day, commonly called *Sunday*) and then on the Morrow next after. the same Days to be observed in all the Courts. No Returns to be from Michaelmas Day in 3 Weeks, nor from that Day in 1 Month. The Term to begin on the Morrow of All Souls, and the full Term on the fourth Day after, except those Days shall happen on a Sunday.

III. And for the more speedy Proceeding in Writs of *Dower unde nihil habet*, and Writs of Entry for common Recoveries to be sued and prosecuted by Writs of Entry or Writs of Right of Advowson, and in all other real Actions; Be it enacted by the Authority aforesaid, That after the Feast of Saint *Michael* the Archangel one thousand seven hundred and fifty-two coming, if any Writ in any such Action come in, and be returnable in his Majesty's Court of *Common Pleas*, in the Day of the Return of the Morrow of *All Souls*, then Day shall be given in fifteen Days of Saint *Martin*; if on the Morrow of Saint *Martin*, then in eight Days of Saint *Hilary*; if in eight Days of Saint *Martin*, then in fifteen Days of Saint *Hilary*; if in fifteen Days of Saint *Martin*, then on the Morrow of *The Purification*; if in eight Days of Saint *Hilary*, then in eight Days of *The Purification*; if in fifteen Days of Saint *Hilary*, then in fifteen Days of *Easter*; if on the Morrow of *The Purification*, then in three Weeks from the Day of *Easter*; if in eight Days of *The Purification*, then in one Month from the Day of *Easter*; if in fifteen Days of *Easter*, then in five Weeks from the Day of *Easter*; if in three Weeks from the Day of *Easter*, then on the Morrow of *The Ascension of our Lord*; if in one Month from the Day of *Easter*, then on the Morrow of the *Holy Trinity*; if in five Weeks from the Day of *Easter*, then in eight Days of the *Holy Trinity*; if Days of Returns of Writs.

on

on the Morrow of *The Aſcenſion of our Lord*, then in fifteen Days of the *Holy Trinity*; if on the Morrow of *The Holy Trinity*, then in three Weeks from the Day of *The Holy Trinity*; if in eight Days of *The Holy Trinity*, then on the Morrow of *All Souls*; if in fifteen Days of *The Holy Trinity*, then on the Morrow of Saint *Martin*; if in three Weeks of *The Holy Trinity*, then in eight Days of Saint *Martin*.

In Writs of Dower, &c. after Iſſue joined, 15 Days ſufficient between the Teſte and Return of the Venire.

IV. Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That in all Writs of *Dower unde nihil habet*, after Iſſue joined, it ſhall not be needful or requiſite to have above fifteen Days betwixt the Teſte and Return of the *Venire facias*, or any other Proceſs to be ſued out for the Trial of the ſaid Iſſue, but that the Writ of *Venire facias*, and other Proceſs, after Iſſue joined, until Judgment be given, having only fifteen Days between the Teſte and Return thereof, ſhall be good and effectual in Law, as is uſed in Perſonal Actions; any Law, Statute or Uſage, to the contrary heretofore notwithſtanding.

Writs, &c. having Day from the Fourth of the Morrow of the Aſcenſion to the Morrow of the Holy Trinity to be good.

V. And it is hereby further enacted by the Authority aforeſaid, That from and after the ſaid Feaſt of Saint *Michael* the Archangel one thouſand ſeven hundred and fifty-two, all Writs and Proceſs hereafter to be made out of any of his Majeſty's Courts at *Weſtminſter*, and having Day from the fourth Day of the Morrow of *The Aſcenſion*, to the Morrow of *The Holy Trinity*, ſhall be good and effectual in Law, notwithſtanding there be not fifteen Days between the Teſte and the Return of the ſaid Writs.

Writs, &c. returnable in three Weeks of Saint Michael, or in one Month from that Day, to have Day unto the Morrow of All Souls.

VI. And be it further enacted by the Authority aforeſaid, That all Writs or Proceſs made, or to be made returnable upon the following Returns, *videlicet*; in three Weeks of Saint *Michael*, or from the Day of Saint *Michael* in one Month next following, or having Days between either of the ſaid Returns, ſhall, by force and virtue of this Act, have Day unto the ſaid Morrow of *All Souls*, and the Parties to the ſaid Writs and Proceſs ſhall then appear, and plead and proceed thereupon to all Intents and Purpoſes, as if the ſaid Writs and Proceſs had been made returnable on the ſaid Morrow of *All Souls*.

Days of Return of common Writs in the Term.

VII. And be it further enacted, That all common Writs, as well perſonal as mixt, which ſhall happen to be returnable in the ſaid *Michaelmas* Term, ſhall have and keep the ſaid Returns of the Morrow of *All Souls*, the Morrow of Saint *Martin*, in eight Days of Saint *Martin*, and in fifteen Days of Saint *Martin*, or any of them.

Writs of Summons to warrant abridged to four Returns incluſive.

'VIII. And whereas before the making of this Act, all Writs of Summons to warrant againſt the 'Vouchers upon common Recoveries had, in Writs of Entry and Writs of Right of Advowſon, were 'made for five Returns incluſive;' Now for the more ſpeedy perfecting of ſuch Recovery, be it enacted by the Authority aforeſaid, That from and after the ſaid Feaſt of Saint *Michael* the Archangel one thouſand ſeven hundred and fifty-two, all and every ſuch Writs of Summons to warrant upon the Appearance of the Tenant to every ſuch Writ of Entry and Writ of Right of Advowſon, ſhall and may be made and abridged to four Returns incluſive.

Courts to appoint ſpecial Days of Returns where uſual.

IX. Provided always, and it is hereby further enacted by the Authority aforeſaid, That in ſuch and like Caſes and Proceſs as ſpecial Days have been uſed to be appointed and aſſigned and given for the Return of Writs and Proceſs, it ſhall be lawful to the Juſtices of every the King's ſaid Courts of Record for the time being, in all the Proceſs by them awarded, to aſſign and appoint ſpecial Days of Returns, as by them ſhall be thought convenient.

Days of Aſſize in Darrein Preſentment and Quare impedit, and the Days to be given in Attaint, to ſtand.

X. Provided alſo, and be it enacted by the Authority aforeſaid, That the Days of Aſſize in *Darrein Preſentment* and in a Plea of *Quare impedit* limited and appointed by the Statute of *Marlbridge*, and alſo the Days to be given in Attaint limited in the Statute made in the fifth Year of the Reign of King *Edward* the Third, and alſo in the Statute made in the three and twentieth Year of the Reign of the late King *Henry* the Eighth, being not contrary to the Tenor of this Act, ſhall be holden firm, and ſtand in their full Force and Effect.

5 Ed. 3. c. 6.
23 H. 8. c. 3.

'XI. And whereas by divers Charters heretofore granted to the Citizens of *London*, by his Majeſty's 'Royal Predeceſſors Kings and Queens of *England*, it is directed that the Mayor of the ſaid City, after he 'is choſen, ſhall be preſented and ſworn before the King or Queen of *England* in their Court of Exche- 'quer at *Weſtminſter*, or before the Barons of the ſaid Court: And whereas the ſaid Solemnity after every 'annual Election of the ſaid Mayor, hath been uſually kept and obſerved by the ſaid City on the twenty- 'ninth Day of *October*, except the ſame fall on a *Sunday*, and then on the Day following;' Be it enacted by the Authority aforeſaid, That from and after the ſaid Feaſt of Saint *Michael*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-two, the ſaid Solemnity of preſenting and ſwearing the Mayors of the City of *London*, after every annual Election into the ſaid Office, in the Manner and Form heretofore uſed on the twenty-ninth Day of *October*, ſhall be kept and obſerved on the ninth Day of *November* in every Year, unleſs the ſame ſhall fall on a *Sunday*, and in that caſe on the Day following; any Rule or Order in any of the Charters of the ſaid City, or the Uſage or Cuſtoms thereof to the contrary notwithſtanding.

The preſenting and ſwearing the Mayors of London to be on 9 November.

'XII. And whereas by the Abbreviation of *Michaelmas* Term purſuant to this Act, the Morrow of '*All Souls* will not be in full Term, and thereby will prove inconvenient for the Purpoſe of ordaining She- 'riffs purſuant to an Act of Parliament made in the fourteenth Year of the Reign of King *Edward* the Third, 'intituled, *How long a Sheriff ſhall continue in his Office*;' Be it therefore enacted by the Authority aforeſaid, That from and after the Commencement of this Act, the ſame Officers and Perſons, who by virtue of the ſaid laſt mentioned Act, or any other Law or Statute, ought to aſſemble at the Exchequer yearly on the Morrow of *All Souls*, for the ordaining or nominating of Sheriffs, ſhall not aſſemble on that Day, but inſtead thereof ſhall aſſemble yearly on the Morrow of Saint *Martin* at the Exchequer, in the like Manner, and for the ſame Intent and Purpoſe.

14 Ed. 3. c. 7.

The Day of aſſembling at the Exchequer for ordaining Sheriffs to be on the Morrow of Saint Martin.

Concerning Sheriffs ſee farther 32 *Geo.* 2. *c.* 14.

CAP.

CAP. XLIX.

An Act for allowing further Time to the Commissioners appointed by and in pursuance of an Act of the twenty-third Year of his present Majesty's Reign, intituled, *An Act for extending and improving the Trade to* Africa, to inquire into the Claims of certain Creditors of the Royal *African* Company therein mentioned, and for the Relief of *David Crichton*; and for restraining the said Company from disposing of such of their Effects as are therein mentioned; and for staying all Suits for Money due from or on the Account of the said Company, for the Time therein mentioned. PR.

'WHEREAS by an Act of Parliament made and passed in the twenty-third Year of the Reign of his present Majesty (intituled, *An Act for extending and improving the Trade to* Africa) it was enacted, That the Accomptant General of the High Court of Chancery for the Time being, and such two of the other Masters of the said Court, as the Lord High Chancellor of *Great Britain* for the Time being, or Lord Keeper of the Great Seal of *Great Britain* for the Time being, or the Lords Commissioners for the Great Seal of *Great Britain* for the Time being, should from time to time nominate for that Purpose, should be, and they were thereby constituted and appointed Commissioners for examining into the Claims of the Creditors of the said Royal *African* Company; and to inquire and state how and when the same were respectively incurred, in such manner as in and by the said Act is directed, together with their Opinion of the Justness and Reasonableness of such Debts respectively; and to lay the Account of their Proceedings before the Parliament with all convenient Speed: And whereas the said Commissioners have laid an Account of their Proceedings before the Parliament; but several Claims of the Company's Officers and Servants abroad, for Salaries due to them, or for Goods sold and delivered for the said Company's Use, and which are hereafter more particularly mentioned, for want of proper Vouchers from abroad, could not be examined into within the Time prescribed for that Purpose by the said Act;' Be it therefore enacted, *&c.* 23 Geo. 2. c. 31.

" The Powers granted to the Commissioners by the recited Act to be in Force, for stating the Claims of the Creditors herein named. Creditors to deliver in an Account of their further Demands, *&c.* by 1 *December* 1751. Commissioners to finish the Examination of Claims by 12 *January*, and to lay their Proceedings before the Parliament. *African* Company not to dispose of any military Stores, *&c.* for one Year. Suits depending against the Company stayed for one Year. Stay of Execution of Judgment given by *David Crichton* to *William Stead* enlarged for one Year, *&c.*

CAP. L.

An Act to enable his Majesty to make Leases and Copies of Offices, Lands and Hereditaments, Parcel of his Dutchy of *Cornwall*, or annexed to the same.

'WHEREAS his most excellent Majesty now stands seised of the Dutchy of *Cornwall* and the Possessions thereof; and whereas some Doubts may arise in relation to his Majesty's granting Leases and making Copies of Offices, Lands and Hereditaments, Parcel of his said Dutchy, or thereunto annexed or belonging;' For obviating whereof, and for the Ease and Quiet of the Minds of such Persons as have taken, or shall hereafter take Leases from his said most Excellent Majesty; and to the End that such Persons may be sure to have good and indefeizable Estates, and be encouraged to lay out Monies in building and repairing, or otherwise improving the several Lands and Tenements to them demised, or to be demised; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Leases and Grants made or to be made by Copy of Court Roll, according to the Custom of the respective Manor or Manors of the said Dutchy, or thereunto annexed or belonging; and all Leases and Grants to be made within seven Years next ensuing, by Letters Patent or Indentures under the Great Seal of *Great Britain*, or Seal of the Court of Exchequer, or by Copy of Court Roll according to the Custom of the respective Manors, of any Offices, Messuages, Parks, Lands, Tenements or Hereditaments (other than Honours, Lordships or Manors) Parcel of the Possessions of the said Dutchy of *Cornwall*, or annexed to the same, shall be good and effectual in Law, according to the Purport and Contents of the same Copies, Leases and Grants, against our sovereign Lord the King, his Heirs and Successors, and against all and every other Person or Persons that shall at any time hereafter have, inherit or enjoy the said Dutchy by Force of any Act of Parliament, or by other Limitation whatsoever. *See further* 33 Geo. 2. c. 10. His Majesty enabled to make Leases, and Copies, of Offices, Lands, &c. Parcel of his Dutchy of Cornwall.

II. Provided always, That every such Lease or Grant so made, or to be made, be not for more than one, two or three Lives, or for one and thirty Years, or under, or for some Term of Years determinable upon one, two or three Lives, and not above; and if such Leases or Grants be made in Reversion or Expectancy, that then the same, together with the Estates in Possession, do not exceed three Lives, or the Term of one and thirty Years, and be not in any wise made dispunishable of Waste; and so as upon every such Lease or Grant be, or shall be reserved the ancient or most usual Rent, or more, or such Rent as hath been. Leases to be made for a Term of Years or Lives, and not to be dispunishable of Waste.

and the usual or a reasonable Rent to be reserved.

been reserved, yielded or paid for the same Manors, Lands or Hereditaments, for the greater Part of twenty Years next before the making of the said Leases; and where no such Rent hath been reserved or payable, that then upon every such Lease there be, or shall be reserved a reasonable Rent, not being under the twentieth Part of the clear yearly Value of the Manors, Messuages, Parks, Lands, Tithes, Tenements or Hereditaments contained in such Lease or Grant; and all Leases and Grants otherwise made or to be made, shall be null and void.

Reservations in the Leases, &c. deemed good.

III. And be it further ordained and enacted by the Authority aforesaid, That all Covenants, Conditions, Reservations and other Agreements contained in every Lease, Grant or Copy of Court Roll made, or to be made as aforesaid, shall be good and effectual in Law, according to the Words and Contents of the same, as well for and against them to whom the Reversions of the same Lands, Tenements and Hereditaments shall come, as for and against them to whom the Interest of the said Leases, Grants or Copies shall come respectively, as if our sovereign Lord the King's Majesty, at the Time of making such Covenants, Conditions and Reservations, and other Agreements, were seised of an absolute Estate in Fee Simple in the same Lands, Tenements or Hereditaments.

Rights of other Persons saved.

IV. Saving always, To all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators and Assigns (other than to our said sovereign Lord the King, and his Heirs and Successors, and the Duke and Dukes of *Cornwall* for the Time being, and his and their Heirs, and all and every other Person and Persons that shall hereafter have, inherit or enjoy the said Dukedom of *Cornwall*, by Force of any Act of Parliament or other Limitation whatsoever) all such Rights, Titles, Estates, Customs, Interests, Tenures, Claims and Demands whatsoever, of what Nature, Kind or Quality whatsoever, of, in, to, or out of the said Offices, Lands, Tenements or Hereditaments, or any of them, as they or any of them had, or ought to have had, before the making of this Act, to all Intents and Purposes, and in as large and ample Manner and Form, as if this Act had never been had or made; this Act or any thing herein contained to the contrary notwithstanding.

CAP. LI.

An Act for encouraging the making of Pott Ashes and Pearl Ashes in the *British* Plantations in *America*.

For former Laws concerning Plantations, refer to 12 *Car.* 2. *c.* 18. 15 *Car.* 2. *c.* 7. 22 & 23 *Car.* 2. *c.* 26. 25 *Car.* 2. *c.* 7. 7 & 8 *W.* 3. *c.* 22. 11 *W.* 3. *c.* 12. 3 & 4 *Ann. c.* 5 & 10. 6 *Ann. c.* 30 & 37. 8 *Ann. c.* 13. 9 *Ann. c.* 17 & 27. 10 *Ann. c.* 22 & 26. 4 *Geo.* 1. *c.* 11. 8 *Geo* 1. *c.* 12 & 15. 13 *Geo.* 1. *c.* 5. 3 *Geo.* 2. *c.* 12 & 28. 4 *Geo.* 2. *c.* 15. 5 *Geo.* 2. *c.* 7 & 9. 6 *Geo.* 2. *c.* 13. 8 *Geo.* 2. *c.* 19. 12 *Geo.* 2. *c.* 30. 15 *Geo.* 2. *c.* 31 & 33.

'WHEREAS the making of Pott Ashes and Pearl Ashes in the *British* Plantations in *America* would 'be advantageous to the Trade of this Nation, as great Quantities thereof are used in the making 'of Soap and other Manufactures of this Kingdom, which at present being chiefly furnished from foreign 'Parts, the Supply of that necessary Commodity is uncertain, and the Price often exorbitant:' May it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-one, the several and respective Subsidies, Customs, Impositions, Rates and Duties now payable on Pott Ashes or Pearl Ashes made in and imported from his Majesty's Colonies in *America* into any Part of *Great Britain*, shall cease, determine and be no longer paid.

No Duties to be paid on Pott or Pearl Ashes imported from the British Plantations.

Conditions to be observed in the Importation of Pott and Pearl Ashes.

II. Provided always, and be it further enacted by the Authority aforesaid, That a due Entry shall be made of all Pott Ashes and Pearl Ashes which shall be made in, and imported from the said Colonies into *Great Britain* at the Custom-house, at the Time of the Importation thereof, in the same Manner and Form (expressing the Package, Marks and Numbers, together with the Quantities of the respective Goods) as was used and practised before the making of this Act; and the same shall be landed in the Presence of, and examined by the proper Officer or Officers of the Customs appointed for that Purpose; and shall be imported in Ships or Vessels that may lawfully trade to his Majesty's Plantations, manned as by Law is required; and on Failure of the said Conditions or Directions herein before-mentioned, such Pott Ashes and Pearl Ashes shall be liable to the Payment of the respective Duties, as if this Act had never been made.

Person loading Pott or Pearl Ashes in America, to make Oath before the Collector, that the same are of the Manufacture of the British Colonies, &c.

III. Provided always, and be it further enacted by the Authority aforesaid, That in order to intitle the Importer and Importers of Pott Ashes or Pearl Ashes to the Benefit of this Act, every Merchant or other Person or Persons whatsoever who shall, after the twenty-ninth Day of *September* one thousand seven hundred and fifty-one, load any Pott Ashes or Pearl Ashes on board any Ship or Vessel in any of the *British* Colonies or Plantations in *America*, shall, before the clearing out of the said Ship or Vessel from thence, make Proof on Oath before the Collector and Comptroller of the Customs, and Naval Officer, at the Port or Place where such Pott Ashes or Pearl Ashes shall be put on board, or any two of them, that the Pott Ashes or Pearl Ashes which he, she, or they hath or have shipped on board the said Ship or Vessel, is *bona fide* of the Product and Manufacture of some or one of the *British* Colonies or Plantations in *America*, expressing the exact Quantity of such Pott Ashes or Pearl Ashes, and the Parish or Place in such Plantation where the same was made, and by whom (which Oath the said Collector and Comptroller of the Customs, and Naval Officer, or any two of them, are hereby required and impowered to administer without Fee or Reward) and the Master, Commander, or other Person taking Charge of the Ship or Vessel on

board which such Pott Ashes or Pearl Ashes shall be loaded, shall also bring with him a Certificate or Certificates from such Collector and Comptroller of the Customs, and Naval Officer, or any two of them as aforesaid, under their Hands and Seals of Office (which Certificate or Certificates such Collector and Comptroller of the Customs and Naval Officer, are hereby required and directed to grant, without Fee or Reward) expressing the Marks and Number of Casks or Packages, also the Weight and Tale of the Pott Ashes and Pearl Ashes contained therein, and so shipped or loaded on board such Ship or Vessel, with the Name or Names, Place or Places of Abode of the Exporter or Exporters thereof, from the said *British* Colonies or Plantations in *America*, and the Name or Names, Place or Places of Abode of such other Person or Persons who shall have sworn the Goods therein mentioned to have been the Product and Manufacture of the said *British* Colonies or Plantations in *America*; which Certificate or Certificates the said Master, Commander, or other Person taking Charge of such Ship or Vessel shall, on his Arrival in this Kingdom, deliver to the Collector, Comptroller or other chief Officer of his Majesty's Customs at the Port where he shall arrive at, or before the Entry of the said Pott Ashes or Pearl Ashes; and at the same Time shall make Oath before the said Collector, Comptroller or chief Officer of his Majesty's Customs (who are hereby required and impowered to administer the same, without Fee or Reward) that the said Casks, and Parcels and Goods, contained in such Certificate, are the same Casks, and Parcels and Goods, as were taken on board such Ship or Vessel in the said *British* Colonies or Plantations in *America*; and if any Pott Ashes or Pearl Ashes of the Product and Manufacture of the *British* Colonies or Plantations in *America*, shall, after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, be imported as herein beforementioned, without such Certificate signed and delivered as herein before required, and Oath made as before directed, by the Master, Commander or other Person taking Charge of the Ship or Vessel in which the same is imported, all such Pott Ashes and Pearl Ashes shall be liable to the Payment of the respective Duties, as if this Act had never been made; any Thing herein before contained to the contrary notwithstanding.

and the Master to bring a Certificate from the Officers, expressing the Marks and Number of Packages, &c.

which he is to deliver at his Arrival to the Collector, and make Oath to the Identity of the Goods,

on Failure thereof the Duties to be paid.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, make, or cause to be made, an Entry or Entries of any Foreign Pott Ashes or Pearl Ashes, under the Name or Description of Pott Ashes or Pearl Ashes of the Product or Manufacture of any of the *British* Colonies or Plantations in *America*, or shall mix, or cause to be mixed, any Foreign Pott Ashes or Pearl Ashes with Pott Ashes or Pearl Ashes of the Product or Manufacture of the *British* Colonies or Plantations in *America*, with Intent to evade the Duties payable on Foreign Pott Ashes and Pearl Ashes; every Person or Persons so making, or causing to be made, such Entry or Entries, or mixing, or causing such Mixture or Mixtures to be made, shall forfeit and pay the Sum of fifty Pounds for every such Offence, and all such Foreign Pott Ashes and Pearl Ashes; and in case of any Mixture, the Quantity so mixed, both of Foreign and *British* Plantation Product and Manufacture, or the Value thereof, together with the Casks or other Packages containing the same, shall be forfeited, and shall and may be seized and prosecuted, or the Value thereof be sued for by any Officer or Officers of his Majesty's Customs.

Penalty of making an Entry of foreign made Goods under the Denomination of the British Plantations, or of mixing the same.

V. And be it enacted by the Authority aforesaid, That if any Collector or Comptroller of the Customs, and Naval Officer, shall falsly make any such Certificate as herein before required or directed to be made, all and every such Person so offending shall, for every such Offence, forfeit and pay the Sum of two hundred Pounds, and also forfeit and lose his Office, and be incapable of serving his Majesty, his Heirs and Successors, in any Office of Trust or Profit; or if any Merchant, Factor, Trader, Master or Commander of any Ship or Vessel, or any other Person or Persons, shall falsly make any Oath required by this Act, every such Offender shall incur the Punishment inflicted by the Laws of this Realm for wilful and corrupt Perjury; and if any Person shall knowingly counterfeit any such Certificate as herein before is directed to be made, or publish the same, knowing it to be counterfeit, every such Person so offending shall incur the Punishment inflicted by the Laws of this Realm for Forgery.

Penalty on a false Certificate;

and on false Oath;

or counterfeiting Certificate.

VI. And it is hereby further enacted by the Authority aforesaid, That the several Penalties and Forfeitures by this Act inflicted, shall and may be prosecuted, determined and recovered, by Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*, or in any of the Courts of Admiralty in his Majesty's Plantations in *America* respectively; wherein no Essoin, Protection, Wager of Law, or more than one Imparlance, shall be allowed.

Forfeitures, how to be prosecuted,

VII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed, shall, if in *Great Britain*, be applied, one Moiety to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as shall seize, prosecute or sue for the same; and all such Penalties and Forfeitures as shall be incurred in his Majesty's Plantations in *America*, shall be applied, one third Part thereof to the Use of his Majesty, his Heirs and Successors, one third Part to the Use of the Governor of the Plantation where the Forfeiture shall be incurred, and the remaining third Part to such Person or Persons who shall seize, prosecute, or sue for the same.

and applied.

VIII. Provided always, That if any Doubt or Dispute shall arise, whether the said Pott Ashes or Pearl Ashes, or any Part thereof, so to be imported as aforesaid, is of the Product and Manufacture of the *British* Colonies or Plantations in *America*, or of Foreign Product or Manufacture, the *Onus Probandi* shall lie on the Owner or Claimer thereof, and not on the Informer or Prosecutor; any Law, Custom or Usage to the contrary notwithstanding.

Onus Probandi to lie on the Owner.

IX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, every such Action or Suit shall be commenced within six Months next after the Fact committed; and the Defendant or Defendants, in any such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter

Limitation of Actions.

General Issue.

Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

Treble Costs.

Concerning Plantations see farther Chap. 53. and 25 Geo. 2. c. 6. 29 Geo. 2. c. 5 & 35. 30 Geo. 2. c. 9.

CAP. LII.

An Act for continuing several Laws therein mentioned, relating to the *Premiums* upon the Importation of Masts, Yards and Bowsprits, Tar, Pitch and Turpentine; to *British* made Sail Cloth, and the Duties payable on Foreign Sail Cloth; and the Allowance upon the Exportation of *British* made Gunpowder.

'WHEREAS the Laws herein after mentioned are found to be very useful and beneficial to the 'Publick, and are so near expiring, that it is fit they should now be continued;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act made in the second Year of the Reign of his present Majesty, intituled, *An Act for the better Preservation of his Majesty's Woods in* America, *and for the Encouragement of the Importation of Naval Stores from thence; and to encourage the Importation of Masts, Yards and Bowsprits, from that Part of* Great Britain *called* Scotland, *as relates to the* Premiums *upon Masts, Yards and Bowsprits, Tar, Pitch and Turpentine*, which was made to be in Force from the twenty-ninth Day of *September* one thousand seven hundred and twenty-nine, for the Space of thirteen Years, and to the End of the then next Session of Parliament; and which by another Act made in the thirteenth Year of the Reign of his present Majesty, was further continued until the twenty-fifth Day of *December* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Time therein limited for the Expiration thereof, unto the twenty-fifth Day of *December* one thousand seven hundred and fifty-one, and from thence to the End of the then next Session of Parliament.

2 Geo. 2. c. 35. for encouraging the Importation of naval Stores from America, &c.

continued by 13 Geo. 2. c. 28. further continued unto 25 December 1751. *See* 25 Geo. 2. c. 35.

Further continued by 32 *Geo.* 2. *c.* 23.

II. Provided, That no Bounty shall be paid on any Tar, unless each Barrel thereof shall contain thirty-one Gallons and an half, and that the Officers who survey such Barrel, shall not survey the same, till the Water shall be all drawn off, and every Barrel filled up with Tar.

No Bounty on Tar, unless each Barrel contain 31 Gallons and an half, &c.

III. And be it further enacted by the Authority aforesaid, That an Act made in the ninth Year of the Reign of his present Majesty, intituled, *An Act for the further encouraging and regulating the Manufacture of* British *Sail Cloth, and for the more effectual securing the Duties now payable on Foreign Sail Cloth imported into this Kingdom*, which was to be in Force from the twenty-fourth Day of *June* one thousand seven hundred and thirty-six, for the Space of five Years, and to the End of the then next Session of Parliament; and which by another Act made in the thirteenth Year of the Reign of his present Majesty, was further continued until the twenty-fifth Day of *December* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Time therein limited for the Expiration thereof, unto the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

9 Geo. 2. c. 37. for encouraging the Manufacture of British Sail Cloth, &c.

continued by 13 Geo. 2. c. 28. further continued unto 25 Dec. 1757, *and further by* 31 *Geo.* 2. *c.* 36.

IV. And be it further enacted by the Authority aforesaid, That an Act made in the fourth Year of the Reign of his present Majesty, (intituled, *An Act for granting an Allowance upon the Exportation of* British *made Gunpowder)* which was to continue in Force for five Years from the twenty-fourth Day of *June* one thousand seven hundred and thirty-one, and from thence to the End of the then next Session of Parliament, and which by another Act made in the tenth Year of the Reign of his present Majesty, was further continued for seven Years, and from thence to the End of the then next Session of Parliament, and which by another Act made in the sixteenth Year of the Reign of his present Majesty, was further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

4 Geo. 2. c. 29. for an Allowance on Exportation of British Gunpowder, continued by 10 Geo. 2. c. 27. and 16 Geo. 2. c. 26. further continued to 24 June 1757, *and again by* 31 *Geo.* 2. *c.* 36.

CAP.

CAP. LIII.

An Act to regulate and restrain Paper Bills of Credit in his Majesty's Colonies or Plantations of *Rhode Island* and *Providence* Plantations, *Connecticut*, the *Massachusets Bay*, and *New Hampshire* in *America*; and to prevent the same being legal Tenders in Payments of Money.

6 Ann. c. 30.

'WHEREAS the Act of Parliament made in the sixth Year of her late Majesty Queen *Anne*, intituled, *An Act for ascertaining the Rate of foreign Coins in her Majesty's Plantations in* America, hath been intirely frustrated in his Majesty's said Colonies of *Rhode Island* and *Providence* Plantations, *Connecticut*, the *Massachusets Bay*, and *New Hampshire* in *America*, by their creating and issuing, from Time to Time, great Quantities of Paper Bills of Credit, by virtue of Acts of Assembly, Orders, Resolutions or Votes, made or passed by their respective Assemblies, and making legal the Tender of such Bills of Credit in Payment for Debts, Dues and Demands; which Bills of Credit have, for many Years past, been depreciating in their Value, by means whereof all Debts of late Years have been paid and satisfied with a much less Value than was contracted for, which hath been a great Discouragement and Prejudice to the Trade and Commerce of his Majesty's Subjects, by occasioning Confusion in Dealings, and lessening of Credit in those Parts:' Therefore, for the more effectual preventing and remedying of the said Inconveniencies, may it please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-one, it shall not be lawful for the Governor, Council or Assembly for the Time being, or any of them, or for the Lieutenant Governor, or Person presiding or acting as Governor or Commander in Chief, for the Time being, within all or any of the aforesaid Colonies or Plantations of *Rhode Island*, and *Providence* Plantations, *Connecticut*, the *Massachusets Bay*, and *New Hampshire*, to make or pass, or give his or their Assent to the making or passing of any Act, Order, Resolution or Vote, within any of the said Colonies or Plantations, whereby any Paper Bills or Bills of Credit, of any Kind or Denomination whatsoever, shall be created or issued under any Pretence whatsoever; or whereby the Time limited, or the Provision made, for the calling in, sinking or discharging of such Paper Bills, or Bills of Credit, as are already subsisting and passing in Payment, within any of the said Colonies or Plantations, shall be protracted or postponed; or whereby any of them shall be depreciated in Value, or whereby the same shall be ordered or allowed to be re-issued, or to obtain a new and further Currency; and that all such Acts, Orders, Resolutions or Votes, which shall or may be passed or made, after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, within all or any of the said Colonies or Plantations, shall be, and are hereby declared to be null and void, and of no Force or Effect whatsoever.

No Act to pass for creating Paper Bills of Credit,

or for protracting the Time for the calling in such,

or for depreciating or re-issuing the same.

II. And be it further enacted by the Authority aforesaid, That all such Paper Bills, or Bills of Credit, as are now subsisting, and passing in Payments, within any of the said Colonies or Plantations of *Rhode Island*, and *Providence* Plantations, *Connecticut*, *Massachusets Bay* and *New Hampshire*, shall be duly and punctually called in, sunk and discharged, according to the Tenor of, and within the Periods limited by the respective Acts, Orders, Votes or Resolutions, for creating and issuing, or continuing the same respectively, unless where the same have been altered by any subsequent Act or Acts of Assembly; and in that Case, that the same be discharged according to the Tenor mentioned in the said Act or Acts of Assembly; and that no such Paper Bills, or Bills of Credit, shall, from and after such Periods so limited, as aforesaid, be any longer current in all or any of the said Colonies or Plantations respectively.

Bills of Credit now subsisting, to be called in.

III. Provided nevertheless, That nothing in this Act contained shall extend, or be construed to extend, to restrain any Governor or Governors, Council or Assembly, within any of the said Colonies or Plantations, from making or passing any Act or Acts of Assembly in any of the said Colonies or Plantations, for the creating and issuing of such Paper Bills, or Bills of Credit, in lieu of, and for securing such reasonable Sum or Sums of Money, as shall be requisite for the current Service of the Year; so as by such Act or Acts of Assembly, whereby such Paper Bills, or Bills of Credit, shall be created or issued, sufficient Provision be made to secure the calling in, discharging and sinking of the same, within a short reasonable Time, not exceeding the Space of two Years, to be computed from the Dates of the respective Acts whereby such Paper Bills, or Bills of Credit, were created and issued; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

Acts may pass for issuing Bills of Credit for the current Service of the Year, &c.

IV. Provided also, That nothing herein contained shall extend, or be construed to extend to restrain any Governor or Governors, Council or Assembly, within any of the said Colonies or Plantations, from making or passing any Act or Acts of Assembly, in any of the said Colonies or Plantations, for creating and issuing such Paper Bills, or Bills of Credit, in lieu of and for securing such reasonable Sum or Sums of Money as shall, at any Time hereafter, be necessary or expedient upon sudden and extraordinary Emergencies of Government, in case of War and Invasion, so as in every such Act or Acts of Assembly for the Emission of Paper Bills, or Bills of Credit, so issued as aforesaid, due Care be taken to ascertain the real Value of all such principal Sum or Sums for which the same shall be so made, created and issued as aforesaid, and also the Interest to be paid thereon; and so as Care be likewise taken, in the said Act or Acts, to establish and provide an ample and sufficient Fund for the calling in, discharging and sinking, within as short and reasonable a Time as may be, not exceeding five Years at the farthest, all the said Bills, by actual Payment of all and every the Sum and Sums of Money for which the same shall be so made, created and issued as aforesaid, with the Interest due thereon.

and for extraordinary Emergencies, in case of War or Invasion.

'V. And whereas there are now subsisting and passing in Payment, within the said Colonies and Plantations, divers Kinds of Paper Bills, or Bills of Credit, of various Denominations, which have been heretofore created and issued within the said Colonies and Plantations, or some of them, on Loans and otherwise, whereby private Persons and their Estates stand liable to, and bound for the Discharge of the Sums by them borrowed and received on such Loans; without the Payment of which Sums (in case any Difficulty or Obstruction should arise in the Payment thereof) such Paper Bills, or Bills of Credit so issued on such Loans, cannot be called in, discharged and sunk, according to the Tenor of the respective Acts, Orders, Votes or Resolutions, by virtue whereof the same have been so respectively issued:' For the providing a Remedy for such Inconveniencies, be it further enacted by the Authority aforesaid, That all such Paper Bills, or Bills of Credit, of what Kind or Denomination soever, which have at any Time heretofore been created and issued on such Loans, within any of the said Colonies or Plantations, be duly called in, and discharged and sunk, according to the Tenor of the respective Acts, Orders, Votes or Resolutions, for creating and issuing, or continuing the same respectively, in like manner as all other Paper Bills, or Bills of Credit, already subsisting within the said Colonies or Plantations, are herein before required to be called in, discharged and sunk.

Bills of Credit on Loans, to be called in.

Persons who have borrowed Money on Loans, &c. compellable to discharge the same.

VI. And be it further enacted by the Authority aforesaid, That all Persons who have borrowed and taken up any Sum or Sums of Money on Loans, for the Discharge whereof they and their respective Estates stand bound, shall be required and compelled, by all due and legal Means, to satisfy and discharge the Sums by them borrowed, according to the Terms of such Loans respectively, and the true Intent and Meaning thereof, except as is herein before excepted; and in case any Deficiency or Loss shall happen by Failure of the Security so taken on such Loans respectively, that the same, and every Part thereof, shall be supplied and made good by an adequate Tax or Imposition, to be equally and rateably assessed, levied and raised within the said Colonies or Plantations respectively, where such Loss or Deficiency shall so happen.

No Paper Currency to be deemed a legal Tender.

VII. And be it further enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-one, no Paper Currency, or Bills of Credit, of any Kind or Denomination, which may be made, created or issued in any of the said Colonies or Plantations, pursuant to the Provisions herein before made in this Act, shall be a legal Tender in Payment of any private Bargains, Contracts, Debts, Dues or Demands whatsoever, within the said Colonies or Plantations, or any of them.

VIII. Provided, That nothing herein contained shall extend, or be construed to extend to make any of the Bills now subsisting in any of the said Colonies a legal Tender.

Penalty on Governor giving his Assent to any Act contrary to this Act.

IX. And be it further enacted by the Authority aforesaid, That if any Governor or Commander in Chief for the Time being, in all or any of his Majesty's said Colonies or Plantations, whether commissioned by his Majesty, or elected by the People, shall, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, give his Assent to any Act of Assembly, Order, Resolution or Vote, for the Emission or Issuing of any Paper Bills, or Bills of Credit, of any Kind or Denomination whatsoever; or for prolonging the Time limited for calling in and sinking any such Paper Bills, or Bills of Credit, as are now subsisting and passing in Payment; or for re-issuing or depreciating the same, contrary to the true Intent and Meaning of this Act; such Act, Order, Resolution or Vote, shall be *ipso facto* null and void, and such Governor or Commander in Chief shall be immediately dismissed from his Government, and for ever after rendered incapable of any publick Office or Place of Trust.

Concerning Plantations see farther 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

CAP. LIV.

19 *Geo.* 2. *c.* 5. 20 *Geo.* 2. *c.* 4. An Act for explaining, continuing and enforcing several Laws therein mentioned, more effectually to prevent the spreading of the Distemper which now rages amongst the Horned Cattle in this Kingdom.

Farther continued and amended by 25 *Geo.* 2. *c.* 31. 26 *Geo.* 2. *c.* 34. 27 *Geo.* 2. *c.* 14. 30 *Geo.* 2. *c.* 20.

CAP. LV.

An Act for amending and making more effectual a Clause in an Act passed in the last Session of Parliament, for the apprehending of Persons in any County or Place upon Warrants granted by Justices of the Peace of any other County or Place.

23 Geo. 2. c. 26. §. 11. 'WHEREAS by a Clause in an Act made in the twenty-third Year of his present Majesty's Reign, it is among other Things therein enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, in case any Person against whom a legal Warrant shall be issued by any Justice or Justices of the Peace, for any County, Riding, Division, City, Liberty, Town or Place within this Kingdom, shall escape or go into any other County, Riding, Division, City, Liberty, Town or Place out of the Jurisdiction of the Justice or Justices granting such Warrant as aforesaid, it shall and may be lawful for any Justice of the Peace of the County, Riding, Division, City, Liberty, Town or Place to which such Person shall have gone or escaped, to indorse such Warrant, upon Application made to him for that Purpose, and to cause the Person against whom the same shall have been issued, to be apprehended and sent to the Justice or Justices who granted such Warrant, or to some

'other

'other Justice or Justices of the County, Riding, Division, City, Liberty, Town or Place from whence 'such Person shall have gone or escaped, to the end that he or she may be dealt with according to Law: 'And whereas such Offender or Offenders may reside or be in some other County, Riding, Division, 'City, Liberty, Town or Place out of the Jurisdiction of the Justice or Justices granting such Warrant 'as aforesaid, before the granting such Warrant, and without escaping or going out of the County, Ri-'ding, Division, City, Liberty, Town or Place after such Warrant granted;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred fifty-one, in case any Person, against whom a Warrant shall be issued by any Justice or Justices of the Peace of any County, Riding, Division, City, Liberty, Town or Place within this Kingdom, shall escape, go into, reside or be in any other County, Riding, Division, City, Liberty, Town or Place out of the Jurisdiction of the Justice or Justices granting such Warrant as aforesaid, it shall and may be lawful for any Justice or Justices of the Peace of the County, Riding, Division, City, Liberty, Town or Place where such Person shall escape, go into, reside or be, and such Justice or Justices is and are hereby required, upon Proof being made upon Oath, of the Hand Writing of the Justice or Justices granting such Warrant, to indorse his or their Name or Names on such Warrant, which shall be a sufficient Authority to the Person or Persons bringing such Warrant, and to all other Persons to whom such Warrant was originally directed, to execute such Warrant in such other County, Riding, Division, City, Liberty, Town or Place out of the Jurisdiction of the Justice or Justices granting such Warrant as aforesaid, and to apprehend and carry such Offender or Offenders before the Justice who indorsed such Warrant, or some other Justice or Justices of such other County, Riding, Division, City, Liberty, Town or Place where such Warrant was indorsed, in case the Offence for which such Offender shall be so apprehended in such other County, Riding, Division, City, Liberty, Town or Place as aforesaid, shall be bailable in Law, and such Offender shall be willing and ready to give Bail for his Appearance at the next Assizes or General Gaol Delivery, or next General Quarter-Sessions of the Peace, to be held in and for the County, Riding, Division, City, Liberty, Town or Place where the Offence was committed, such Justice or Justices of such other County, Riding, Division, City, Liberty, Town or Place before whom such Offender or Offenders shall be brought, shall and may take Bail of such Offender or Offenders, for his or their Appearance at the next Assizes or General Gaol Delivery, or at the next General Quarter-Sessions of the Peace to be held in and for the County, Riding, Division, City, Liberty, Town or Place where such Offence was committed, in the same Manner as the Justices of the Peace of the proper County, Riding, Division, City, Liberty, Town or Place should or might have done in such proper County, Riding, Division, City, Liberty, Town or Place; and the Justice or Justices of such other County, Riding, Division, City, Liberty, Town or Place so taking Bail as aforesaid, shall deliver the Recognizance, together with the Examination or Confession of such Offender or Offenders, and all other Proceedings relating thereto, to the Constable, Tythingman or other Person or Persons so apprehending such Offender or Offenders as aforesaid, who are hereby required to receive the same, and to deliver over such Recognizance, Examination and other Proceedings to the Clerk of Assizes, or Clerk of the Peace of the County, Riding, Division, City, Liberty, Town or Place where such Offender or Offenders is or are required to appear by virtue of such Recognizance; and such Recognizance, Examination or Confession shall be as good and effectual in Law, to all Intents and Purposes, and of the same Force and Validity as if the same had been entered into, taken or acknowledged before a Justice or Justices of the Peace in and for the proper County, Riding, Division, City, Liberty, Town or Place where the Offence was committed, and the same Proceedings shall be had thereon; and in case such Constable, Tythingman or other Person to whom such Recognizance, Examination, Confession or other Proceedings shall be delivered as aforesaid, shall refuse or neglect to deliver over the same to the Clerk of Assizes, or Clerk of the Peace of the County, Riding, Division, City, Liberty, Town or Place where such Offender is required to appear by virtue of such Recognizance, such Constable, Tythingman or other Person shall forfeit the Sum of ten Pounds, to be recovered against him by Bill, Plaint or Information, in any of his Majesty's Courts at *Westminster*, by any Person or Persons who will prosecute or sue for the same; wherein no Essoin, Protection or Wager of Law shall be allowed, or more than one Imparlance; and in case the Offence for which such Offender or Offenders shall be apprehended and taken in any other County, Riding, Division, City, Liberty, Town or Place shall not be bailable in Law, or such Offender or Offenders shall not give Bail for his Appearance at the next Assizes or General Gaol Delivery, or next General Quarter-Sessions of the Peace, to be held in and for the County, Riding, Division, City, Liberty, Town or Place where the Offence was committed, to the Satisfaction of the Justice before whom such Offender or Offenders shall be brought in such other County, Riding, Division, City, Liberty, Town or Place; then and in that Case the Constable, Tythingman or other Person or Persons so apprehending such Offender or Offenders, shall carry and convey such Offender or Offenders before one of his Majesty's Justices of Peace of the proper County, Riding, Division, City, Liberty, Town or Place where such Offence was committed, there to be dealt with according to Law.

Person being out of the Jurisdiction of the Justice, who shall grant a Warrant,

the Justice where such Persons shall be, to indorse the Warrant,

and the Offender to be apprehended and brought before a Justice where the Warrant was indorsed,

and to deliver the Recognizance, &c. to the Constable,

to be delivered over to the Clerk of Assizes, or Clerk of the Peace.

Penalty on Constable not delivering over.

If the Offence be not bailable, &c.

the Constable to carry the Offender before some Justice where the Offence was committed.

II. And it is hereby enacted by the Authority aforesaid, That no Action of Trespass, false Imprisonment, Information or Indictment, or other Action shall be brought, sued, commenced or prosecuted by any Person or Persons whatsoever, against the Justice or Justices who shall indorse such Warrant, for or by reason of his or their indorsing such Warrant.

Justice indorsing the Warrant not liable to Action.

III. Provided nevertheless, That such Person or Persons shall be at Liberty to bring or prosecute his or their Action or Suit against the Justice or Justices who originally granted such Warrant, in the same manner as such Person or Persons might have done in case this Act had not been made.

Action may lie against the Justice originally granting the Warrant.

IV. And

Clauſe 23 Geo. 2. c 26. §. 11. repealed.

IV. And it is hereby further enacted, That the ſaid Clauſe in the ſaid recited Act, and every Thing in the ſaid Clauſe contained, ſhall from and after the ſaid twenty-fourth Day of *June* be repealed.

Concerning Juſtices of the Peace ſee farther 26 *Geo.* 2. *c.* 14 & 27. 27 *Geo.* 2. *c.* 16 & 20. 1 *Geo.* 3. *c.* 13.

CAP. LVI.

An Act for aſcertaining the Admeaſurement of Wheat Meal, or other Corn or Grain ground, for which a Bounty is payable upon Exportation; and for making Allowances to the *Eaſt-India* Company for their Charges and Expences in managing, paying and transferring their reduced Annuities.

1 W. 3. ſt. 1. c. 12.

'WHEREAS by an Act of Parliament made and paſſed in the firſt Year of the Reign of his late Majeſty King *William* the Third of glorious Memory, (intituled, *An Act for the encouraging the Exportation of Corn*) it is amongſt other Things enacted, That when Malt or Barley, *Wincheſter* Meaſure, ſhould be at four and twenty Shillings *per* Quarter or under, Rye at two and thirty Shillings *per* Quarter or under, and Wheat at eight and forty Shillings *per* Quarter or under, in any Port or Ports in this Kingdom or Dominion of *Wales*, every Merchant or other Perſon who ſhould put on Ship-board in *Engliſh* Shipping, the Maſter and two Thirds of his Mariners at leaſt being his Majeſty's Subjects, any Sort of the Corn aforeſaid, from any ſuch Ports where the Rates ſhall not then be higher than as aforeſaid, with the Intent to export the ſaid Corn to Parts beyond the Seas, every ſuch Merchant or Perſon ſo ſhipping off any of the aforeſaid Corn, and giving ſuch Certificate and Bond as in the ſaid Act is mentioned, ſhall have and receive from ſuch Farmers, Commiſſioners, Collectors or other Perſons in any Port reſpectively where the ſame Corn ſhall be ſo ſhipped, for every Quarter of Barley or Malt, ground or unground, two Shillings and ſix Pence; for every Quarter of Rye, ground or unground, three Shillings and ſix Pence; for every Quarter of Wheat, ground or unground, five Shillings: And whereas by

2 Geo. 2. c. 18.

one other Act of Parliament made in the ſecond Year of his preſent Majeſty's Reign, (intituled, *An Act to aſcertain the Cuſtom payable for Corn and Grain imported; for better aſcertaining the Price and Quantity of Corn and Grain for which a Bounty is payable upon Exportation; for appropriating the Supplies granted in this Seſſion of Parliament; and for giving further Time to Clerks and Apprentices to pay Duties omitted to be paid for their Indentures and Contracts*) it is amongſt other Things enacted, That the Officers of the Cuſtoms ſhould be impowered to admeaſure all Corn and Grain whereon there is an Allowance payable for the Exportation thereof, and for greater Expedition therein, that ſuch Admeaſurement ſhould and might be by a Tub or Meaſure, containing four *Wincheſter* Buſhels; and that if ſuch Corn or Grain intended to be exported, ſhould be brought to be ſhipped off in Sacks, that then the ſaid Officers are thereby impowered and required to make choice of two of thoſe Sacks, out of any Number not exceeding twenty Sacks, and ſo in proportion for any greater Quantity, before the ſame ſhall be put on board for Exportation, and thereby compute the Quantity of Corn ſo intended to be ſhipped for Exportation, and according to ſuch Computation, the Allowance or Bounty-money ſhould be paid to the Exporter, for the whole Quantity proportionably, upon his producing a Certificate from the proper Officer or Officers of the Cuſtoms, atteſting the Quantity and Quality of the Corn or Grain ſo ſhipt for Exportation, with a Proviſo that nothing therein ſhould extend to alter the then Practice, with reſpect to the Manner of ſhipping Corn from the Port of *London*: And whereas the Method above preſcribed for the meaſuring of Corn to be exported, does not particularly aſcertain how Wheat Meal or other ground Corn or Grain, whereon there is a Bounty, ſhall be meaſured for Exportation: And whereas ſome Doubts have ariſen in ſeveral of the Ports of this Kingdom, with regard to the Exportation of Corn ground and unground, as to the Manner of Computation and Admeaſurement on the Exportation thereof, and the Bounty to be allowed thereon:' And in order to reconcile all Diſputes and Differences that may ariſe in relation thereto, and to make the Practice uniform in the ſeveral Ports of this Kingdom, We your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Auguſt* one thouſand ſeven hundred and fifty-one, the proper Officers of his Majeſty's Cuſtoms ſhall, and they are hereby directed and impowered to allow the ſame Bounty and no more, upon the Exportation of two hundred and twenty-four Pounds Weight of Wheat Meal, or other ground Corn or Grain whereon there is a Bounty, as is allowed upon the Exportation of four Buſhels of Wheat or other Corn or Grain unground, and ſo in proportion for any greater or leſſer Quantity; and for greater Expedition therein, in caſe ſuch Wheat Meal or other ground Corn or Grain ſhall be brought to be ſhipt off in Sacks, the proper Officers may make choice of and weigh two Sacks out of any Number not exceeding twenty Sacks; and ſo in proportion for any greater Quantity of Wheat Meal, or other ground Corn or Grain, before or after the ſame ſhall be put on board for Exportation, and thereby compute the Weight of the Wheat Meal, or other ground Corn or Grain ſo ſhipt or intended to be ſhipt for Exportation, by proportioning the ſame accordingly; and the Bounty-money upon ſuch Wheat Meal, or other ground Corn or Grain, ſhall be paid to the Exporter for ſo much and no more, upon his producing a Certificate from the proper Officer or Officers of the Cuſtoms, atteſting the true Quantity, Quality and Weight thereof, according to the ſaid Computation only, and not otherwiſe; any Law, Cuſtom or Uſage to the contrary notwithſtanding.

The ſame Bounty to be allowed on the Exportation of 224 lb. of Wheat Meal, and other ground Corn, as on 4 Buſhels of Wheat, &c.

Officer may weigh 2 Sacks out of 20, to compute the Weight.

Bounty to be paid the Exporter.

Concerning Corn ſee farther 26 *Geo.* 2. *c.* 15. 30 *Geo.* 2. *c.* 1 & 7. 31 *Geo.* 2. *c.* 1 & 25. 32 *Geo.* 2. *c.* 2 & 8.

II. And

II. And be it further enacted by the Authority aforesaid, That the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall, and they are hereby authorized and impowered, to make such Allowances to the United Company of Merchants of *England* trading to the *East Indies*, as they shall think just and reasonable for the Charges and Expences attending the receiving, paying, transferring and transacting the Affairs of the several Annuities, amounting to the principal Sum of three millions, created in pursuance of an Act of the last Session of Parliament, (intituled, *An Act for giving further Time to the Proprietors of Annuities, after the Rate of four Pounds* per Centum per Annum, *to subscribe the same in the Manner and upon the Terms therein mentioned; and for redeeming such of the said Annuities as shall not be so subscribed, and for impowering the* East-India *Company to raise certain Sums by transferrable Annuities)* which said Allowances so to be made to the said United Company, shall be charged upon and paid out of the same Duties and Revenues as are appropriated for the Payment of the Annuities aforesaid.

Treasury to make Allowances to the East-India Company, for their Charges in making and transferring their reduced Annuities. 23 Geo. 2. c. 22.

CAP. LVII.

An Act to continue several Laws therein mentioned, for preventing Theft and Rapine on the northern Borders of *England*; for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more speedy bringing the Offenders to Justice; for continuing two Clauses to prevent the cutting or breaking down the Bank of any River or Sea Bank; and to prevent the malicious cutting of Hop-binds; for the more effectual Punishment of Persons maliciously setting on Fire any Mine, Pit or Delph of Coal, or Cannel Coal; and of Persons unlawfully hunting or taking any Red or Fallow Deer in Forests or Chaces, or beating or wounding the Keepers or other Officers in Forests, Chaces or Parks; for granting a Liberty to carry Sugars of the Growth, Produce or Manufacture of any of his Majesty's Sugar Colonies in *America*, from the said Colonies directly into foreign Parts, in Ships built in *Great Britain*, and navigated according to Law; for preventing the committing of Frauds by Bankrupts; for giving further Encouragement for the Importation of Naval Stores from the *British* Colonies in *America*; and for preventing Frauds and Abuses in the Admeasurement of Coals in the City and Liberty of *Westminster*; and to make some further Provisions in relation to the signing of Certificates for the Discharge of Bankrupts.

'WHEREAS the Laws herein after-mentioned, which have by Experience been found useful and beneficial, are near expiring;' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, (intituled, *An Act for preventing Theft and Rapine upon the northern Borders of* England) which by several Acts hath from time to time been continued, and by an Act made in the sixth Year of the Reign of his present Majesty, (for making perpetual several Acts, and for other Purposes therein mentioned) was further continued until the first Day of *September* one thousand seven hundred and forty-four, and from thence to the End of the then next Session of Parliament; and also several Clauses, Powers and Authorities in the afore-mentioned Act made in the sixth Year of the Reign of his present Majesty, for the more effectual preventing of Theft and Rapine upon the northern Borders of *England*, and which by the said Act were to continue in Force until the first Day of *September* one thousand seven hundred and forty-four, and from thence to the End of the then next Session of Parliament; and which said Act, together with the said several Clauses, Powers and Authorities were, by an Act made in the seventeenth Year of his present Majesty's Reign, further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, and from thence to the End of the then next Session of Parliament, shall be and the same is hereby further continued from the Expiration thereof, until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

13 & 14 Car. 2. c. 22. for preventing Theft upon the northern Borders.

6 Geo. 2. c. 37.

17 Geo. 2. c. 40. further continued to 1 Sept. 1757. *and made perpetual by* 31 Geo. 2. c. 42.

II. And be it further enacted by the Authority aforesaid, That an Act made in the ninth Year of the Reign of his late Majesty King *George* the First (intituled, *An Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more speedy bringing the Offenders to Justice)* which was to continue in Force from the first Day of *June* one thousand seven hundred and twenty-three, for three Years, and from thence to the End of the then next Session of Parliament; and which by an Act made in the twelfth Year of the Reign of his said late Majesty was continued from the Expiration thereof, for five Years, and from thence to the End of the then next Session of Parliament; and which by a Clause in another Act made in the sixth Year of the Reign of his present Majesty (for making perpetual several Acts, and for other Purposes therein mentioned) was further continued until the first Day of *September* one thousand seven hundred and thirty-

9 Geo. 1. c. 22. for punishing Persons going in Disguise, &c.

12 Geo. 1. c. 30.

6 Geo. 2. c. 37.

fix, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the tenth Year of the Reign of his preſent Majeſty, was further continued from the Expiration thereof until the firſt Day of *September* one thouſand ſeven hundred and forty-four, and from thence to the End of the th n next Seſſion of Parliament; and which by another Act made in the ſeventeenth Year of his preſent Majeſty's Reign, was further continued until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof, until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

10 Geo. 2. c. 32.

17 Geo. 2. c. 40.

further continued to 1 Sept. 1757. *and made perpetual by* 31 *Geo.* 2. *c.* 42.

Clauſe in 6 Geo. 2. c. 37. §. 5. to prevent the cutting the Banks of Rivers, &c.

III. And be it further enacted by the Authority aforeſaid, That a Clauſe in an Act made in the ſixth Year of the Reign of his preſent Majeſty (for making perpetual ſeveral Acts, and for other Purpoſes therein mentioned) to prevent the cutting or breaking down the Bank of any River or Sea Bank, which was to continue in Force during the Continuance of an Act made in the ninth Year of the Reign of his ſaid late Majeſty; and which by another Act made in the tenth Year of the Reign of his preſent Majeſty, was further continued during the Continuance of the aforementioned Act made in the ninth Year of the Reign of his ſaid late Majeſty; and which by another Act made in the ſeventeenth Year of his preſent Majeſty's Reign, was further continued until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

further continued to 1 September 1757. *and made perpetual by* 31 *Geo.* 2. *c.* 42.

Clauſe in 6 Geo. 2. c. 37. §. 6. to prevent the malicious cutting of Hop-binds, &c.

IV. And be it further enacted by the Authority aforeſaid, That a Clauſe in an Act made in the ſixth Year of the Reign of his preſent Majeſty (for making perpetual ſeveral Acts, and for other Purpoſes therein mentioned) to prevent the malicious cutting of Hop-binds growing on Poles in any Plantation of Hops, which was to continue in Force during the Continuance of an Act made in the ninth Year of the Reign of his ſaid late Majeſty; and which by another Act made in the tenth Year of the Reign of his preſent Majeſty, was further continued during the Continuance of the aforementioned Act made in the ninth Year of the Reign of his ſaid late Majeſty; and which by another Act made in the ſeventeenth Year of his preſent Majeſty's Reign, was further continued until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

further continued to 1 September 1757. *and made perpetual by* 31 *Geo.* 2. *c.* 42.

Clauſe in 10 Geo. 2. c. 32. §. 4, &c. for extending the Proviſions for bringing Offenders to Juſtice, &c.

V. And be it further enacted by the Authority aforeſaid, That a Clauſe in an Act made in the tenth Year of the Reign of his preſent Majeſty, for extending (during the Continuance of the ſaid Act made in the ninth Year of the Reign of his ſaid late Majeſty) all the Proviſions in the laſt-mentioned Act contained, for the more ſpeedy and eaſy bringing the Offenders againſt the ſaid Act to Juſtice, and the Perſons who ſhall conceal, aid, abet or ſuccour ſuch Offenders; and for making Satisfaction and Amends to all and every the Perſon and Perſons, their Executors and Adminiſtrators, for the Damages they ſhall have ſuſtained or ſuffered by any Offender or Offenders againſt the ſaid Act; and for the Encouragement of Perſons to apprehend and ſecure ſuch Offender and Offenders; and for the better and more impartial Trial of any Indictment or Information which ſhall be found commenced or proſecuted for any of the Offences committed againſt the ſaid Act, together with all Reſtrictions, Limitations and Mitigations by the ſaid Act directed, to all Caſes of Offences committed by unlawfully and maliciouſly breaking down or cutting down the Bank or Banks of any River, or any Sea Bank, whereby any Lands ſhall be overflowed or damaged; or by unlawfully and maliciouſly cutting any Hop-binds growing on Poles in any Plantation of Hops; or by wilfully and maliciouſly ſetting on Fire, or cauſing to be ſet on Fire, any Mine, Pit, or Delph of Coal, or Cannel Coal; and which by an Act made in the ſeventeenth Year of his preſent Majeſty's Reign, was further continued until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

further continued to 1 September 1757.

Clauſes in 10 Geo. 2. c. 32. for puniſhing the malicious ſetting on Fire any Mines, &c.

VI. And be it further enacted by the Authority aforeſaid, That ſeveral Clauſes in an Act made in the tenth Year of the Reign of his preſent Majeſty, for the more effectual Puniſhment of Perſons maliciouſly ſetting on Fire any Mine, Pit or Delph of Coal, or Cannel Coal, or unlawfully hunting or taking any Red or Fallow Deer in Foreſts or Chaces, or beating or wounding the Keepers, or other Officers, in Foreſts, Chaces or Parks, which were to continue in Force during the Continuance of an Act made in the ninth Year of the Reign of his ſaid late Majeſty; and which by an Act made in the ſeventeenth Year of his preſent Majeſty's Reign, were further continued until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-one, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame are hereby further continued from the Expiration thereof until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

further continued to 1 September 1757. *and made perpetual by* 31 *Geo.* 2. *c.* 42.

VII. And

VII. And be it further enacted by the Authority aforesaid, That an Act made in the twelfth Year of the Reign of his present Majesty, (intituled, *An Act for granting a Liberty to carry Sugars of the Growth, Produce or Manufacture of any of his Majesty's Sugar Colonies in* America, *from the said Colonies directly to foreign Parts, in Ships built in* Great Britain, *and navigated according to Law)* which was to continue in Force for five Years, from the twenty-ninth Day of *September* one thousand seven hundred and thirty-nine, and from thence to the End of the then next Session of Parliament; and which by another Act made in the seventeenth Year of the Reign of his present Majesty, was further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

12 Geo. 2. c. 30. for Liberty to carry Sugars from the British Colonies to foreign Parts, &c.

17 Geo. 2. c. 40. further continued to 1 September 1757. *and by* 31 *Geo.* 2. *c.* 35. *to* 29 *September* 1764.

VIII. And be it further enacted by the Authority aforesaid, That an Act made in the fifth Year of the Reign of his present Majesty, (intituled, *An Act to prevent the committing of Frauds by Bankrupts)* which was to continue in Force for three Years, from the twenty-fourth Day of *June* one thousand seven hundred and thirty-two, and from thence to the End of the then next Session of Parliament; and which by an Act made in the ninth Year of the Reign of his present Majesty, was further continued until the twenty-ninth Day of *September* one thousand seven hundred and forty-three, and from thence to the End of the then next Session of Parliament; and which by another Act made in the sixteenth Year of the Reign of his present Majesty, was further continued until the twenty-ninth Day of *September* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

5 Geo. 2. c. 30. to prevent the committing of Frauds by Bankrupts, 9 Geo. 2. c. 18. 16 Geo. 2. c. 27. further continued to 1 September 1757. *Further continued by* 31 *Geo.* 2. *c.* 35. *to* 29 *September* 1764.

'IX. And whereas many Abuses have been committed by Bankrupts, and Persons who, with their Privity, have attempted to prove fictitious and pretended Debts under Commissions of Bankruptcy, in order 'that such Persons might be enabled to sign their Consent to the Certificates for discharging such Bankrupts from their Debts:' For Remedy whereof, and in order to prevent the like fraudulent and wicked Practices for the future, Be it enacted by the Authority aforesaid, That where any Persons shall fraudulently swear or depose, or being of the People called *Quakers* affirm, before the major Part of the Commissioners named in any Commission of Bankruptcy, or by Affidavit or Affirmation exhibited to them, that a Sum of Money is due to him or her from any Bankrupt or Bankrupts, which shall in Fact not be really and truly so due or owing; and shall, in respect of such fictitious and pretended Debt, sign his or her Consent to the Certificate for such Bankrupt's Discharge from his Debts; that in every such Case, unless such Bankrupt shall, before such Time as the major Part of the said Commissioners shall have signed such Certificate, by Writing by him to be signed and delivered to one or more of the said Commissioners, or to one or more of the Assignees of his Estate and Effects under such Commission, disclose the said Fraud, and object to the Reality of such Debt, such Certificate shall be null and void to all Intents and Purposes, and such Bankrupt shall not in that Case be intitled to be discharged from his Debts, or to have or receive any of the Benefits or Allowances given or allowed to Bankrupts by the said Act of the fifth Year of his present Majesty's Reign; any Thing therein contained to the contrary thereof in any wise notwithstanding.

Persons swearing to a fictitious Debt from a Bankrupt, and signing the Certificate; unless the Bankrupt shall disclose the Fraud, the Certificate to be null, &c.

X. And it is hereby enacted, That where any Creditor or Creditors of any Bankrupt reside in foreign Parts, the Letter of Attorney of such Creditor, attested by a Notary Publick in the usual Form, shall be a sufficient Evidence of the Power and Authority by which any Person thereby authorized shall sign any Bankrupt's Certificate; any Thing in the said Act of the fifth Year of his present Majesty's Reign to the contrary thereof in any wise notwithstanding.

Letter of Attorney from Creditor in foreign Parts, to authorize signing Certificate.

XI. And be it further enacted by the Authority aforesaid, That so much of an Act made in the eighth Year of the Reign of his late Majesty King *George* the First, (intituled, *An Act for giving further Encouragement for the Importation of Naval Stores, and for other Purposes therein mentioned)* as relates to the Importation of Wood and Timber, and of the Goods commonly called *Lumber*, therein particularly enumerated, from any of his Majesty's *British* Plantations or Colonies in *America*, free from all Customs and Impositions whatsoever, which was to be in Force for twenty-one Years from the twenty-fourth Day of *June* one thousand seven hundred and twenty-two; and which by an Act made in the sixteenth Year of the Reign of his present Majesty was further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

Part of 8 Geo. 1. c. 12. for encouraging the Importation of Naval Stores, &c. 16 Geo. 2. c. 26. further continued to 1 September 1757. *and by* 31 *Geo.* 2. *c.* 35. *to* 29 *September* 1764.

XII. And be it further enacted by the Authority aforesaid, That an Act made in the nineteenth Year of the Reign of his present Majesty, (intituled, *An Act more effectually to prevent the Frauds and Abuses committed in the Admeasurement of Coals within the City and Liberty of* Westminster, *and that Part of the Dutchy of* Lancaster *adjoining thereunto, and the several Parishes of Saint* Giles in the Fields, *Saint* Mary le Bon, *and such Part of the Parish of Saint* Andrew, Holbourn, *as lies in the County of* Middlesex) which was to continue in Force from the twenty-fourth Day of *September* one thousand seven hundred and forty-six, for the Term of three Years, and from thence to the End of the then next Session of Parliament; and which by another Act made in the twenty-third Year of the Reign of his present Majesty, was further continued

19 Geo. 2. c. 35. to prevent Frauds in the Admeasurement of Coals in Westminster, &c. 23 Geo. 2. c. 26.

until the twenty-fourth Day of *December* one thouſand ſeven hundred and fifty, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

further continued to 1 September 1757. *and again by* 31 *Geo.* 2. *c.* 35. *and* 32 *Geo.* 2. *c.* 27.

CAP. LVIII.

An Act for making, widening and keeping in Repair ſeveral Roads in the ſeveral Pariſhes of *Lambeth*, *Newington*, Saint *George's Southwark*, and *Bermondſey*, in the County of *Surrey*; and *Lewiſham* in the County of *Kent*. PR. [Certain Tolls granted for 31 Years.]

CAP. LIX.

An Act for the enlarging of the Terms and Powers, and making more effectual ſeveral Acts of Parliament for repairing and amending the Highways leading from *Royſton* in the County of *Hertford* to *Wandsford Bridge* in the County of *Huntingdon*, ſo far as relates to the amending of that Part of the Road as lies between a Place called the *White Poſt* on *Alconbury Hill* in the County of *Huntingdon*, and *Wandsford Bridge* in the ſame County, called the *North Diviſion*; and that the Tolls taken at *Saltree* and *Wandsford* Toll-gates may, from and after a certain Time, be lowered; and for repairing the Road leading from *Stilton* in the ſaid County of *Huntingdon* to *Peterborough* in the County of *Northampton*. PR. [*The Acts* 9 Ann. and 13 Geo. 1. c. 32. in part continued for 10 Years.]

Anno Regni GEORGII II. Regis Magnæ Britanniæ, Franciæ & Hiberniæ, viceſimo quinto.

'AT the Parliament begun and holden at *Weſtminſter*, the tenth Day of *November*, *Anno Domini* one thouſand ſeven hundred and forty-ſeven, in the twenty-firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the fourteenth Day of *November* one thouſand ſeven hundred and fifty-one. Being the fifth Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-two. EXP.

CAP. II.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. III.

An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, within the Space of one Year from the twenty-fifth Day of *March* one thouſand ſeven hundred and fifty-two. EXP. At 3 s. in the Pound.

CAP. IV.

An Act for appointing the Deputy or Secondary of the Chief Clerk to inrol Pleas in the *King's Bench*, called *The Maſter of the* King's Bench *Office*, one of the Regiſters or Maſters for the Inrolment of Deeds, Wills, and other Conveyances, in the County of *Middleſex*, in the Place and Stead of ſuch Chief Clerk.

7 Ann. c. 20. 'WHEREAS by an Act of Parliament made in the ſeventh Year of the Reign of her late Majeſty Queen *Anne*, (intituled, *An Act for the publick Regiſtering of Deeds, Conveyances and Wills, and other Incumbrances which ſhall be made of or that may affect any Honours, Manors, Lands, Tenements or Hereditaments within the County of* Middleſex, *after the twenty-ninth Day of* September *one thouſand ſeven hundred and nine*) it is, among other Things, enacted, That one publick Office for regiſtering Memorials of and concerning any Honours, Manors, Lands, Tenements and Hereditaments, that are ſituate, lying and being within the ſaid County, ſhall be erected and eſtabliſhed in Manner therein mentioned; that is to ſay, That for the better and more effectual putting in execution the ſeveral Matters and Things in the ſaid Act contained, the ſworn Clerk to execute the Office of Inrolment in the High Court of *Chancery*, who is appointed to inrol for the County of *Middleſex*, the Chief Clerk to inrol Pleas in the *Queen's Bench*, the Clerk of the Warrants in the Court of *Common Pleas*, and the Queen's Remembrancer, or his Deputy, in the Court of *Exchequer*, ſhall be the Regiſters or Maſters of the Office for the Matters and Things in the ſaid Act contained: And whereas the inrolling of Pleas, ſigning of Judgments, and divers other Buſineſs tranſacted in his Majeſty's Court of *King's Bench*, is under the Inſpection

'ſpection and Management of the ſaid Chief Clerk's Deputy, or Secondary, called, *The Maſter of the* 'King's Bench *Office*, who might properly have executed the ſaid Place or Office of one of ſuch Regiſters 'or Maſters for the Purpoſes mentioned in the ſaid Act, inſtead of the ſaid Chief Clerk, had there been 'Authority given to ſuch Chief Clerk's Deputy to execute the ſaid Place or Office of one of the ſaid Re-'giſters or Maſters, as is by the ſaid recited Act given to the Queen's (now King's) Remembrancer's 'Deputy in the Court of *Exchequer*;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-one, the Deputy or Secondary of the Chief Clerk to inrol Pleas in the *King's Bench* for the Time being, called, *The Maſter of the* King's Bench *Office*, ſhall be, and is hereby conſtituted and appointed one of the Regiſters or Maſters of the Office for the Matters and Things contained in the before-recited Act, in the Room, Place and Stead of the ſaid Chief Clerk, to inrol Pleas in the *King's Bench*, with the like Powers and Authorities to all Intents and Purpoſes as by the ſaid recited Act is thereby given to ſuch Chief Clerk; and the Chief Clerk to inrol Pleas in the *King's Bench* ſhall be, and is, by virtue of this Act, diſcharged from being one of the Regiſters or Maſters for inrolling ſuch Deeds, Wills, and other Conveyances for the ſaid County of *Middleſex* as are mentioned in the before-recited Act, and of and from any Diſability or Incapacity with ſuch Chief Clerk, as one of the ſaid Regiſters, would have been ſubject or liable to by virtue thereof.

The Deputy of the Chief Clerk appointed a Regiſter.

Chief Clerk diſcharged from being a Regiſter.

II. And be it enacted by the Authority aforeſaid, That ſuch Deputy, or Secondary, called, *The Maſter of the* King's Bench *Office*, ſhall, before he enters upon the Execution of the ſaid Office of one of ſuch Regiſters or Maſters, take the Oath mentioned and preſcribed to be taken by every ſuch Regiſter or Maſter in and by the afore-recited Act; and ſhall alſo enter into ſuch Recognizance in ſuch Sum of Money, and with ſufficient Securities, to be approved of in ſuch Manner and Form as therein mentioned and ſet forth; and ſhall be liable to ſuch and the like Penalties and Forfeitures for any Miſbehaviour or Neglect of Duty in the Execution of the ſaid Office of one of ſuch Regiſters or Maſters, as any of the other Regiſters or Maſters are liable and ſubject to by virtue of the before-recited Act.

Deputy to take the Oath of Office,

and to enter into Recognizance, &c.

III. And be it alſo enacted by the Authority aforeſaid, That this Act, and every Clauſe, Matter and Thing herein contained, ſhall be taken and allowed, in all Courts within this Kingdom, as a publick Act; and all Judges, Juſtices, and other Perſons therein concerned, are hereby required as ſuch to take Notice thereof, without ſpecially pleading the ſame.

Publick Act.

CAP. V.

An Act to continue and make more effectual an Act paſſed in the ſecond Year of the Reign of his preſent Majeſty, for repairing the Highways between *Sheppard's Shord* and *Horſley Upright Gate*, leading down *Bagdown Hill*, in the County of *Wilts*, and other ruinous Parts of the Highways thereunto adjacent. PR. [The Act 2 Geo. 2. c. 12. continued for 21 Years.]

CAP. VI.

An Act for avoiding and putting an end to certain Doubts and Queſtions relating to the Atteſtation of Wills and Codicils concerning Real Eſtates in that Part of *Great Britain* called *England*, and in his Majeſty's Colonies and Plantations in *America*.

'WHEREAS by an Act made in the twenty-ninth Year of the Reign of his late Majeſty King 'Charles the Second, intituled, *An Act for Prevention of Frauds and Perjuries*; it is amongſt other 'Things enacted, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thou-'ſand ſix hundred and ſeventy-ſeven, all Deviſes and Bequeſts of any Lands or Tenements deviſeable, 'either by Force of the Statute of Wills, or by that Statute, or by Force of the Cuſtom of *Kent*, or the 'Cuſtom of any Borough, or any other particular Cuſtom, ſhall be in Writing, and ſigned by the Party 'ſo deviſing the ſame, or by ſome other Perſon in his Preſence, and by his expreſs Direction; and ſhall 'be atteſted and ſubſcribed in the Preſence of the ſaid Deviſor, by three or four credible Witneſſes, or 'elſe they ſhall be utterly void and of none Effect, which hath been found to be a wiſe and good Proviſion: 'But whereas Doubts have ariſen who are to be deemed legal Witneſſes within the Intent of the ſaid Act;' Therefore, for avoiding the ſame, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon ſhall atteſt the Execution of any Will or Codicil which ſhall be made after the twenty-fourth Day of *June* in the Year of our Lord one thouſand ſeven hundred and fifty-two, to whom any beneficial Deviſe, Legacy, Eſtate, Intereſt, Gift or Appointment of or affecting any Real or Perſonal Eſtate, other than and except Charges on Lands, Tenements or Hereditaments for Payment of any Debt or Debts, ſhall be thereby given or made, ſuch Deviſe, Legacy, Eſtate, Intereſt, Gift or Appointment, ſhall, ſo far only as concerns ſuch Perſon atteſting the Execution of ſuch Will or Codicil, or any Perſon claiming under him, be utterly null and void; and ſuch Perſon ſhall be admitted as a Witneſs to the Execution of ſuch Will or Codicil, within the Intent of the ſaid Act; notwithſtanding ſuch Deviſe, Legacy, Eſtate, Intereſt, Gift or Appointment mentioned in ſuch Will or Codicil.

29 Car. 2. c. 3. §. 5.

Deviſee, &c. atteſting, the Deviſe void, but he admitted to prove the Will.

II. And be it further enacted by the Authority aforeſaid, That in caſe, by any Will or Codicil already made or hereafter to be made, any Lands, Tenements or Hereditaments, are or ſhall be charged with any Debt or Debts; and any Creditor whoſe Debt is ſo charged, hath atteſted or ſhall atteſt the Execution of

Creditor atteſting, admitted a Witneſs.

such Will or Codicil, every such Creditor, notwithstanding such Charge, shall be admitted as a Witness to the Execution of such Will or Codicil, within the Intent of the said Act.

Legatee who has been paid, or shall refuse his Legacy, admitted a Witness.

III. And be it further enacted by the Authority aforesaid, That if any Person hath attested the Execution of any Will or Codicil already made, or shall attest the Execution of any Will or Codicil which shall be made on or before the said twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and fifty-two, to whom any Legacy or Bequest is or shall be thereby given, whether charged upon Lands, Tenements or Hereditaments or not; and such Person, before he shall give his Testimony concerning the Execution of any such Will or Codicil, shall have been paid, or have accepted or released, or shall have refused to accept such Legacy or Bequest, upon Tender made thereof; such Person shall be admitted as a Witness to the Execution of such Will or Codicil, within the Intent of the said Act, notwithstanding such Legacy or Bequest.

After Refusal, he is barred from the Legacy; but after Acceptance, he may retain the same, tho' the Will void.

IV. Provided always, and be it further enacted, That in case of such Tender and Refusal as aforesaid, such Person shall in no wise be intitled to such Legacy or Bequest, but shall be for ever afterwards barred therefrom; and in case of such Acceptance as aforesaid, such Person shall retain to his own Use the Legacy or Bequest which shall have been so paid, satisfied or accepted, notwithstanding such Will or Codicil shall afterwards be adjudged or determined to be void for want of due Execution, or for any other Cause or Defect whatsoever.

Legatee attesting, and dying in the Life-time of the Testator, or before he has received or refused his Legacy, admitted a Witness.

V. And be it further enacted, That in case any such Legatee as aforesaid, who hath attested the Execution of any Will or Codicil already made, or shall attest the Execution of any Will or Codicil which shall be made on or before the said twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and fifty-two, shall have died in the Life-time of the Testator, or before he shall have received or released the Legacy or Bequest so given to him as aforesaid, and before he shall have refused to receive such Legacy or Bequest, on Tender made thereof, such Legatee shall be deemed a legal Witness to the Execution of such Will or Codicil, within the Intent of the said Act, notwithstanding such Legacy or Bequest.

Credit of the Witness to be determined by the Court, &c.

VI. Provided always, That the Credit of every such Witness so attesting the Execution of any Will or Codicil, in any of the Cases in this Act before-mentioned, and all Circumstances relating thereto, shall be subject to the Consideration and Determination of the Court, and the Jury, before whom any such Witness shall be examined, or his Testimony or Attestation made use of; or of the Court of Equity, in which the Testimony or Attestation of any such Witness shall be made use of; in like Manner, to all Intents and Purposes, as the Credit of Witnesses in all other Cases ought to be considered of and determined.

No Devisee, where the Devise is made void, &c. being examined to the Execution of the Will, shall afterwards take any Benefit or Compensation for the same.

VII. And be it further enacted by the Authority aforesaid, That no Person to whom any beneficial Estate, Interest, Gift or Appointment shall be given or made, which is hereby enacted to be null and void as aforesaid, or who shall have refused to receive any such Legacy or Bequest, on Tender made as aforesaid, and who shall have been examined as a Witness concerning the Execution of such Will or Codicil, shall, after he shall have been so examined, demand or take Possession of or receive any Profits or Benefit of or from any such Estate, Interest, Gift or Appointment so given or made to him, in or by any such Will or Codicil; or demand, receive or accept from any Person or Persons whatsoever, any such Legacy or Bequest, or any Satisfaction or Compensation for the same, in any Manner or under any Colour or Pretence whatsoever.

Cases where the Validity of Wills, and Competency of Witnesses, are not affected.

VIII. Provided always, and be it enacted by the Authority aforesaid, That this Act or any Thing herein contained shall not extend or be construed to extend to the Case of any Heir at Law, or of any Devisee in a prior Will or Codicil of the same Testator, executed and attested according to the said recited Act, or any Person claiming under them respectively, who has been in quiet Possession for the Space of two Years next preceding the sixth Day of *May* in the Year of our Lord one thousand seven hundred and fifty-one, as to such Lands, Tenements and Hereditaments, whereof he has been in quiet Possession as aforesaid; and also that this Act or any Thing herein contained, shall not extend or be construed to extend, to any Will or Codicil, the Validity or due Execution whereof hath been contested in any Suit in Law or Equity commenced by the Heir of such Devisor, or the Devisee in any such prior Will or Codicil, for recovering the Lands, Tenements or Hereditaments mentioned to be devised in any Will or Codicil so contested, or any Part thereof, or for obtaining any other Judgment or Decree relative thereto, on or before the said sixth Day of *May* in the Year of our Lord one thousand seven hundred and fifty-one, and which has been already determined in favour of such Heir at Law, or Devisee in such prior Will or Codicil, or any Person claiming under them respectively, or which is still depending, and has been prosecuted with due Diligence; but the Validity of every such Will or Codicil, and the Competency of the Witnesses thereto, shall be adjudged and determined in the same Manner, to all Intents and Purposes, as if this Act had never been made; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

Possessions which are not comprehended within the Meaning of the preceding Clause.

IX. Provided always nevertheless, and it is hereby declared, That no Possession of any Heir at Law, or Devisee in such prior Will or Codicil as aforesaid, or of any Person claiming under them respectively, which is consistent with, or may be warranted by or under any Will or Codicil attested according to the true Intent and Meaning of this Act, or where the Estate descended or might have descended to such Heir at Law, till a future or executory Devise, by virtue of any Will or Codicil attested according to this Act, should or might take Effect, shall be deemed to be a Possession within the Intent and Meaning of the Clause herein last before contained.

'X. And whereas in some of the *British* Colonies or Plantations in *America*, the said Act of the 'twenty-ninth Year of the Reign of King *Charles* the Second, has been received for Law, or Acts of As-'sembly have been made, whereby the Attestation and Subscription of Witnesses to Devises of Lands, Te-'nements and Hereditaments have been required:' Therefore, to prevent and avoid Doubts which may arise in

in the said Colonies or Plantations, in relation to the Attestation of such Devises of Lands, Tenements and Hereditaments; Be it enacted by the Authority aforesaid, That this Act, and every Clause, Matter and Thing therein contained, shall extend to such of the said Colonies and Plantations, where the said Act of the twenty-ninth Year of the Reign of King *Charles* the Second, is by Act of Assembly made, or by Usage received as Law, or where by Act of Assembly or Usage, the Attestation and Subscription of a Witness or Witnesses are made necessary to Devises of Lands, Tenements or Hereditaments; and shall have the same Force and Effect in the Construction of or for the avoiding of Doubts upon the said Acts of Assembly, and Laws of the said Colonies and Plantations, as the same ought to have in the Construction of or for the avoiding of Doubts upon the said Act of the twenty-ninth Year of the Reign of King *Charles* the Second in *England*.

This Act to extend to such of the British Colonies, where the Act of 29 Car. 2. c. 3. is received, &c.

XI. Provided always, That as to Cases arising in any of the said Colonies or Plantations in *America*, no such Devise, Legacy or Bequest as aforesaid, shall be made null and void by virtue of this Act, unless the Will or Codicil whereby such Devise, Legacy or Bequest shall be given, shall be made after the first Day of *March* which shall be in the Year of our Lord one thousand seven hundred and fifty-three.

Devises, &c. in the Plantations by Wills made after 1 March 1753, affected by this Act. *Concerning Plantations see* 29 *Geo.* 2. *c.* 5 & 35. 30 *Geo.* 2. *c.* 9.

CAP. VII.

An Act to rectify a Mistake in an Act passed in the twenty-fourth Year of the Reign of his present Majesty, intituled, *An Act for explaining and amending an Act passed the twenty-first Year of his present Majesty, intituled*, An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Mystery of *Mercers* in the City of *London*; *and for other Purposes therein mentioned.* PR.

'WHEREAS by an Act made and passed in the twenty-fourth Year of the Reign of his present Majesty, intituled, *An Act for the explaining and amending an Act passed in the twenty-first Year of Reign of his present Majesty, intituled*, An Act for the Relief of the Annuitants of the Wardens and Commonalty of the Mystery of *Mercers* of the City of *London*; *and for other Purposes therein mentioned*: It was among other Things enacted, That it should and might be lawful to and for the said Wardens and Commonalty, and their Successors, and they were thereby impowered at any Time after the first Day of *June* one thousand seven hundred and fifty-one, by any Indenture or Indentures under their Common Seal, in Consideration of the usual Rent, and of the best Fine that could be got for the same, to make or grant one or more Leases of all or any Part of the Manor of *Mercers* in the said Act mentioned, with the Farms, Lands, Tenements and Hereditaments, and all and every the Rights, Members and Appurtenances thereto belonging, and of all other the Lands, Tenements and Hereditaments of and belonging to the said Company in the Kingdom of *Ireland*, to such Person or Persons as they should think fit, such Lease or Leases to commence and to take Effect from and immediately after the Expiration or other Determination of any former Leases theretofore thereof granted by the said Company, and then unexpired; and to endure and continue from thenceforth for and during, and unto the full End and Term of sixty-one Years, or to commence and take Effect from and immediately after the Expiration or other Determination of any Lease or Leases, theretofore thereof granted by the said Company, and then unexpired, or to endure and continue from thenceforth for and during the natural Lives of such three Persons as should at the Time of making such last-mentioned Lease or Leases respectively, be named by the respective Lessee or Lessees thereof, and be inserted in the said Lease or Leases for that Purpose, and the Life of the longer Liver of them; and from and immediately after the Decease of the Survivor of such of the said three Persons, further to endure and continue for and during, and unto the full End and Term of sixty-one Years, to be computed from such the Expiration or Determination of the Term or Terms for which the same Premisses were then leased out as aforesaid; by which said Act Power was meant and intended among other Things to be given to the said Wardens and Commonalty, to make or grant a Lease or Leases in manner mentioned therein, of the said Manor of *Mercers*, and other Lands and Premisses in *Ireland*, in the said Act mentioned, to commence and take Effect as in the said Act is mentioned, and to endure and continue for three Lives, and further to endure and continue for sixty-one Years, in manner as is more fully contained and expressed in the said Act; but in that Part of the said recited Clause, whereby Power was intended to be given to the said Wardens and Commonalty to make such Leases, to endure for three Lives as aforesaid, the Word *Or*, now standing there between the Words, and now unexpired, and the Words to endure and continue from thenceforth for and during the natural Lives of such three Persons, was there inserted by Mistake, instead of the Word *And*:' Therefore, for the rectifying and amending the said Mistake, and for preventing and remedying all Doubts and Defects in and concerning the Power so intended by the said Act to be given to the said Wardens and Commonalty, may it please your Majesty that it may be enacted, *&c.*

24 Geo. 2. c. 14. 21 Geo. 2. c. 32.

" The Meaning of the recited Act declared, and the Mistake rectified."

CAP. VIII.

An Act for repairing the Road leading from the *Royal Oak* on *Wrotham Heath*, to the Town of *Wrotham* in the County of *Kent*; and from thence to the Village of *Foot's Cray* in the said County. PR. [Certain Tolls granted for 21 Years.]

CAP. IX.

An Act for enlarging the Term granted by two several Acts of the third and ninth Years of his late Majesty's Reign, for continuing the Duty of two Pennies *Scots* upon every Pint of Ale and Beer sold in the City of *Edinburgh*, for the Purposes therein mentioned; and for discontinuing Payment of the Petty Port Customs there.

'WHEREAS by an Act passed in the Parliament of *Scotland* in the Year one thousand six hundred and ninety-three, a Duty of two Pennies *Scots* was granted to the Community of the City of *Edinburgh*, and to the Magistrates and Town Council of the same, and their Successors in Office, for the Uses therein specified, upon every Pint of Ale or Beer either brewed, brought in, or vended, tapped and sold, within the said Town and Suburbs and Liberties thereof, for the Space of fifteen Years and further, not exceeding the Space of thirty Years, commencing from the first Day of *July* one thousand six hundred and ninety-three; which said Duties were by an Act of the third Year of his late Majesty King *George* the First, intituled, *An Act for continuing the Duties of two Pennies* Scots *upon every Pint of Ale and Beer sold in the City and Liberty of* Edinburgh, *for the Purposes therein mentioned; and for discontinuing Payment of the Petty Port Customs there*, further continued for the further Term of nineteen Years, for the Purposes therein mentioned: And whereas by an Act passed in the ninth Year of his said late Majesty, intituled, *An Act for enlarging the Term granted by an Act made in the third Year of his Majesty's Reign, for continuing the Duty of two Pennies* Scots *upon every Pint of Ale and Beer sold in the City of* Edinburgh, *for the Purposes therein mentioned; and for discontinuing Payment of the Petty Port Customs there; and for making the said Act more effectual*, the said Duties were continued for the further Term of nineteen Years from the Expiration of the last recited Act; and were also extended to the several Brewers within the Parishes of Saint *Cuthbert*, *The Canon Gate*, and *South* and *North Leith*; and the Produce of the said Duties are by the said Act directed to be applied in the carrying on and compleating such publick Works, and such other Purposes, to the Advantage of the said Community, as are recited in the said last mentioned Act: And whereas the said City of *Edinburgh*, being the Metropolis and Seat of Government of *Scotland*, has been by its remarkable Zeal in supporting the Protestant Interest, and other unavoidable Occasions, involved in very considerable Debts, far exceeding what the common Revenue of the said City could discharge; and it appears that the Revenue granted by the said Acts has been managed with the utmost Oeconomy, and faithfully applied to the Purposes thereby directed, yet the same having greatly decreased since the Commencement of the Act of the ninth Year of his late Majesty's Reign, insomuch that it now produces little more than sufficient to answer the annual Burthens already charged thereupon: And whereas several of the publick Works by the said former Acts directed to be performed, remain still unfinished, and it will be impossible to finish the same, and discharge the Debt already contracted upon the Credit of the said Duties, without a further Continuation of the Term already granted for collecting the same:' To the End therefore that the said necessary Works may be compleated, and the said Debt discharged, your Majesty's most dutiful and loyal Subjects the Provost, Magistrates, and Council of the said City of *Edinburgh*, in behalf of themselves and the Community of the said City, do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Rates, Duties and Impositions made payable by the said Act of the ninth Year of his late Majesty's Reign, upon all Ale and Beer brewed, brought in, vended, tapped or sold within the said City of *Edinburgh*, or Suburbs or Liberties thereof (except as in the said Act is excepted) and also the said Rates, Duties and Impositions thereby granted upon all Ale and Beer brewed, brought in for Sale, vended, tapped or sold within all or any of the Parishes of Saint *Cuthbert*, *Canon Gate*, *South* and *North Leith*, shall, from and after the Expiration of the Term granted by the said Act of the ninth Year of his late Majesty, be further continued, collected and made payable to the Provost, Magistrates and Council of the said City of *Edinburgh* for the time being, and their Successors, for and during the further Term of thirty-eight Years; and the said Duties shall be levied and paid by the same Means and Methods, and by and under the same Penalties and Forfeitures, and shall be subject and liable to the same Restrictions, Regulations and Inspection, and applicable to the same Works and other Purposes (except such Works as are already finished and compleated) as are prescribed, mentioned and expressed in the said Act of the ninth Year of his late Majesty's Reign; and that the said Act, and every Article, Rule, Clause, Matter and Thing therein contained, shall be in full Force and Effect from the Expiration thereof, for the said further Term of thirty-eight Years, to all Intents and Purposes, as if the same were at large repeated and re-enacted in the Body of this Act.

3 Geo. 1. c. 5.

9 Geo. 1. c. 14.

1 Geo. 2. st. 2. c. 22.

The Duties continued for 38 Years.

II. Provided always, and be it enacted by the Authority aforesaid, That nothing contained in this Act, or in the above-mentioned Act of the ninth Year of his late Majesty, shall be construed to subject to the said Duty or Imposition any Ale or Beer vended within the Precincts of the Castle of *Edinburgh*, for the Use of the Garrison, or any of the Inhabitants of the said Castle.

Ale vended within the Precincts of the Castle exempted.

III. Pro-

III. Provided always, That the Produce of the ſaid Tolls and Duties ſhall, in the firſt Place, be ſubject and liable to pay and diſcharge the reaſonable Charges and Expences incurred in procuring and paſſing this preſent Act of Parliament; any thing in the ſaid former Act to the contrary notwithſtanding. Expences of this Act to be firſt paid.

IV. And be it further enacted by the Authority aforeſaid, That the annual Payments which were awarded by the Arbiters by virtue of the ſaid Act of the ninth Year of his late Majeſty's Reign, to be paid to the Proprietors of the Pariſhes of Saint *Cuthbert*, *Canon Gate*, *South* and *North Leith*, ſhall continue to be paid to the ſaid Proprietors during the Continuance of this preſent Act, in the ſame Manner and under the ſame Regulations, as by the ſaid Act is directed and preſcribed. Payments to the Pariſhes of St. Cuthbert, &c. continued.

V. And be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend to impower the Perſons appointed to put the ſaid Act of the ninth Year of his late Majeſty, or this preſent Act, in Execution, or any other Perſon or Perſons whatſoever, to borrow any further Sum, ſo as to increaſe the preſent Capital Debt, upon the Credit of the ſaid Duties by the ſaid former Act and this preſent Act made payable. The preſent Capital Debt not to be increaſed.

VI. And be it further enacted by the Authority aforeſaid, That the Magiſtrates and Town Council of the ſaid City for the time being ſhall, upon the third *Tueſday* of the Month of *July* which ſhall be in the Year of our Lord one thouſand ſeven hundred and ninety-nine, make up a full, complete and perfect State of all the Money which ſhall have ariſen and been received by and from the ſaid Duties granted by the ſaid former and this preſent Act, and of all Sums of Money laid out from time to time for the ſeveral Purpoſes in the ſaid former Act and this preſent Act mentioned, and of what Debts ſhall be then owing on account of the ſaid former and this preſent Act; to the End that it may appear, if any Overplus Money ſhall remain; and in caſe any Overplus ſhall remain, the ſame ſhall be laid out and applied, with the Approbation of the Overſeers for the time being, in ſuch manner as directed by the ſaid Act of the ninth Year of his late Majeſty. State of the Accounts to be made up.

VII. And be it further enacted and declared, That the annual Payments with which the ſaid Duty is burthened, ſhall continue and endure only till the firſt Day of *July* which ſhall be in the Year of our Lord one thouſand ſeven hundred and ninety-nine, and no longer. When the Payments charged on the Duty are to ceaſe.

VIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act, of which Notice ſhall by all Courts in this Kingdom be judicially taken, and all Judges, Juſtices and other Perſons are hereby required to take Notice of it as ſuch. Publick Act.

CAP. X.

An Act for the more effectual ſecuring Mines of Black Lead from Theft and Robbery.

'WHEREAS by Experience it hath been found, that Wad or Black Cawke, commonly called *Black Lead*, is and hath been neceſſary for divers uſeful Purpoſes, and more particularly in the caſting Bomb Shells, Round Shot, and Cannon Balls; and that ſuch Wad, Black Cawke, or *Black Lead*, hath hitherto been diſcovered in one Mountain, or Ridge of Hills, only in this Realm; and that great Waſte and Deſtruction therein, hath of late Years been made by wicked and evil-diſpoſed Perſons, who, by reaſon of the Situation of the Mine or Mines, Wad-hole or Wad-holes of the ſaid Wad, Black Cawke or Black Lead, and of the great Difficulty to ſecure and preſerve the ſame from being unlawfully broke, or by Force entered into; and alſo by reaſon of the ſmall Puniſhment by the Laws now in being, annexed to Offences of the like Kind, have been encouraged unlawfully to enter, and by Force to keep Poſſeſſion of the ſame; and from thence unlawfully to take and carry away great Quantities of the ſaid Wad, Black Cawke or Black Lead; for the more effectual Security of all and every Mine or Mines, Wad-hole or Wad-holes of Wad or Black Cawke, commonly called *Black Lead*; and for preventing the unlawful breaking and entering into the ſame; or the unlawful taking and carrying away from ſuch Mine or Mines, Wad-hole or Wad-holes, any Wad, Black Cawke or Black Lead; and for puniſhing ſuch Offenders in a more exemplary Manner, than by the Laws in being can now be done:' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon or Perſons that ſhall, from and after the twenty-fourth Day of *June* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-two, unlawfully break, or by Force enter into any Mine or Mines, Wad-hole or Wad-holes of Wad or Black Cawke, commonly called *Black Lead*, or into any Pit, Shaft, Adit or Vein of Wad, Black Cawke or Black Lead, with an Intent to take and carry away from thence any Wad, Black Cawke or Black Lead; or ſhall unlawfully from thence take and carry away any Wad, Black Cawke or Black Lead, although ſuch Mine or Mines, Wad-hole or Wad-holes, Pit, Shaft, Adit or Vein, be not actually broke, or by Force entered into by ſuch Offender or Offenders; or ſhall aid, abet, aſſiſt, hire or command any Perſon or Perſons to commit ſuch Offence or Offences as aforeſaid; that then, and in every ſuch Caſe, all and every ſuch Perſon or Perſons ſhall be deemed and conſtrued to be guilty of Felony; and it ſhall and may be lawful for the Court, or Judge, before whom any ſuch Perſon or Perſons ſo offending as aforeſaid, ſhall be lawfully convicted, to order ſuch Offender or Offenders to be committed to the Priſon or Gaol of the ſaid County, appointed for Criminals, or to ſome Houſe of Correction within the ſame County, for a Time not exceeding one Year, there to be kept to hard Labour during all the ſaid Time, and to be publickly whipt by the common Hangman, or by the Maſter of ſuch Houſe of Correction, at ſuch Times, and at ſuch Places, and in ſuch Manner, as ſuch Court or Judge ſhall think proper; or it ſhall and may be lawful

The entering any Mines of Black Lead, with Intent to ſteal, or the aſſiſting or hiring Perſons to do ſo, deemed Felony; and the Offenders to be committed for a Year, and publickly whipt;

lawful to and for such Court or Judge, or for any other subsequent Court held at the same Place, with the like Authority as the former, to order such Offender or Offenders to be transported to some of his Majesty's Plantations beyond the Seas, for a Term not exceeding seven Years, as such Court or Judge shall think most proper; and thereupon Judgment shall be given, that the Person or Persons so convicted shall be committed and whipt, or transported accordingly; and if Transportation shall be directed, the same shall be executed in such Manner, as is or shall be provided by Law for the Transportation of Felons; and if any such Person or Persons so committed or transported shall voluntarily escape or break Prison, or return from Transportation before the Expiration of the Time for which he, she or they shall be ordered to be transported, as aforesaid, such Person or Persons being thereof lawfully convicted shall suffer Death as a Felon, without Benefit of Clergy, and shall be tried for such Felony in the County where he, she or they so escaped, or where he, she or they shall be apprehended.

or to be transported for 7 Years;

and if they escape from Prison, or return from Transportation, to suffer Death;

II. And be it further enacted by the Authority aforesaid, That if any Person shall be convicted or attainted of any of the Offences aforesaid, and shall voluntarily escape, break Prison, or return from Transportation as aforesaid, and shall be apprehended in any other County or City different from that wherein the said Offence was committed, the Clerk of the Assize, or Clerk of the Peace for the County or City where such Conviction or Attainder for the said Offence or Offences was had, shall, at the Request of the Prosecutor, or of any other on his Majesty's Behalf, certify the same by a Transcript in few Words, containing the Effect and Tenor of such Conviction or Attainder, for which Certificate two Shillings and six Pence, and no more shall be paid; and such Certificate being produced in Court shall be sufficient Proof of such former Conviction or Attainder.

and a Certificate of the former Conviction deemed sufficient Proof thereof.

III. And be it further enacted by the Authority aforesaid, That all and every Person or Persons who shall, from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-two, buy or receive any Wad or Black Cawke, commonly called *Black Lead*, knowing the same to be so unlawfully taken and carried away as aforesaid, shall be deemed and construed to be guilty of Felony, and being convicted thereof shall be subject and liable to all the Pains and Penalties, which any Person or Persons can or may by the Laws and Statutes of this Realm, be subject and liable to, for buying or receiving any Goods or Chattels that have been feloniously taken or stolen, knowing the same to have been stolen.

Receivers of Lead, knowing such to be stolen, guilty of Felony.

CAP. XI.

An Act to enable the Parishioners of the Parish of *East Greenwich*, in the County of *Kent*, to deposit Corpse in the Vaults or Arches under the Church in the said Parish, and to ascertain the Fees that shall be paid for the same. PR.

CAP. XII.

An Act for repairing and widening the Road from the Town of *Warminster*, in the County of *Wilts*, to the City of *Bath*, in the County of *Somerset*; and also the Road from the Town of *Frome*, in the said County of *Somerset*, to the Town of *Beckington* in the same County; and for repairing the Road from *Heytesbury* to *Anstrow Hill*, in the County of *Wilts*. PR. [Certain Tolls granted for 21 Years.]

CAP. XIII.

An Act for repairing the Road from the Town of *Cirencester* to the Town of *Stroud*, and that Part of *Rodborough Hill* which leads to *Dudbridge*; and also the Road leading from *Cirencester* towards *Bisley*, so far as the Bottom of *Gulph Hill*; all in the County of *Gloucester*. PR. [Certain Tolls granted for 21 Years.]

CAP. XIV.

An Act to open the Port of *Lancaster* for the Importation of Wool and Woollen Yarn from *Ireland*.

See 13 & 14 *Car.* 2. *c.* 18 & 19. 1 *W.* & *M. st.* 1. *c.* 32. 7 & 8 *W.* 3. *c.* 28. 9 & 10 *W.* 3. *c.* 40. 10 & 11 *W.* 3. *c.* 10. 3 *Geo.* 1. *c.* 21. 4 *Geo.* 1. *c.* 11. 5 *Geo.* 1. *c.* 11. 12 *Geo.* 1. *c.* 34. 13 *Geo.* 1. *c.* 23. 5 *Geo.* 2. *c.* 21. 12 *Geo.* 2. *c.* 21. 15 *Geo.* 2. *c.* 27.

'WHEREAS the Port of *Lancaster*, in the County Palatine of *Lancaster*, is very conveniently situated for the Importation of Wool and Woollen Yarn from *Ireland*; and the opening of the said Port for that Purpose, will be of great Utility and Advantage to the Woollen Manufactures in the Northern Parts of *England*, and more especially in the Counties of *Lancaster*, *York*, and *Westmorland*; and may also be a Means of increasing the Importation of Wool and Woollen Yarn from *Ireland*, into this Kingdom:' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand seven hundred and fifty-two, it shall and may be lawful for any Person or Persons to import into the Port of *Lancaster*, in the County Palatine of *Lancaster*, any Wool or Woollen or Bay Yarn, Wool Fells, Shortlings, Mortlings, Wool Flocks, or Worsted Yarn, from *Ireland*; any Act or Acts of Parliament to the contrary in any wise notwithstanding.

Port of Lancaster opened for Importation of Wool from Ireland,

II. Provided always, and be it enacted by the Authority aforesaid, That all such Importations of Wool and Woollen or Bay Yarn, Wool Fells, Shortlings, Mortlings, Wool Flocks and Worsted Yarn, from *Ireland*, into the said Port of *Lancaster*, shall be made from such Ports only, and under the same Restrictions and

under the same Regulations as in 10 & 11 Will. 3. c. 10.

and Regulations, in all respects, as Wool or Woollen Yarn is now by Law permitted to be imported into the several Ports of *Biddeford*, *Barnstaple*, *Minehead*, *Bridgewater*, *Bristol*, *Milford Haven*, *Chester* and *Liverpool*, or any of them, and in the same Manner, to all Intents and Purposes, as if the said Port of *Lancaster* had been particularly named for the Importation of the said Goods, in an Act made in the tenth and eleventh Years of the Reign of the late King *William* the Third, intituled, *An Act to prevent the Exportation of Wool out of the Kingdoms of* Ireland *and* England, *into foreign Parts; and for the Encouragement of the Woollen Manufactures in the Kingdom of* England; or in any other Act or Acts of Parliament whatsoever.

Concerning Wool, &c. see farther 26 *Geo.* 2. *c.* 8 & 11. 29 *Geo.* 2. *c.* 33. 30 *Geo.* 2. *c.* 12.

CAP. XV.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments; and also Persons who have omitted to make and file Affidavits of the Execution of Articles of Clerkship within the Time limited by Law; and for allowing further Time for those Purposes. EXP. [Time given to 28 *Nov.* 1752. to take the Oaths, &c. and the same Time for filing Affidavits of Clerks.]

CAP. XVI.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, for repairing and amending the Highways between the Town or Village of *Tittensor* and the most Northern Part of *Talk on the Hill*, in *Butt Lane* in the County of *Stafford*. PR. [The Act 8 *Geo.* 2. *c.* 5. continued for 21 Years.]

CAP. XVII.

An Act for repairing the Road leading from the *Green Man* in the Chapelry of *Seend*, in the County of *Wilts*, through *Trowbridge*, to a Place called *White Trough*, in the Parish of *Trowbridge* in the same County; and from thence by *Road Church* to *Beckington*, in the County of *Somerset*. PR. [Certain Tolls granted for 21 Years.]

CAP. XVIII.

An Act for repairing the Road leading from *Long Horsley* Bar or Gate, on the Post Road near the Town of *Morpeth*, by or through *Long Horsley*, *Weldon* Bridge, and *Whittingham*, to the River *Breamish*, and from thence to *Piercy's Cross*, in the County of *Northumberland*. PR. [Certain Tolls granted for 21 Years.]

CAP. XIX.

An Act to open the Port of *Great Yarmouth* for the Importation of Wool and Woollen Yarn from *Ireland*.

'WHEREAS the opening of the Port of *Great Yarmouth*, in the County of *Norfolk*, for the Importation of Wool and Woollen Yarn from *Ireland* will be of great Utility and Advantage to the Woollen Manufactures in that Part of *England*, by rendering the Conveyance of those Materials to the several Towns and Places where the said Manufactures are carried on, more easy, cheap and expeditious; and may also be a Means of increasing the Importation of Wool and Woollen Yarn from *Ireland* into this Kingdom:' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand seven hundred and fifty-two, it shall and may be lawful for any Person or Persons to import into the Port of *Great Yarmouth*, in the County of *Norfolk*, any Wool or Woollen or Bay Yarn, Wool Fells, Shortlings, Mortlings, Wool Flocks, and Worsted Yarn, from *Ireland*; any Act or Acts of Parliament to the contrary in any wise notwithstanding. The Port of Great Yarmouth opened for the Importation of Wool from Ireland;

II. Provided always, and be it enacted by the Authority aforesaid, That all such Importations of Wool, and Woollen or Bay Yarn, Wool Fells, Shortlings, Mortlings, Wool Flocks and Worsted Yarn, from *Ireland* into the said Port of *Great Yarmouth*, shall be made from such Ports only, and under the same Restrictions and Regulations in all Respects, as Wool or Woollen Yarn is now by Law permitted to be imported into the several Ports of *Biddeford*, *Barnstaple*, *Minehead*, *Bridgwater*, *Bristol*, *Milford Haven*, *Chester* and *Liverpoole*, or any of them; and in the same Manner, to all Intents and Purposes, as if the said Port of *Great Yarmouth* had been particularly named for the Importation of the said Goods in an Act made in the tenth and eleventh Years of the Reign of the late King *William* the Third (intituled, *An Act to prevent the Exportation of Wool out of the Kingdoms of* Ireland *and* England *into Foreign Parts; and for the Encouragement of the Woollen Manufactures in the Kingdom of* England) or in any other Act or Acts of Parliament whatsoever. under the Regulations in 10 & 11 W. 3. c. 10. *See the References to the 14th Chapter.*

CAP. XX.

An Act to obviate Doubts that have arisen with regard to the Admission of the Vassals of the Principality of *Scotland*, and Payment of their Rents and Duties.

'WHEREAS a Doubt hath arisen, whether the Lands and other Heretages, commonly known by 'the Name of *The Principality of* Scotland, and as such possessed by his late Royal Highness *Frederick* 'Prince of *Wales*, as Prince and Steward of *Scotland*, did, upon his Death, descend to his Royal Highness '*George William Frederick* now Prince of *Wales*, or whether the same did return to the King's most Excel- 'lent Majesty; whereby it is rendered uncertain in what manner the Vassals of the said Principality ought 'to be entered, and to whom the Rents, Issues and Profits of the Principality ought to be paid, and by 'whom the Vassals should be thereof acquitted: And whereas by reason, especially of the Loss of great 'Part of the ancient Records of *Scotland*, the removing of that Doubt may be attended with considerable 'Delay and Difficulty; and although the Rents, Issues and Profits of the Principality itself are of very 'inconsiderable Value, and have proved hardly sufficient to defray the Expence of the Officers necessary for 'collecting or administring the same; yet in the mean time it will be highly prejudicial to the Vassals of the 'said Principality, and to their Heirs or singular Successors, or Purchasers from them, if no certain Method 'shall be settled, whereby their Title to Lands, or other Heretages holding of the said Principality, may 'be effectually made up and compleated;' For the Relief therefore of the Vassals, and all other Persons, who may be interested in Lands and Heretages, holding of the said Principality; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament, and by the Authority of the same, That it shall and may be lawful for his Majesty, until his Royal Highness *George William Frederick* Prince of *Wales* shall attain the full Age of twenty-one Years, to hold and possess the said Principality and Stewartry of *Scotland*, and to give Entries, Charters, or Infeftments, to the Vassals thereof, containing Clauses of *Novo damus*, and other Clauses usual, and to do every other Act concerning the said Principality and Stewartry of *Scotland*, in the same Manner that hath been formerly practised and accustomed by his Royal Predecessors the Kings or Queens of *Scotland*, or of *Great Britain*, when there was no Prince in Being; and all such Entries, Charters, Infeftments or other Acts and Deeds, concerning the said Principality, or any Part thereof, shall be good, valid and effectual in Law, to the Vassals receiving the same, and all Parties having Interest therein, to all Intents and Purposes whatsoever: Saving to the King's most Excellent Majesty, his Heirs and Successors, and to his Royal Highness *George William Frederick* Prince of *Wales*, his Heirs and Successors, all such Right, Title or Interest in, to, or out of the said Principality or Stewartry of *Scotland*, or to the Rents, Issues and Profits of the same, as they would have had, in case this Act had not been made; other than and except any Right to avoid, impeach or call in question, any Entry, Charter, Infeftment, or other Act and Deed to be made or granted by his Majesty, to the Vassals, as aforesaid; and the Payment of any Rents, Feu Duties, or other Duties and Casualties, as against any Vassals, Tenants, singular Successors or Purchasers; all which are by this Act intended to be made good, valid and effectual, for and in respect of such Vassals, Tenants and singular Successors, and all Persons claiming, or to claim, by, from or under them, or any of them.

His Majesty to hold the Principality of Scotland, to grant Entries, &c. to the Vassals thereof, till the Prince of Wales shall be of the Age of 21 Years.

The Rights of the Crown, and of the Prince of Wales, reserved; except that of avoiding the Entries, &c.

CAP. XXI.

An Act for repairing the Roads from *Wallingford* in the County of *Berks* to *Wantage*, and from thence to *Faringdon*, and also from *Wantage* to *Idson* in the said County. PR. [Certain Tolls granted for 21 Years.]

CAP. XXII.

An Act for repairing the Roads from the Town of *Shrewsbury* through *Ellesmere* in the County of *Salop*, and *Overton* in the County of *Flint*, to *Wrexham* in the County of *Denbigh*. PR. [Certain Tolls granted for 21 Years.]

CAP. XXIII.

An Act for the better Relief and Employment of the Poor in the Parishes of Saint *Margaret* and Saint *John the Evangelist* in the City of *Westminster*; and for cleansing the Streets and repairing the Highways within the said Parishes. PR.

CAP. XXIV.

An Act for repairing and widening the Roads from *Tinhead Hill* to the *Round Stone* in *Trowbridge*; and from *Flinty Nap* to *Western Down* in the Parish of *Edington* in the County of *Wilts*; and other Roads in the Counties of *Wilts* and *Somerset*, leading towards the Cities of *Bristol* and *Bath*. PR. [Certain Tolls granted for 21 Years.]

CAP.

CAP. XXV.

An Act for granting to his Majesty a certain Sum of Money therein mentioned, out of the Sinking Fund; and for enabling his Majesty to raise a further Sum of Money therein also mentioned, by Exchequer Bills, to be charged on the said Sinking Fund, for the Service of the Year one thousand seven hundred and fifty-two; and for the further appropriating the Supplies granted in this Session of Parliament.

MOST Gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, for the Service of the Year one thousand seven hundred and fifty-two, in the easiest Manner we are able, for the Benefit of your Majesty's Subjects, and also to use such Ways and Means therein as that your Majesty may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto your Majesty the Sum of five hundred thousand Pounds out of the Surpluses, Excesses and Overplus Monies, commonly called the *Sinking Fund*; and to that End and Purpose do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are or shall from Time to Time be and remain in the Receipt of the Exchequer, of the said Surpluses, Excesses or Overplus Monies, commonly called the *Sinking Fund*, (after paying or reserving sufficient to pay all such Annuities, or annual Sum and Sums of Money as have been directed by any former Act or Acts of Parliament, to be paid out of the same) there shall and may be issued and applied, a Sum not exceeding the said Sum of five hundred thousand Pounds, for and towards the Supply granted to his Majesty for the Service of the said Year one thousand seven hundred and fifty-two; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly.

500,000 l. granted out of the Sinking Fund towards the Supply for the current Year.

'II. And whereas your Majesty's said dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, have also resolved to give and grant unto your Majesty the further Sum of one million four hundred thousand Pounds, towards the Supply granted to your Majesty for the Service of the said Year one thousand seven hundred and fifty-two, to be raised in Manner hereafter mentioned: And whereas the Governor and Company of the Bank of *England* have proposed to advance and pay into the Receipt of your Majesty's Exchequer the Sum of one million, for Payment of Part of the Debt of the Navy, and other publick Services; and also the Sum of four hundred thousand Pounds charged on the additional Duties on Stamps herein after mentioned, now carrying an Interest at three Pounds ten Shillings *per Centum per Annum*, which pursuant to Notice given the last Session of Parliament are to be redeemed and paid off; upon Condition that Exchequer Bills be issued to them on or before the Times at which the said Sums of one million and four hundred thousand Pounds respectively shall be wanted to be advanced, carrying an Interest at three Pounds *per Centum per Annum*, to be charged on the *Sinking Fund*; and that the said principal Sums of one million and four hundred thousand Pounds, shall be repaid to them out of the first Excesses or Surpluses of the said *Sinking Fund* that shall be applied to the Payment of the Principal of the National Debt, next after the Remainder of the Sum of one million one hundred and ninety thousand one hundred and eleven Pounds sixteen Shillings and one Penny, which has been advanced by the said Governor and Company, pursuant to an Act of the last Session of Parliament, shall be discharged and paid off;' Now we your Majesty's said dutiful and loyal Commons in Parliament assembled, being of Opinion that it will be of Advantage to the Publick to accept of the said Proposal, and being also desirous to lessen the National Debt as fast as conveniently may be consistent with Justice and publick Faith, do also most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, on his Majesty's Behalf, to contract and agree with the said Governor and Company of the Bank of *England* to advance and pay into the said Receipt of Exchequer any Sum or Sums of Money, not exceeding in the Whole the said Sum of one million four hundred thousand Pounds for Exchequer Bills, to be made forth at the said Receipt in the Manner herein after mentioned, in such Proportions, and at such respective Times, as the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall judge to be most for the Advantage of the Publick, for the Purposes aforesaid.

1,400,000 l. advanced by the Bank to pay off the Naval and other Services.

III. And be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall have and receive an Interest or *Præmium* after the Rate of three Pounds *per Centum per Annum*, for the said Principal Sum of one million four hundred thousand Pounds to be advanced by them into the said Receipt of Exchequer, from the respective Times of advancing and paying the same, or any Part thereof into the said Receipt, which said Interest or *Præmium* shall be paid from Time to Time to the said Governor and Company, and their Successors, by quarterly Payments out of the Monies arising at the said Receipt of Exchequer, of or for the Surpluses, Excesses or Overplus Monies, commonly called the *Sinking Fund*, until such Times as the said Exchequer Bills, or

The Bank allowed 3 l. per Cent. Interest.

any Part thereof, shall be discharged and cancelled in the Manner and Form by this Act hereafter provided.

Treasury to make out Exchequer Bills,

IV. And be it further enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall, and they are hereby authorized and impowered to prepare and make, or cause to be prepared and made at the Exchequer, at once, or at such Times, and in such Proportions, and in such Method and Form as they or he shall think most safe and convenient, any Number of new Exchequer Bills, containing one common Sum or different Sums in the principal Monies, so as such Bills do not exceed in the Whole the said principal Sum of one million four hundred thousand Pounds.

to carry an Interest of 3 l. per Cent.

V. And be it further enacted by the Authority aforesaid, That the said Bills to be made and prepared in pursuance of this Act, shall and may bear an Interest not exceeding the said Rate or *Præmium* of three Pounds *per Centum per Annum*, and proportionably for any greater or less Sum to be contained therein, and to be payable to the Bearers thereof respectively; nevertheless the said Interest shall be abated and saved upon such of the said Bills to be made forth by this Act, as shall at any Time or Times be in the Receipt of the Exchequer, or in the Hands or Power of any Receivers or Collectors of any Taxes, Aids or Revenues whatsoever, payable to his Majesty, his Heirs or Successors, during such Time and Times respectively as such Bills shall be or remain in the said Receipt, or in such Hands or Power as aforesaid.

Bills to be numbered Arithmetically,

VI. And it is hereby enacted, That all the said Bills shall be numbered Arithmetically, beginning with N° I. and so proceeding in an Arithmetical Progression, ascending, wherein the common Excess or Difference shall always be one, and shall be registered accordingly, so that the principal Sum to be contained in every such Bill may regularly be paid off and discharged in Course, according to the Number of every such Bill, as it shall stand in the said Register; and that the Interest upon all and every the same Bills shall be payable every three Months, according to the Purport and true Meaning of this Act; and that upon every such Bill there shall be indorsed, printed or written, in Words at Length, or in Figures, the Sum, after which the Principal to be contained therein, shall be payable in such Course as aforesaid, according to the Purport and true Meaning of this Act.

and the Interest to be paid quarterly.

The Bills to be made with Cheques,

VII. And it is hereby further enacted, That all the said Bills shall be prepared and made with such Cheques, Indents or Counterfoils, as shall be directed by the Commissioners of the Treasury, or any three or more of them now being, or by the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being; and that the Person or Persons who shall be appointed to pay off the said Bills in Course, shall from Time to Time have the Use and Custody of one Part of all the Cheques, Indents or Counterfoils of the said Exchequer Bills, to be prepared and made by virtue of this Act, from which the same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged Bills; and that the Undertakers or Contractors for exchanging and circulating the said Bills, or such of them as shall be current, shall from Time to Time have the Use and Custody of one other Part of all the said Cheques, Indents or Counterfoils of the said Exchequer Bills from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged Bills; and that all the said Parts of the said Cheques, Indents or Counterfoils, shall be delivered back into the Exchequer, when the said Bills to be made forth by virtue of this Act shall be paid off, cancelled and discharged.

and the Paymasters to have one Part,

and the Contractors the other.

Bills to be placed as Cash in the Exchequer.

VIII. And it is hereby enacted, That the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being shall, and they are hereby respectively authorized and impowered to cause such Bills, as shall be prepared by virtue of this Act, to be placed as so much Cash in the respective Offices of the Tellers of the said Receipt of the Exchequer, each and every of which Tellers shall be severally charged with the Proportion of the said Bills which shall be so placed in his Office respectively; any Law or Usage to the contrary notwithstanding.

Currency of the Bills.

IX. And be it further enacted by the Authority aforesaid, That all the said Bills to be issued as aforesaid, shall be current in like Manner, and with such Privileges and Advantages, and subject to such Rules and Directions, as are prescribed and enacted by an Act of this present Session of Parliament, (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-two*) for or concerning the Exchequer Bills thereby authorized to be made forth; and that all and every the Clauses and Provisoes in the said last mentioned Act, relating to the Currency, Exchanging or Receiving the same last mentioned Exchequer Bills, by any publick Receivers of Aids, Taxes or Supplies, or in his Majesty's Receipt of the Exchequer, or for forging, counterfeiting or altering the same Bills, or making out new Bills in the room of such as shall be filled up with Indorsements, lost, burnt, defaced, or otherwise destroyed, or for making out Exchequer Bills of five thousand Pounds each, or for making out Exchequer Bills without bearing Interest, or for making them afterwards to bear an Interest, or a higher or lower Rate of Interest, from Time to Time, as the Contractors shall agree to, or for preventing any Misapplication of the Fund on which the same are charged, or any other Misbehaviour of any Officers concerned in the receiving, issuing, exchanging, paying off or cancelling the same last-mentioned Exchequer Bills, or for obliging the Contractors to pay the Interest of, or exchange for ready Money on demand, the Exchequer Bills thereby authorized to be issued at a Rate or *Præmium* not exceeding three Pounds *per Centum per Annum*, or for preventing any Disabilities in any such Contractors, or for making them not liable to be Bankrupts on account of such Contracts, or for appointing a Paymaster or Paymasters for paying off and cancelling the same Exchequer Bills in due Course and Order (not otherwise altered by this Act) shall extend, and be construed to extend, as well to the Exche-

quer Bills by this Act authorized to be made forth, as to the Exchequer Bills to be made forth in pursuance of the said Act for continuing and granting the Duties upon Malt, Mum, Cyder and Perry, (except such Clauses as do charge the same on the Rates and Duties continued and granted by the same Act) as amply, fully and effectually, to all Intents and Purposes, as if the same Clauses or Provisoes had been particularly repeated and re-enacted *verbatim* in this Act.

Treasury to issue Money to pay the Interest by way of Imprest.

X. And be it further enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall or may issue, or cause to be issued to such Paymaster or Paymasters to be constituted as aforesaid, by way of Imprest and upon Account, so much Monies out of the growing Produce of the said Surplusses, Excesses or Overplus Monies, commonly called the *Sinking Fund*, as shall from Time to Time incur and grow due to the said Contractors for the Interest or *Præmium* upon the said Exchequer Bills to be made forth by this Act during the Continuance thereof, and such other Payments as are by this Act directed or allowed to be paid or discharged out of the same; any Thing in this or any former Act or Acts of Parliament to the contrary notwithstanding.

The Bills charged on the Sinking Fund.

XI. Provided also, and be it further enacted by the Authority aforesaid, That it is the true Intent and Meaning of this Act, that all the Exchequer Bills hereby authorized to be made forth, not exceeding the said Sum of one million four hundred thousand Pounds as aforesaid, shall be, and they are hereby charged upon the said Surplusses, Excesses or Overplus Monies, commonly called the *Sinking Fund*; and the same Exchequer Bills shall (from and immediately after all the Exchequer Bills made forth for the principal Sum of one million one hundred ninety thousand and forty-one Pounds sixteen Shillings and one Penny, advanced by the Governor and Company of the Bank of *England*, in pursuance of an Act of the last Session of Parliament, and charged on the said *Sinking Fund*, shall be paid off and discharged) from Time to Time be paid off to the said Governor and Company of the Bank of *England*, out of the Monies that shall from Time to Time arise into the said Receipt of Exchequer, of or for the said *Sinking Fund*, which may be applied to the Payment of the Principal of the National Debt, and not otherwise: And the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall and may, and they are hereby authorized and enabled to cause such Monies which shall from Time to Time arise at the said Receipt of Exchequer, of or for the said *Sinking Fund*, applicable to the Payment of the Principal of the National Debt as aforesaid (after paying off and discharging the Exchequer Bills before mentioned) to be issued from Time to Time to such Paymaster or Paymasters to be constituted as aforesaid, by way of Imprest and upon Account, to be by him or them applied towards the paying off and discharging the Exchequer Bills hereby authorized to be made forth as aforesaid, or any Part thereof, in the Manner before directed; and at such Times, and in such Proportions, as the said Commissioners of the Treasury, or any three or more of them, or the High Treasurer for the Time being, shall judge to be most for the Advantage of the Publick; from which respective Time or Times of paying off or discharging the said Exchequer Bills, or any Part thereof, by such Paymaster or Paymasters as aforesaid, a proportionable Part of the Interest or *Præmium*, payable for such Exchequer Bills so paid off or discharged at the Rate aforesaid, shall cease and determine; any Thing in this or any other Act or Acts of Parliament to the contrary in any wise notwithstanding.

Interest to cease upon such of the Bills as shall be paid off.

Appropriation of the Supplies,

XII. Provided always, and it is hereby further enacted by the Authority aforesaid, That all the Monies coming into the Exchequer either by Loans or Exchequer Bills, upon one Act of this Session of Parliament (intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain *within the Space of one Year, from the twenty-fifth Day of* March *one thousand seven hundred and fifty-two)* and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, *Præmium*, Rate and Charges thereupon, and the Charges thereby allowable for raising the said Land Tax shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-two)* and so much Money, if any such be, of the Duties thereby granted as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, *Præmium*, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also the Sum of one million nine hundred thousand Pounds by this Act granted shall be further appropriated, and are hereby appropriated for and towards the several Uses and Purposes herein after expressed; that is to say, It is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one million seven hundred eighty-two thousand and ninety Pounds eighteen Shillings and one Penny, for or towards the Naval Services herein after more particularly expressed; that is to say, For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance, performed and to be performed, for the Year one thousand seven hundred and fifty-two, consisting of three hundred fifty-five Days; and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers; and for or towards the Buildings, Re-buildings and Repairs of his Majesty's Ships for the said Year; and for or towards paying off or discharging the Debt of the Navy.

viz. 1,782,090 l. 18 s. 1 d. for Naval Services,

XIII.

9,699 l. 9 s. to Greenwich Hoſpital,

XIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding nine thouſand ſix hundred ninety-nine Pounds and nine Shillings, upon Account, towards the Support of the Royal Hoſpital at *Greenwich*, for the better Maintenance of the Seamen of the ſaid Hoſpital, worn out and become decrepit in the Service of their Country.

124,920 l. 3 s. 5 d. to the Charge of the Ordnance for Land Service,

XIV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one hundred twenty-four thouſand nine hundred and twenty Pounds three Shillings and five Pence, for or towards defraying the Charge of the Office of Ordnance for Land Service for the Year one thouſand ſeven hundred and fifty-two, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

1,041,554 l. 19 s. 6 d. to the Land Forces; viz. 611,101 l. 6 s. 5 d. 2 q. for Guards, &c. in Great Britain, Guernſey and Jerſey;

XV. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million forty-one thouſand five hundred and fifty-four Pounds nineteen Shillings and ſix Pence, for and towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money not exceeding ſix hundred and eleven thouſand one hundred and one Pounds ſix Shillings and five Pence Halfpenny, for defraying the Charges of eighteen thouſand eight hundred and fifty-ſeven effective Men, including Commiſſion and Non-commiſſion Officers, and alſo one thouſand eight hundred and fifteen Invalids, for Guards, Garriſons and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, for the Year one thouſand ſeven hundred and fifty-two; and any Sum or Sums of Money not exceeding two hundred twenty-nine thouſand nine hundred and forty-three Pounds thirteen Shillings and nine Pence Halfpenny, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca* and *Gibraltar*, and for Proviſions for the Garriſons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thouſand ſeven hundred and fifty-two; and any Sum or Sums of Money not exceeding fifty-eight thouſand four hundred forty-eight Pounds fourteen Shillings and ſeven Pence, upon Account for Out-penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and fifty-two; and any Sum or Sums of Money not exceeding ſixty thouſand Pounds, upon account of the reduced Officers of his Majeſty's Land Forces and Marines for the Year one thouſand ſeven hundred and fifty-two, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are hereafter preſcribed concerning the ſame; and any Sum or Sums of Money not exceeding four thouſand five hundred twenty-two Pounds ſixteen Shillings and ſix Pence, for defraying the Charge for Allowances to the ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and Regiment of Horſe reduced, and to the ſuperannuated Gentlemen of the four Troops of Horſe Guards for the Year one thouſand ſeven hundred and fifty-two; and any Sum or Sums of Money not exceeding three thouſand one hundred twenty-five Pounds thirteen Shillings and one Penny, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and fifty-two; which ſaid Sum of three thouſand one hundred and twenty-five Pounds thirteen Shillings and one Penny, ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct and appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications and other Allowances for the ſame as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint; and any Sum or Sums of Money not exceeding twenty-two thouſand four hundred twelve Pounds fifteen Shillings and one Penny, for defraying the extraordinary Expences of his Majeſty's Land Forces and other Services incurred in the Year one thouſand ſeven hundred and fifty-one, and not provided for by Parliament; and any Sum or Sums of Money not exceeding twenty thouſand Pounds, to enable his Majeſty to make good his Engagements with the Elector of *Bavaria*, purſuant to Treaty; and any Sum or Sums of Money not exceeding thirty-two thouſand Pounds, to enable his Majeſty to make good his Engagements with the King of *Poland*, Elector of *Saxony*, purſuant to Treaty.

58,448 l. 14 s. 7 d. to Out-penſioners of Chelſea Hoſpital; 60,000 l. to reduced Officers; 4,522 l. 16 s. 6 d. to the Officers and Gentlemen of the Horſe Guards, &c. reduced; 3,125 l. 13 s. 1 d. to the Penſions of Officers Widows; 22,412 l. 15 s. 1 d. for extraordinary Expences of the Land Forces incurred in 1751. 20,000 l. to the Elector of Bavaria; 32,000 l. to the King of Poland.

21,042 l. 19 s. 6 d. 2 q. to the ſettling Nova Scotia in 1751. and 40,450 l. and 10 d. for the preſent Year.

XVI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall be iſſued and applied any Sum or Sums of Money not exceeding twenty-one thouſand and forty-two Pounds nineteen Shillings and ſix Pence Halfpenny, upon Account, for defraying the Charges incurred by ſupporting and maintaining the Settlement of his Majeſty's Colony of *Nova Scotia* in the Year one thouſand ſeven hundred and fifty-one, and not provided for by Parliament; and any Sum or Sums of Money not exceeding forty thouſand four hundred fifty Pounds and ten Pence, upon Account, for ſupporting and maintaining the Settlement of his Majeſty's Colony of *Nova Scotia* for the Year one thouſand ſeven hundred and fifty-two.

6,997 l. 8 s. 3 d. to the Deficiency of the additional Stamp Duties at Chriſtmas 1750. 5,431 l. 6 s. 4 d. to the Deficiency of the Duties on Licences for re-

XVII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſix thouſand nine hundred ninety-ſeven Pounds eight Shillings and three Pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and fifty; and any Sum or Sums of Money not exceeding five thouſand four hundred thirty-one Pounds ſix Shillings and four Pence, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty on Licences for retailing of Spirituous Liquors at *Lady-day* one thouſand ſeven hundred and fifty-one; and any Sum or

Sums

Sums of Money not exceeding eleven thousand seven hundred thirty-seven Pounds fourteen Shillings and four Pence Halfpenny, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets or Wines made from *British* or foreign Fruit or Sugar at *Michaelmas* one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding twenty-four thousand one hundred and two Pounds nineteen Shillings and five Pence, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the additional Duties on Wines at *Midsummer* one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding fifty-two thousand nine hundred sixty-nine Pounds one Shilling and seven Pence Halfpenny, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duties on Glass and Spirituous Liquors at *Midsummer* one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding sixty-one thousand and sixty-six Pounds seven Shillings and ten Pence Farthing, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Rates and Duties upon Houses, Windows and Lights, at *Michaelmas* one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding fifty-four thousand seven hundred fifty-one Pounds five Shillings and five Pence Halfpenny, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and fifty-one; and any Sum or Sums of Money not exceeding seventeen thousand one hundred nineteen Pounds fourteen Shillings and four Pence Halfpenny, to make good the Deficiency at *Christmas* one thousand seven hundred and fifty-one, of the Duties on Spirituous Liquors granted to his Majesty from the twenty-fifth Day of *March* one thousand seven hundred and forty-three; and any Sum or Sums of Money not exceeding six thousand six hundred ninety-three Pounds seventeen Shillings and four Pence, to make good the Deficiency at *Christmas* one thousand seven hundred and fifty-one, of the additional Duty on Wines; and any Sum or Sums of Money not exceeding twenty-four thousand nine hundred sixty-eight Pounds twelve Shillings and ten Pence Halfpenny, to make good the Deficiency at *Christmas* one thousand seven hundred and fifty-one, of the Duties on Glass and Spirituous Liquors; and any Sum or Sums of Money not exceeding ten thousand Pounds, towards the Support of the *British* Forts and Settlements upon the Coast of *Africa*, to be applied in such Manner as his Majesty shall think proper; and any Sum or Sums of Money not exceeding four thousand Pounds, to enable the Trustees for establishing the Colony of *Georgia* in *America* to defray the Expences incurred by them; and any Sum or Sums of Money not exceeding three thousand Pounds towards laying out, making and keeping in Repair, a Road proper for the Passage of Troops and Carriages between the City of *Carlisle* and the Town of *Newcastle upon Tyne*.

tailing Spirituous Liquors at Lady-day 1751.

11,737 l. 14 s. 4 d. 2 q. to the Deficiency of the Duties on Sweets at Michaelmas 1751.

24,102 l. 19 s. 5 d. to the Deficiency of the additional Duties on Wines at Midsummer 1751.

52,969 l. 1 s. 7 d. 2 q. to the Deficiency of the Duties on Glass and Spirituous Liquors.

61,066 l. 7 s. 10 d. 1 q. to the Deficiency of the Duties on Houses, &c.

54,751 l. 5 s. 5 d. 2 q. to the Deficiency of the Grants for 1751.

17,119 l. 14 s. 4 d. 2 q. to the Deficiency at Christmas 1751, of the Duties on Spirituous Liquors; and Spirituous

6,693 l. 17 s. 4 d. to the additional Duties on Wines at Christmas 1751; 24,968 l. 12 s. 10 d. 2 q. to the Deficiency of the Duties on Glass Liquors; 10,000 l. to the Settlements on the Coast of Africa. 4,000 l. to the Trustees of Georgia; 3,000 l. towards making a Road from Carlisle to Newcastle.

'XVIII. And whereas by an Act of Parliament made and passed in the sixth Year of the Reign of her late Majesty Queen *Anne*, (intituled, *An Act for continuing one half Part of the Subsidies of Tonnage and Poundage, and other Duties upon Wines, Goods and Merchandizes imported, which were granted to the Crown in the twelfth Year of the Reign of King* Charles *the Second*; *and for settling a Fund thereby, and by other Ways and Means for Payment of Annuities, not exceeding eighty thousand Pounds* per Annum, *to be sold for raising a further Supply to her Majesty for the Service of the Year one thousand seven hundred and eight, and for other Uses therein expressed)* certain Annuities were granted and made payable at the *Exchequer* out of the said Duties by that Act continued: And whereas in pursuance of an Act made in the sixth Year of the Reign of his late Majesty King *George* the First, (intituled, *An Act for enabling the* South-Sea *Company to increase their present capital Stock and Fund, by redeeming such publick Debts and Incumbrances as are therein mentioned; and for raising Monies to be applied for lessening several of the publick Debts and Incumbrances; and for calling in the present Exchequer Bills remaining uncancelled; and for making forth new Bills in lieu thereof, to be circulated and exchanged upon Demand at or near the Exchequer)* several of the Proprietors of the Annuities before-mentioned did subscribe the same into the Capital Stock of the said *South-Sea* Company, upon the Terms in the said last recited Act mentioned; by means whereof the said Company are become intitled to the yearly Sum of thirty-nine thousand one hundred forty-six Pounds five Shillings and seven Pence, for Interest and Charges of Management upon such Part of the said Annuities so subscribed into their Capital: And whereas the Monies arisen into the Exchequer of or for the Rates and Duties by the said first recited Act granted, have proved so low and deficient, that at the Feast of the Birth of our Lord Christ one thousand seven hundred and fifty-one, there was due and payable to the several Persons intitled to such Part of the said Annuities as were not subscribed to the *South-Sea* Company, as also to the *South-Sea* Company upon their Annuity aforesaid, the Sum of eighty-nine thousand nine hundred twenty-five Pounds ten Shillings and seven Pence: And whereas no Provision is made by the said Acts, or either of them, for making good such Deficiency;' Be it therefore enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sum of eighty-nine thousand nine hundred twenty-five Pounds ten Shillings and seven Pence, to make good to the several Proprietors of the said Annuities, as also to the *South-Sea* Company, the several Sum or Sums of Money due to them, to satisfy their respective Annuities payable by the said Acts of Parliament, to or for any Time before the said Feast Day of the Birth of our Lord Christ one thousand seven hundred and fifty-one.

6 Ann. c. 11.

6 Geo. 1. c. 4.

89,925 l. 10 s. 7 d. to make good to the Proprietors of the Annuities, and to the South-Sea Company the Sums due by the recited Acts.

'XIX. And whereas by an Act of Parliament made and passed in the fourth Year of his present Majesty's Reign, (intituled, *An Act for raising one million two hundred thousand Pounds by Annuities and a Lottery, in manner therein mentioned; and for appropriating the Supplies granted in this Session of Parliament; and for making forth Duplicates of Exchequer Bills, Lottery Tickets and Orders lost, burnt or otherwise destroyed)*

4 Geo. 2. c. 9.

'*destroyed)* it is amongst other Things enacted, That it should and might be lawful to and for any Person 'or Persons, Bodies Politick or Corporate, to contribute, advance and pay into the Receipt of his Ma- 'jesty's Exchequer, for his Majesty's Use, at such Time or Times as should be appointed by the Com- 'missioners of the Treasury then being, or by the High Treasurer, or the Commissioners of the Treasury 'for the Time being, any Sum or Sums of Money not exceeding four hundred thousand Pounds, in Part 'of the said whole Sum of one million two hundred thousand Pounds, for the absolute Purchase of any 'certain Annuity or Annuities, to commence from the twenty-ninth Day of *September* one thousand seven 'hundred and thirty-one, and to be paid and payable to such Contributor or Contributors, or such as he, 'she or they should nominate his, her or their Executors, Administrators, Successors and Assigns respec- 'tively, until Redemption thereof by Parliament, in Manner therein after mentioned; which certain An- 'nuities were to be computed at the Rate of three Pounds ten Shillings *per Annum* for every one hundred 'Pounds, and proportionably for any greater Sum to be advanced and paid; and the Purchase Money so 'to be paid for every such Annuity at the Rate aforesaid, was thereby appointed to be paid into the said 'Receipt at the Time or Times before mentioned; and the said Annuities were by the said Act charged 'upon and made payable at the respective half-yearly Days of Payment therein specified, out of the Money 'arising by the additional Duties on stampt Vellum, Parchment and Paper, by the said Act granted and 'appropriated for the Payment thereof; and the Sum of fourteen thousand Pounds *per Annum* is thereby 'directed to be issued and applied at the said Receipt of Exchequer, out of the said additional Duties on 'stampt Vellum, Parchment and Paper, to answer and pay the said Annuities at the respective half-yearly 'Days of Payment therein specified; and after reserving sufficient to pay and satisfy, from Time to Time, 'such half-yearly Payments as should grow due upon the said Annuity of fourteen thousand Pounds, that 'then the further yearly Sum or Annuity of twenty-four thousand Pounds should be issued and paid to the 'Cashier of the Bank of *England*, out of the Monies remaining in the said Receipt, of the said additional 'Duties on stampt Vellum, Parchment and Paper, for answering and paying all and every the Annuities 'or yearly Payments, after the Rate of three Pounds *per Centum per Annum*, to the Contributors of the 'Lottery therein mentioned, in respect of the principal Sum of eight hundred thousand Pounds, advanced 'by them upon the Credit of the said additional Duties, at the respective half-yearly Days of Payment 'therein specified, until the said several and respective Annuities should be redeemed by Parliament, ac- 'cording to the Proviso therein contained for that Purpose; as in and by the said Act, Relation being 'thereunto had, may more fully appear: And whereas the Speaker of the House of Commons did, in 'pursuance of a Resolution of the said House in the last Session of Parliament, give Notice by Writing in- 'serted in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, that the said Annuities will 'be redeemed and paid off on the tenth Day of *October* one thousand seven hundred and fifty-two, agree- 'able to the Power of Redemption in the said Act;' Be it therefore enacted by the Authority aforesaid,

Treasury to issue 400,000l. to be paid to the Proprietors of the Orders of Loan made in pursuance of 4 Geo. 2 c. 9. pursuant to the Notice given by the Speaker.

That it shall and may be lawful to and for the said Commissioners of the Treasury, or any three or more of them now being, or the said High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, and they are hereby respectively authorized and required, on the said tenth Day of *October* one thousand seven hundred and fifty-two, to cause the said Sum of four hundred thousand Pounds to be issued and paid at the said Receipt of his Majesty's Exchequer, out of all or any the Aids or Supplies provided as aforesaid, unto the Proprietors of the several and respective Orders of Loan made forth in pursuance of the before recited Act of the fourth Year of his present Majesty's Reign, all the principal Sums contained in the said Orders of Loan, amounting in the whole to the said Sum of four hundred thousand Pounds, pursuant to the Notice given by the Speaker of the House of Commons in that Behalf as aforesaid.

On Payment of the above Sum, the Annuities to cease;

XX. And be it further enacted by the Authority aforesaid, That from and after the paying off and discharging all the principal Sums contained in the said Orders of Loan, amounting in the whole to the said principal Sum of four hundred thousand Pounds, or reserving Money sufficient for that Purpose, and also upon full Payment of all Arrears of the Annuities payable in respect thereof, the said several and respective Annuities shall cease, determine and be understood to be redeemed; and from and after the Redemption of the said Annuities, all the Monies which shall from Time to Time arise into the said Receipt of Exchequer, of or for the said additional Duties on stampt Vellum, Parchment and Paper, shall from thenceforth be wholly applied to answer and pay the further Annuity of twenty-four thousand Pounds, charged upon and made payable by the said recited Act of the fourth Year of his present Majesty's Reign, out of the said additional Duties, until Redemption thereof by Parliament, according to the Proviso therein contained in that Behalf; any Thing in this or the said recited Act to the contrary thereof in any wise notwithstanding.

and the Duties to be applied to pay the further Annuity of 24,000l.

and the Surplus to be reserved for the Disposition of Parliament.

XXI. Provided always, and be it further enacted by the Authority aforesaid, That in case there shall be any Surplus or Remainder of the Monies arising by the said additional Duties at the End of any one Year, after the said Annuity of twenty-four thousand Pounds, and all Arrears thereof, are satisfied, or Money sufficient shall be reserved for that Purpose, that then such Surplus or Remainder shall from Time to Time be reserved for the Disposition of Parliament, and shall not be issued but by Authority of Parliament, and as shall be directed by future Act or Acts of Parliament in that Behalf; any Thing in any former Act or Acts to the contrary thereof notwithstanding.

These Aids to be applied only to the Uses before mentioned.

XXII. And be it further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

XXIII.

Rules to be observed in the Application of the 60,000l. appropriated to the reduced Officers. *See* 26 *Geo.* 2. *c.* 23.

XXIII. And as to the said Sum of sixty thousand Pounds by this Act appropriated on account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company in which he served was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Employment of Profit Civil or Military under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

24 Geo. 2. c. 47.

'XXIV. And whereas by an Act of Parliament made and passed in the twenty-fourth Year of his Ma-'jesty's Reign, (intituled, *An Act for granting to his Majesty the Sum of six hundred thousand Pounds out of the 'Sinking Fund for the Service of the Year one thousand seven hundred and fifty-one; and for Allowances to the 'poor Widows of Commission and Warrant Officers of the Royal Navy; and for the further appropriating the 'Supplies granted this Session of Parliament, and for making forth Duplicates of Exchequer Bills, Lottery 'Tickets, Certificates, Orders of Loan or Annuity Orders, payable at the Exchequer, in lieu of such as shall be 'lost, burnt or destroyed; and also for making forth new Orders of Loan or Annuity Orders, in lieu of such as 'shall become defaced, obliterated or otherwise incumbred with Assignments or Indorsements thereon)* several Sup-'plies which had been granted to his Majesty, as is therein mentioned, were appropriated to several Uses 'and Purposes therein expressed; amongst which any Sum or Sums of Money not exceeding sixty-four 'thousand Pounds, was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and 'Marines, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in 'and by the aforesaid Act were prescribed in that Behalf;' Now it is hereby provided, enacted and declared, by the Authority aforesaid, That so much of the said Sum of sixty-four thousand Pounds, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed, or lost their Limbs in the late Wars, or such others as by reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act, or the said former Act to the contrary notwithstanding.

Overplus of last Year's Half-pay to be applied to such Objects of Charity as his Majesty shall direct.

CAP. XXVI.

An Act to restrain the making Insurances on foreign Ships bound to or from the *East Indies*.

9 Geo. 1. c. 26.

'WHEREAS by an Act passed in the ninth Year of the Reign of his late Majesty King *George* the 'First, intituled, *An Act to prevent his Majesty's Subjects from subscribing or being concerned in 'encouraging or promoting any Subscription for an* East India *Company in the* Austrian Netherlands; *and for 'the better securing the lawful Trade of his Majesty's Subjects to and from the* East Indies; all his Majesty's Subjects are restrained and prohibited from subscribing, contributing to, encouraging or promoting the 'raising, establishing or carrying on any foreign Company erected for trading to the *East Indies*, from and 'after the twenty-fourth Day of *June* one thousand seven hundred and twenty-three, in order the more effectually to secure by the Provisions of the said Act, as well as by several other Laws now in Force, the 'sole Trade to and from the *East Indies*, and other Places beyond the Cape of *Good Hope*, to the United 'Company of Merchants of *England* trading to the *East Indies*, that thereby the *British* Nation might 'enjoy the full Fruits and Advantages of so beneficial a Trade: And whereas insuring the Ships and Vessels of Foreigners trading to the *East Indies*, or the lending Money on *Bottomree* or *Respondentia* of or upon 'any such Foreign Ships or Vessels, may be a Means of encouraging his Majesty's Subjects to share with 'Foreigners in the establishing or erecting of new Companies, Societies or Corporations for carrying on 'the said Trade in the Dominions of foreign States or Princes, whose Subjects have never before adventured to carry it on;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand seven hundred and fifty-two, all and every Person or Persons, Bodies Politick or Corporate, being Subjects of his Majesty in *Great Britain* or *Ireland*, or elsewhere, and all other Persons whatsoever residing within *Great Britain* or *Ireland*, shall be restrained and prohibited by virtue of this Act, from granting, signing or underwriting any Policy or Policies of Assurance, or lending any Money on *Bottomree* or *Respondentia*, of or upon any foreign Ship or Ships trading or sailing, or to trade or sail to or from the *East Indies*, and other Places beyond the Cape of *Good Hope*, within the Limits of Trade granted to the United Company of Merchants of *England* trading to the *East Indies*, or to or from any Ports or Places within the said Limits; or of or upon any Goods, Merchandizes or Effects, laden or to be laden on board any such Ship or Ships, the said Ships or Goods not belonging to any Companies, Societies or Corporations which were established

No Insurances to be made or Money to be lent on Bottomree or Respondentia Bonds, on foreign Ships or Goods bound to or from the East Indies; *For former Provisions concerning Insu-*

rances refer to 43 El. c. 12. 13 & 14 Car. 2. c. 23. 6 Geo. 1. c. 18. 7 Geo. 1. c. 27. 8 Geo. 1. c. 15. 11 Geo. 1. c. 30. 19 Geo. 2. c. 37. 21 Geo. 2. c. 4.

eſtabliſhed or erected, or which had carried on ſuch Trade; or to any Perſon or Perſons who had carried on ſuch Trade by virtue of any Charter, Licence or Authority from their reſpective Sovereigns, on or before the ſeventh Day of *October* one thouſand ſeven hundred and forty-eight; and all Contracts, Bargains and Agreements by which any *Præmium*, or Conſideration in the Nature of a *Præmium*, ſhall be taken for ſuch Policy or Policies, upon any ſuch Ship or Ships, or upon any Goods, Merchandizes or Effects laden or to be laden thereon; and every other Contract, Wager, or Agreement in the Nature of a Wager, concerning the Event of the ſaid Voyage of ſuch foreign Ship or Ships; and all Bonds for any Sum or Sums of Money lent, or agreed to be lent or advanced, by way of *Bottomree* or *Reſpondentia* on the ſame, contrary to the true Intent and Meaning of this Act, ſhall be void.

on Forfeiture of treble the Sum inſured or lent;

II. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, Bodies Politick or Corporate whatſoever, being the King's Subjects, in *Great Britain* or *Ireland*, or elſewhere, and all other Perſons whatſoever reſiding within *Great Britain* or *Ireland*, who, from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and fifty-two, ſhall by themſelves or Agents enter into or execute any ſuch Contract, Bargain or Agreement, or lend any Money upon *Bottomree* or *Reſpondentia Bonds* as aforeſaid, contrary to the true Intent and Meaning of this Act, ſhall forfeit and pay treble the Sum inſured or lent upon *Bottomree* or *Reſpondentia* as aforeſaid; and alſo all Factors, Brokers, Agents, Office-keepers, Scriveners or other Perſons who ſhall prepare, write or negotiate any ſuch Contract, Bargain, Agreement or Bond as aforeſaid, ſhall forfeit and pay treble the Sum inſured or lent upon *Bottomree* or *Reſpondentia* as aforeſaid; which ſaid Penalties ſhall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Seſſion in *Scotland*, or in any of his Majeſty's Courts of Record at the four Courts in *Dublin* reſpectively; in which Action or Suit no Eſſoin, Protection, Privilege or Wager of Law, or more than one Imparlance ſhall be allowed; one Moiety of the ſaid Penalties to be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to the Uſe of him, her or them who ſhall ſue for the ſame.

Not to extend to the Ships or Goods of the Subjects of ſuch Sovereigns, who traded there before 7 October 1748. *Rep. by* 31 *Geo.* 2. *c.* 27.

III. Provided, That this Act ſhall not extend to the prohibiting Inſurances on ſuch Ships, Goods or Intereſts as ſhall belong to the Subjects of ſuch Sovereigns, who before the ſaid ſeventh Day of *October* one thouſand ſeven hundred and forty-eight, have granted Charters, Licences or Authorities to trade within the ſaid Limits, and whoſe Subjects were, at the ſaid ſeventh Day of *October*, actual Traders within the ſaid Limits, and by virtue of ſuch Charters, Licences or Authorities.

This Act to be in Force for 7 Years.

IV. Provided alſo, That this Act ſhall continue in Force for ſeven Years, and to the End of the then next Seſſion of Parliament, and no longer.

CAP. XXVII.

An Act for converting the ſeveral Annuities therein mentioned into ſeveral Joint Stocks of Annuities, transferrable at the Bank of *England*, to be charged on the Sinking Fund; and alſo for conſolidating the ſeveral other Annuities therein mentioned, into ſeveral Joint Stocks of Annuities, transferrable at the *South-Sea* Houſe.

4 Geo. 2. c. 9. 'WHEREAS in purſuance of an Act of Parliament made and paſſed in the fourth Year of his Majeſty's Reign (for raiſing one million two hundred thouſand Pounds by Annuities and a Lottery, and for other Purpoſes therein mentioned) ſeveral Perſons, Bodies Politick or Corporate, did advance and lend the Sum of eight hundred thouſand Pounds, Part of the ſaid Sum of one million two hundred thouſand Pounds, upon the Credit of the additional Duties on ſtampt Vellum, Parchment and Paper, by the ſaid Act granted and continued, for the Purchaſe of Annuities after the Rate of three Pounds *per Centum*, transferrable at the Bank of *England*, and redeemable by Parliament: And whereas in purſuance 15 Geo. 2. c. 19. of another Act of Parliament made and paſſed in the fifteenth Year of his Majeſty's Reign (for granting to his Majeſty the Sum of eight hundred thouſand Pounds, to be raiſed by Annuities transferrable at the Bank of *England*; and for other Purpoſes therein mentioned) ſeveral Perſons, Bodies Politick or Corporate, did advance and lend the ſaid Sum of eight hundred thouſand Pounds upon the Credit of the Surpluſſes, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, by the ſaid Act granted and appropriated in that Behalf for the Purchaſe of Annuities after the Rate of three Pounds *per Centum*, transferrable at the Bank of *England*, and redeemable by Parliament: And whereas in purſuance of 16 Geo. 2. c. 13. another Act of Parliament made and paſſed in the ſixteenth Year of his Majeſty's Reign (for raiſing by Annuities and a Lottery, in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds at three Pounds *per Centum per Annum*, for the Service of the Year one thouſand ſeven hundred and forty-three) ſeveral Perſons, Bodies Politick or Corporate, did advance and lend the ſaid Sum of one million eight hundred thouſand Pounds upon the Credit of the Rates and Duties on Low Wines, Spirits and Strong Waters, granted to his Majeſty by one other Act of the ſame Seſſion of Parliament, for the Purchaſe of Annuities after the Rate of three Pounds *per Centum*, transferrable at the Bank of *England*, and redeemable by Parliament: And whereas by one other Act of Parliament made and paſſed 17 Geo. 2. c. 18. in the ſeventeenth Year of his Majeſty's Reign (for raiſing by Annuities and a Lottery, in the Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds at three Pounds *per Centum per Annum*, for the Service of the Year one thouſand ſeven hundred and forty-four) ſeveral Perſons Bodies Politick or Corporate, did advance and lend the ſaid Sum of one million eight hundred thouſand Pounds upon the Credit of the Surplus or Remainder of the Monies to ariſe into the Receipt of Exchequer, of or for the Rates and Duties on Spirituous Liquors, granted by the laſt recited Act of the

'ſixteenth

'sixteenth Year of his Majesty's Reign (after satisfying the Annuity payable to the *East-India* Company 'out of the said Duties) for the Purchase of Annuities after the Rate of three Pounds *per Centum*, trans- 'ferrable at the Bank of *England*, and redeemable by Parliament: And whereas by one other Act of Par- 'liament made and passed in the eighteenth Year of his Majesty's Reign (for granting to his Majesty se- 18 Geo. 2. c. 9. 'veral additional Duties upon all Wines imported, and for raising a certain Sum of Money by Annuities 'and a Lottery, in Manner therein mentioned, to be charged on the said additional Duties) several Per- 'sons, Bodies Politick or Corporate, did advance and lend the Sum of two millions upon the Credit of 'the said additional Duties, for the Purchase of Annuities after the Rate of three Pounds *per Centum*, 'transferrable at the Bank of *England*, and redeemable by Parliament; and the said additional Duties 'were also charged with the Payment of certain Annuities for Lives at the said Receipt of Exchequer, in 'the Manner in the said Act directed: And whereas in pursuance of one other Act of Parliament made 'and passed in the twenty-third Year of his Majesty's Reign (for granting to his Majesty the Sum of one 23 Geo. 2. c. 16. 'million, to be raised by Annuities at three Pounds *per Centum per Annum*, and charged on the Sinking 'Fund, transferrable at the Bank of *England*) several Persons, Bodies Politick or Corporate, did advance 'and lend the said Sum of one million upon the Credit of the said Sinking Fund, for the Purchase of An- 'nuities after the Rate of three Pounds *per Centum per Annum*, transferrable at the Bank of *England*, and 'redeemable by Parliament: And whereas the said several principal Sums before-mentioned, for which 'the said several and respective Annuities now carrying an Interest of three Pounds *per Centum per Annum*, 'transferrable at the Bank as aforesaid, are payable, do amount in the whole to the Sum of eight millions 'two hundred thousand Pounds; and it is thought necessary that the said principal Sum be (with the 'Consent of the Proprietors thereof, to be signified within the Time herein after-mentioned) converted 'into one Joint Stock of Annuities; and that the Interest or Annuities shall be paid out of the Produce 'of the Sinking Fund, until Redemption thereof by Parliament, in Manner herein after-mentioned; and 'that the several Duties and Revenues which were given and granted for Payment of the said Annuities, 'and on which the same were charged, shall be carried into and made Part of the said Sinking Fund:' Now we your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament as- sembled, being of Opinion that it will be of Advantage to the Publick, and also a great Convenience to the Proprietors of the said Annuities, if the same were consolidated into one Joint Stock of Annuities as aforesaid; and being desirous to provide for the punctual Payment of the said Annuities, and to prevent any Deficiencies or Delay of Payment thereupon, do therefore most humbly beseech your Majesty that it may be enacted; and Be it enacted by the King's most Excellent Majesty, by and with the Advice and Con- sent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the twenty-fourth Day of *June* one thousand seven hundred and fifty-two, and before the fifth Day of *January* one thousand seven hundred and fifty-three, the several Sums afore-mentioned, amounting to eight millions two hundred thousand Pounds, carrying an Interest after the Rate of three Pounds *per Centum per Annum*, payable in pursuance of the before recited Acts of Parliament in that Behalf, shall (with the Consent aforesaid) be converted into one Joint Stock of Annuities, trans- ferrable at the Bank of *England*, in the same Manner and Form as the said several and respective Annuities are now transferred, until Redemption thereof by Parliament, in Manner herein after-mentioned; any thing in the said recited Acts to the contrary thereof in any wise notwithstanding.

The afore-mentioned Sums, amounting to 8,200,000 l. and carrying 3 l. per Cent. Interest, to be converted into one Joint Stock of Annuities, transferrable at the Bank.

II. And be it enacted, That all and every Person and Persons, Bodies Politick or Corporate, who shall subscribe or signify their Consent to the making their said Annuities Part of the said Joint Stock of Annuities, as aforesaid, shall be immediately intitled to the Privilege of transferring such Annuities as Part of the said Joint Stock, from the said twenty-fourth Day of *June* one thousand seven hundred and fifty-two, as aforesaid.

Subscribers impowered to transfer.

III. And be it enacted by the Authority aforesaid, That all and every the said several and respective An- nuities transferrable at the Bank of *England* as aforesaid, shall be paid unto the said twenty-fourth Day of *June* one thousand seven hundred and fifty-two, out of the same Rates, Duties and Impositions, as the said several and respective Annuities are now paid and payable, together with other Charges payable out of the same: But in case the Monies arising into the Receipt of the Exchequer, shall not be sufficient to answer and pay the said several and respective Annuities and other Charges, at the Time appointed for Payment thereof, that then and in such Case it shall and may be lawful to and for the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, to cause so much Money to be issued out of the said Sinking Fund, as shall be sufficient to answer and pay the said several and respective Annuities as shall become due and payable, until the said twenty-fourth Day of *June* one thousand seven hundred and fifty-two, and all the said other Charges attending the same.

The Annuities to be paid unto 24 June 1752, out of the Funds appropriated; but if they be deficient, out of the Sinking Fund;

IV. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-two, all the said several and respective principal Sums transferrable at the Bank of *England* as aforesaid, amounting in the Whole to the Sum of eight millions two hundred thousand Pounds, as also such Sum or Sums of Money as shall or may be made payable to the Governor and Company of the Bank of *England*, for the Charges of Management, shall be, and are hereby charged and chargeable upon the said Sinking Fund, and shall be issued and paid Half-yearly on the fifth Day of *January*, and the fifth Day of *July*, in every Year, out of the Surplus Funds, and other Duties and Revenues composing the said Sinking Fund, and shall be deemed and taken to be Charges and Incumbran- ces thereupon, until Redemption thereof by Parliament; subject nevertheless to such Charges and Incum- brances as are already made thereupon by Parliament: And the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer or Commissioners of the Treasury of his Majesty, his

thenceforth they are to be charged on the Sinking Fund;

and to be paid Half-yearly;

and Money to be issued to the

Chief Clerk of the Bank, by Way of Impreſt.

his Heirs or Succeſſors for the Time being, without any further or other Warrant to be ſued for, had or obtained in that Behalf, ſhall and may, from Time to Time, iſſue the ſame at the reſpective Half-yearly or other Days of Payment, whereon the ſame ſhall become due and payable at the ſaid Receipt of Exchequer, to the firſt or Chief Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, and their Succeſſors for the Time being, by way of Impreſt and upon Account, for the Purpoſes above-mentioned; and that all and every ſuch Caſhier or Caſhiers, to whom the ſaid Money ſhall from Time to Time be iſſued, ſhall without Delay, apply and pay the ſame accordingly, and render his Account thereof according to the due Courſe of the Exchequer; any Thing herein before contained to the contrary notwithſtanding.

The Funds which were appropriated to the Annuities, made Part of the Sinking Fund.

V. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-two, all the ſaid Rates, Duties, Impoſitions or Revenues, granted and appropriated by the ſaid ſeveral and reſpective Acts herein before recited, for Payment of the ſaid ſeveral and reſpective Annuities transferrable at the Bank of *England*, as aforeſaid, ſhall be carried to, and made Part of the ſaid Sinking Fund (after reſerving ſufficient to pay the Annuities for Lives at the Exchequer, and other Charges and Incumbrances charged on the ſaid Duties and Revenues) and the ſame ſhall be deemed and taken to be Part of the ſaid Sinking Fund, and ſhall be iſſued and applied to ſuch Uſes and Purpoſes, as all and every other the Surplus Funds, Duties and Revenues, compoſing the ſaid Sinking Fund, are or may be iſſued and applied; any Thing in any former Act or Acts of Parliament to the contrary thereof in any wiſe notwithſtanding.

9 Geo. 2. c. 34. 11 Geo. 2. c. 27.

'VI. And whereas by and in purſuance of two ſeveral Acts of Parliament, made and paſſed in the ninth and eleventh Years of his Majeſty's Reign, certain Annuities, after the Rate of three Pounds *per Centum per Annum*, were created and made payable at the ſaid Receipt of Exchequer, out of the Sinking Fund, amounting to the principal Sum of nine hundred thouſand Pounds, for which Tallies and Orders were made out at the ſaid Receipt; and as the Proprietors of the ſaid Tallies and Orders may be deſirous to ſubſcribe the ſame into the ſaid Joint Stock of Annuities, after the Rate of three Pounds *per Centum per Annum*;' Be it therefore enacted by the Authority aforeſaid, That the ſaid Proprietors may, at any Time between the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-two, and the ſaid fifth Day of *January* one thouſand ſeven hundred and fifty-three, ſubſcribe the ſame into the ſaid Joint Stock of Annuities accordingly.

Proprietors of the 3 l. per Cent. Annuities, granted by Acts 9 & 11 Geo. 2. may ſubſcribe into the Joint Stock.

8 Geo. 2. c. 12.

'VII. And whereas by and in purſuance of one other Act made and paſſed in the eighth Year of his Majeſty's Reign, certain Orders for Annuities after the Rate of three Pounds *per Centum per Annum*, were made forth at the ſaid Receipt of Exchequer, payable out of the General Fund, in lieu of Debentures made forth to the Sufferers of *Nevis* and Saint *Chriſtophers*, to the Amount of one hundred forty-one thouſand ninety-three Pounds fifteen Shillings and one Penny Farthing; whereof there now remains the Sum of thirty-ſeven thouſand eight hundred twenty-one Pounds five Shillings and one Penny Farthing;' Be it therefore enacted by the Authority aforeſaid, That the Proprietors of the ſaid Orders may, at any Time between the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-two, and the ſaid fifth Day of *January* one thouſand ſeven hundred and fifty-three, ſubſcribe the ſaid Annuity Orders into the ſaid Joint Stock of Annuities after the Rate of three Pounds *per Centum per Annum*, as aforeſaid.

The Proprietors of the 3 l. per Cent. Annuities granted by 8 Geo. 2. in lieu of Debentures to the Sufferers of Nevis and St. Chriſtophers may ſubſcribe.

The Subſcribers may immediately transfer,

VIII. And be it enacted, That all and every Perſon or Perſons, Bodies Politick or Corporate, who ſhall ſubſcribe their ſaid Orders into the Joint Stock of Annuities aforeſaid, ſhall be immediately intitled to the Privilege of transferring ſuch Annuities, as Part of the ſaid Joint Stock of Annuities, from the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-two, as aforeſaid.

the Orders to be paid Quarterly to Midſummer 1752.

IX. And be it further enacted, That ſuch of the ſaid Orders that ſhall be ſo ſubſcribed, which are now made payable Half-yearly at *Michaelmas* and *Lady-day*, ſhall be paid by the Quarter, to grow due from *Lady-day* one thouſand ſeven hundred and fifty-two to *Midſummer* following; any Thing in any former Act to the contrary thereof in any wiſe notwithſtanding.

Bank to provide Books for the Subſcriptions,

X. And be it further enacted by the Authority aforeſaid, That the Governor and Company of the Bank of *England* ſhall, and they are hereby required to cauſe ſuch Books to be prepared as ſhall be neceſſary for receiving the Subſcription or Conſent of ſuch of the Proprietors of the ſeveral and reſpective Annuities, after the Rate of three Pounds *per Centum per Annum*, transferrable at their Office, and alſo of the Proprietors of the ſeveral Annuities, Tallies and Orders payable at the Exchequer out of the Sinking Fund, as alſo of the ſeveral Proprietors of the Annuities and Orders payable at the Exchequer out of the General Fund, as ſhall ſubſcribe the ſame into the Joint Stock of Annuities before mentioned; which Books ſhall be conſtantly kept open at the Bank of *England* for that Purpoſe every Day, *Sundays* and Holidays only excepted, from the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-two to the ſaid fifth Day of *January* one thouſand ſeven hundred and fifty-three incluſive, and no longer; ſubject nevertheleſs to ſuch further Directions, with reſpect to the taking in or receiving ſuch Subſcriptions or Conſent from the Proprietors of the ſaid Annuities, after the ſaid Rate of three Pounds *per Centum per Annum*, as ſhall or may be given by the Commiſſioners of the Treaſury, or any three or more of them now being, or by the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, for the Benefit and Advantage of the Publick; and it ſhall and may be lawful to and for the Proprietors of the ſaid ſeveral and reſpective Annuities, their reſpective Attornies, Repreſentatives or Aſſigns, or ſuch Perſon or Perſons as he, ſhe or they ſhall reſpectively authorize and impower by Writing in that Behalf, to ſubſcribe for them; and all Perſons impowered to receive any Intereſt or Dividend that ſhall become due on the ſaid Annuities ſhall, and they have hereby Power to make the Subſcriptions,

to be open from 24 June 1752 to 25 Jan. 1753, *By 26 Geo. 2. c. 1. §. 63. the Time is enlarged,* except the Treaſury ſhall allow further Time.

The Proprietors may ſubſcribe.

tions, and give Consent in the said respective Books accordingly, without any Fee or Charge, at any Time between the said twenty-fourth Day of *June* one thousand seven hundred and fifty-two and the said fifth Day of *January* one thousand seven hundred and fifty-three; and the several Officers of the said Governor and Company who shall be appointed to take in the said Subscriptions, or receive such Consents, shall during the Time aforesaid constantly attend at the said Office for that Purpose at such Hours as Business is usually transacted there. Officers to attend.

'XI. And whereas in pursuance of an Act of Parliament made and passed in the nineteenth Year of his 19 Geo. 2. c. 12.
'Majesty's Reign, for granting to his Majesty several Rates and Duties upon Glass and Spirituous Liquors,
'and for other Purposes therein mentioned, several Persons, Bodies Politick or Corporate, did advance and
'lend upon the Credit of the said Rates and Duties the principal Sum of three millions, for the Purchase
'of Annuities transferrable at the Bank of *England*, and redeemable by Parliament; and the said Rates and
'Duties were also charged with the Payment of certain Annuities for Lives, payable at the Receipt of the
'Exchequer, in the Manner by the said Act directed; which said Sum of three millions is now reduced to
'the principal Sum of two millions eight hundred twenty-four thousand four hundred twenty-eight Pounds
'thirteen Shillings and eleven Pence, attended with Annuities after the Rate of three Pounds ten Shillings
'*per Centum*, pursuant to certain Acts of Parliament in that Behalf: And whereas by another Act of Par-
'liament made and passed in the twentieth Year of his Majesty's Reign, for repealing the several Rates and 20 Geo. 2. c. 3.
'Duties upon Houses, Windows and Lights, and for granting to his Majesty other Rates and Duties upon
'Houses, Windows or Lights, and for other Purposes therein mentioned, several Persons, Bodies Politick
'or Corporate, did advance and lend upon the Credit of the said Duties the principal Sum of four millions
'for the Purchase of Annuities, transferrable at the Bank of *England*, upon which (for the Encouragement
'of Persons who should advance and lend the same) there was an Allowance of ten Pounds *per Centum*, so
'that the Capital Sum amounted to the Sum of four millions four hundred thousand Pounds, redeemable
'by Parliament; which said Sum of four millions four hundred thousand Pounds is now reduced to the
'principal Sum of four millions one hundred eighty-nine thousand three hundred sixty-five Pounds and five
'Shillings, attended with Annuities after the Rate of three Pounds ten Shillings *per Centum*, pursuant to
'certain Acts of Parliament in that Behalf; and the said Rates and Duties were likewise appropriated for
'the Payment of the yearly Sum of ninety-one thousand four hundred eighty-five Pounds and six Pence
'three Farthings to the Aggregate Fund: And whereas by one other Act of Parliament made and passed
'in the twentieth Year of his Majesty's Reign, for granting several Rates and Duties upon Coaches and 20 Geo. 2. c. 16.
'other Carriages, and for other Purposes therein mentioned, several Persons, Bodies Politick or Corporate,
'did advance and lend upon the Credit of the said Rates and Duties the principal Sum of one million, for
'the Purchase of Annuities, transferrable at the Bank of *England*, and redeemable by Parliament; which
'said Sum of one million is now reduced to the principal Sum of nine hundred twenty-nine thousand two
'hundred seventy-six Pounds ten Shillings and six Pence, attended with Annuities after the Rate of three
'Pounds ten Shillings *per Centum*, pursuant to certain Acts of Parliament in that Behalf: And whereas
'by an Act of Parliament made and passed in the twenty-first Year of his Majesty's Reign, for granting 21 Geo. 2. c. 2.
'to his Majesty a Subsidy of Poundage upon all Goods and Merchandizes imported, and for other Pur-
'poses therein mentioned, several Persons, Bodies Politick and Corporate, did advance and lend upon the
'Credit of the said Subsidy the principal Sum of six millions three hundred thousand Pounds, for the Pur-
'chase of Annuities, transferrable at the Bank of *England*; and for the Encouragement of all Persons who
'should advance and lend the same, there was an Advance of six hundred and thirty thousand Pounds, being
'ten Pounds *per Centum* on the said Sum contributed, so that the whole Capital Sum amounted to the
'Sum of six millions nine hundred and thirty thousand Pounds, redeemable by Parliament; which said
'Sum of six millions nine hundred and thirty thousand Pounds, is now reduced to the principal Sum of
'six millions six hundred sixty thousand and six Pounds eighteen Shillings and three Pence, attended with
'Annuities after the Rate of three Pounds ten Shillings *per Centum*, pursuant to certain Acts of Parlia-
'ment in that Behalf: And whereas by an Act of Parliament made and passed in the twenty-second Year 22 Geo. 2. c. 23.
'of his Majesty's Reign, for charging the Sinking Fund with the Payment of Annuities in Discharge of
'Navy, Victualling and Transport Bills, and Ordnance Debentures, to the Amount therein mentioned,
'certain Persons, Bodies Politick and Corporate, who were possessed of such Bills and Debentures, did
'subscribe the same at the Bank of *England*, to the Amount of three millions seventy-two thousand four
'hundred seventy-two Pounds and ten Pence, for Annuities transferrable there, charged upon the said
'Sinking Fund, redeemable by Parliament; which said Sum of three millions seventy-two thousand four
'hundred seventy-two Pounds and ten Pence, is now reduced to the principal Sum of two millions nine
'hundred sixty-eight thousand four hundred ninety-six Pounds eight Shillings and eight Pence, attended
'with Annuities after the Rate of three Pounds ten Shillings *per Centum*, pursuant to certain Acts of Par-
'liament in that Behalf: And whereas the principal Sums before-mentioned, now carrying an Interest of
'three Pounds ten Shillings *per Centum per Annum*, transferrable at the Bank of *England* as aforesaid, do
'amount in the Whole to the Sum of seventeen millions five hundred seventy-one thousand five hun-
'dred seventy-three Pounds sixteen Shillings and four Pence; whereof the Sum of fourteen millions eight
'hundred fifty-seven thousand nine hundred fifty-five Pounds eighteen Shillings and four Pence was first
'subscribed, in pursuance of an Act of Parliament of the twenty-third Year of his Majesty's Reign, for
'an Annuity of three Pounds ten Shillings *per Centum*, until the twenty-fifth Day of *December* one thou-
'sand seven hundred and fifty-seven, which will be the fifth Day of *January* one thousand seven hundred
'and fifty-eight; and from and after the said twenty-fifth Day of *December* one thousand seven hundred
'and fifty-seven, for Annuities at three Pounds *per Centum*; and the Residue thereof, amounting to the
'Sum of two millions seven hundred thirteen thousand six hundred and seventeen Pounds eighteen Shil-

The aforesaid Sums amounting to 17,571,573 l. 16 s. 4 d. whereof 14,857,955 l. 18 s. 4 d. was first subscribed in pursuance of 23 Geo. 2. c. 1. and 2,713,617 l. 18 s. the Residue last subscribed,

'lings, was last subscribed, in pursuance of another Act of the same Session of Parliament, for an Annuity 'of three Pounds ten Shillings *per Centum*, until the twenty-fifth Day of *December* one thousand seven 'hundred and fifty-five, which will be the fifth Day of *January* one thousand seven hundred and fifty-six; 'and from and after the twenty-fifth Day of *December* one thousand seven hundred and fifty-five, for An-'nuities of three Pounds *per Centum*: And whereas it is likewise thought necessary that the several prin-'cipal Sums transferrable at the Bank of *England* as aforesaid, amounting to the Sum of fourteen millions 'eight hundred fifty-seven thousand nine hundred fifty-five Pounds eighteen Shillings and four Pence, 'shall, with the Consent of the Proprietors thereof, (to be signified within the Times herein after-men-'tioned) be converted into one Joint Stock of Annuities, the Interest or Annuity to be charged and 'chargeable upon the Sinking Fund; and that the said several principal Sums as aforesaid, amounting to 'the Sum of two millions seven hundred thirteen thousand six hundred seventeen Pounds eighteen Shil-'lings, be, with the Consent of the Proprietors thereof, (to be signified as aforesaid) converted into one 'other Joint Stock of Annuities, the Interest or Annuity to be charged and chargeable upon the said Sink-'ing Fund; and that from and after the fifth Day of *April* one thousand seven hundred and fifty-eight, the 'said intended Joint Stock of fourteen millions eight hundred fifty-seven thousand nine hundred fifty-five 'Pounds eighteen Shillings and four Pence, together with the said intended Joint Stock of two millions 'seven hundred thirteen thousand six hundred seventeen Pounds eighteen Shillings, or so much thereof as 'shall be then unsatisfied, shall be one Joint Stock of Annuities, and that the several Duties and Revenues 'which were given and granted for Payment of the said Annuities, and on which the same were charged, 'shall be carried into and made Part of the said Sinking Fund;' Be it therefore further enacted by the

may be consolidated into one Joint Stock, transferrable at the Bank.

Authority aforesaid, That after the tenth Day of *October* one thousand seven hundred and fifty-two, and before the fifth Day of *April* one thousand seven hundred and fifty-three, the said several Annuities, amounting to fourteen millions eight hundred fifty-seven thousand nine hundred fifty-five Pounds eighteen Shillings and four Pence, may be consolidated and made one Joint Stock of Annuities, transferrable at the Bank of *England*; and that the said several Annuities, amounting to two millions seven hundred thirteen thousand six hundred seventeen Pounds eighteen Shillings, may after the said tenth Day of *October* one thousand seven hundred and fifty-two, and before the said fifth Day of *April* one thousand seven hundred and fifty-three, be consolidated and made one other Joint Stock of Annuities, transferrable at the Bank of *England*, in the same Manner as the said several and respective Annuities are now transferrable until Redemption thereof by Parliament in Manner herein after-mentioned; any Thing in the said Act to the contrary thereof in any wise notwithstanding.

Subscribers may immediately transfer the Annuities;

XII. And be it enacted, That all and every Person and Persons, Bodies Politick or Corporate, who shall subscribe or signify their Consent to the making their said Annuities Part of either of the said Joint Stocks of Annuities as aforesaid, shall be immediately intitled to the Privilege of transferring such Annuities as Part of the said Joint Stock, from the said tenth Day of *October* one thousand seven hundred and fifty-two, as aforesaid.

which are to be paid out of the Funds appropriated thereto unto 10 October 1752;

XIII. And be it enacted by the Authority aforesaid, That all and every the said several and respective Annuities, transferrable at the Bank of *England* as aforesaid, shall be paid unto the said tenth Day of *October* one thousand seven hundred and fifty-two, out of the same Rates, Duties and Impositions, as the said several and respective Annuities are now paid and payable, together with other Charges payable out of the same; that is to say, such of the said Annuities are made payable Half-yearly at *Lady-day* and *Michaelmas*, shall be paid for the Half-year to grow due on the said tenth Day of *October* one thousand seven hundred and fifty-two; and such of the said Annuities as are made payable Half-yearly at *Christmas* and *Midsummer*, shall be paid for the Quarter to grow due from *Midsummer* one thousand seven hundred and fifty-two, to the said tenth Day of *October* following; any Thing in any former Act to the contrary thereof in

and if they are deficient, then out of the Sinking Fund;

any wise notwithstanding: But in case the said Monies arising in the said Receipt of the *Exchequer* shall not be sufficient to answer and pay the said several and respective Annuities, and other Charges, at the Days appointed for Payment thereof respectively, that then and in such Case it shall and may be lawful to and for the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, to cause so much Money to be issued out of the said Sinking Fund as shall be sufficient to answer and pay the said several and respective Annuities as shall become due and payable until the said tenth Day of *October* one thousand seven hundred and fifty-two, and all other Charges attending the same.

after which they are charged on the Sinking Fund,

XIV. And be it further enacted by the Authority aforesaid, That from and after the said tenth Day of *October* one thousand seven hundred and fifty-two, all the said several and respective Annuities, transferrable at the Bank of *England*, amounting in the Whole to the Sum of seventeen millions five hundred seventy-one thousand five hundred seventy-three Pounds sixteen Shillings and four Pence, as also such Sum or Sums of Money as shall or may be made payable to the Governor and Company of the Bank of *England* for the Charges of Management of the said Annuities, shall be and they are hereby charged and chargeable

and to be paid half-yearly;

upon the said Sinking Fund, and shall be issued and paid half-yearly, on the fifth Day of *April* and the tenth Day of *October* in every Year, out of the Surplus Funds, and other Duties and Revenues composing the said Sinking Fund, and shall be deemed and taken to be Charges and Incumbrances thereupon, until Redemption thereof by Parliament; subject nevertheless to such Charges and Incumbrances as are already made thereupon by Parliament: And the Commissioners of the Treasury, or any three or more of them, now being, or the High Treasurer, or Commissioners of the Treasury of his Majesty, his Heirs or Successors for the Time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, shall and may, from Time to Time, issue the same at the respective half-yearly or other Days of Payment, whereon the same shall become due or payable, at the said Receipt of Exchequer, to the First or

Chief Cashier or Cashiers of the Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Impress, and upon Account, for the Purposes afore-mentioned; and that all and every such Cashier and Cashiers to whom the said Monies shall be issued, shall from Time to Time, without Delay, apply and pay the same accordingly, and render his Account thereof, according to the due Course of the Exchequer; any Thing herein before contained to the contrary notwithstanding. and Money to be issued to the Chief Cashier of the Bank, by way of Impress.

XV. And be it further enacted by the Authority aforesaid, That all and every the Clauses and Provisoes relating to the Annuities afore-mentioned, which were made payable or transferrable at the Bank of *England*, shall remain in full Force with respect to the Annuities continued or established by this Act, in all Matters and Things whatsoever, where the same shall not have been altered by this Act, or other Provisions made in respect thereof. Provisoes relating to the said Annuities to remain in Force.

XVI. And be it further enacted by the Authority aforesaid, That from and after the said tenth Day of *October* one thousand seven hundred and fifty-two, all the said Rates, Duties, Impositions or Revenues granted and appropriated by the said several and respective Acts herein before recited for Payment of the said several and respective Annuities, transferrable at the Bank of *England* as aforesaid, shall be carried to and made Part of the said Sinking Fund (after reserving sufficient to pay the Annuities for Lives at the Exchequer, and other Charges and Incumbrances charged on the said Duties and Revenues; and the same shall be deemed and taken to be Part of the said Sinking Fund, and shall be issued and applied to such Uses and Purposes as all and every other the Duties and Revenues composing the said Sinking Fund, are or may be issued and applied; any Thing in any former Act or Acts of Parliament to the contrary thereof in any wise notwithstanding. The Funds appropriated to the Annuities to be carried into the Sinking Fund.

'XVII. And whereas by an Act of Parliament made and passed in the sixth Year of his late Majesty's 'Reign, certain Annuities were created at the Exchequer payable out of the Duties on wrought Plate, to 'the Amount of three hundred and twelve thousand Pounds, whereof there is now remaining the Sum of 'one hundred and twenty-nine thousand seven hundred and fifty Pounds;' Be it further enacted by the Authority aforesaid, That all and every the Proprietors of Tallies and Orders for the said Annuities, which were subscribed pursuant to the two Acts of Parliament before recited, shall, from and after the said tenth Day of *October* one thousand seven hundred and fifty-two, until the said fifth Day of *April* one thousand seven hundred and fifty-three, have Liberty to subscribe their said Tallies and Orders at the Bank of *England*, into the several Joint Stocks of Annuities; that is to say, such of the said Annuities as were first subscribed pursuant to the said Act of the twenty-third Year of his Majesty's Reign, shall be added to the said Joint Stock of fourteen millions eight hundred fifty-seven thousand nine hundred fifty-five Pounds eighteen Shillings and four Pence; and such of the said Annuities as were subscribed pursuant to another Act of the same Session of Parliament, shall be added to the said Joint Stock of two millions seven hundred thirteen thousand six hundred seventeen Pounds eighteen Shillings; and the said Joint Stocks of Annuities respectively, shall have an additional Duty for such Sum or Sums of the said Plate Annuities as shall be so subscribed into the said Joint Stocks respectively, from the said tenth Day of *October* one thousand seven hundred and fifty-two, payable out of the said Surplus Funds, and any of the Duties and Revenues composing the said Sinking Fund. The Proprietors of Exchequer Orders payable out of the Duties on Plate, allowed to subscribe the same, 6 Geo. 3. c. 12.

XVIII. And be it enacted, That all and every Person and Persons, Bodies Politick or Corporate, who shall subscribe their said Orders into either of the Joint Stocks of Annuities aforesaid, shall be immediately intitled to the Privilege of transferring such Annuities as Part of such Joint Stock of Annuities, from the said tenth Day of *October* one thousand seven hundred and fifty-two as aforesaid. Power to transfer immediately.

XIX. And be it further enacted by the Authority aforesaid, That the said Duty on wrought Plate, provided all the said Annuities charged thereupon shall be so subscribed, or the Surplus thereof, in case all the said Annuities shall not be subscribed, shall be transferred unto and made Part of the said Sinking Fund; any Thing in any former Act or Acts of Parliament to the contrary thereof in any wise notwithstanding. The Duties to be carried into the Sinking Fund.

XX. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *April* one thousand seven hundred and fifty-eight, the said Joint Stock of the first subscribed Bank Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*; as also such of the said Plate Annuities as shall be subscribed thereunto, with so much of the said second subscribed Bank Annuities, after the said Rate of three Pounds ten Shillings *per Centum per Annum*; as also such of the said Plate Annuities as shall be subscribed thereunto as aforesaid, and shall then remain unsatisfied and not paid off, shall be made one Joint Stock of Annuities, transferrable at the Bank of *England*, until Redemption thereof by Parliament, in manner herein after mentioned; any Thing in this or any former Act or Acts of Parliament to the contrary thereof in any wise notwithstanding. The said Annuities to be one Joint Stock transferrable at the Bank.

XXI. And be it further enacted by the Authority aforesaid, That the Governor and Company of the Bank of *England* shall, and they are hereby required to cause such Books to be prepared as shall be necessary for receiving the Subscription or Consent of such of the Proprietors of the several and respective Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, transferrable at their Office; and also of the Proprietors of the several Annuities, Tallies and Orders payable at the Exchequer, out of the Duties on wrought Plate, as shall subscribe the same into the several Joint Stocks of Annuities before-mentioned; which Books shall be constantly kept open at the said Bank of *England* for that Purpose, every Day, *Sundays* and Holidays only excepted, from the said tenth Day of *October* one thousand seven hundred and fifty-two, to the said fifth Day of *April* one thousand seven hundred and fifty-three inclusive, and no longer; subject nevertheless to such further Directions, with respect to the taking in or receiving such Subscriptions or Consents from the Proprietors of the said Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, as shall or may be given to the Commissioners of the Treasury, or any three or more of Bank to provide Books for Subscriptions, to be open from 10 October 1752 to 5 April 1753 &c.

of them now being, or by the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, for the Benefit and Advantage of the Publick; and it shall and may be lawful to and for the Proprietors of the said several and respective Annuities, their respective Attornies, Representatives or Assigns, or such Person or Persons as he, she or they shall respectively authorize and impower, by Writing, in that Behalf, to subscribe for them; and all Persons impowered to receive any Interest or Dividend that shall become due on the said Annuities, shall, and they have hereby Power to make their Subscriptions and give their Consents in the said respective Books accordingly, without any Fee or Charge, at any Time between the said tenth Day of *October* one thousand seven hundred and fifty-two and the said fifth Day of *April* one thousand seven hundred and fifty-three, in Manner following; that is to say, That such of the said Annuities as were first subscribed in pursuance of the before recited Act of the twenty-third Year of his Majesty's Reign, shall be subscribed into the Joint Stock of Annuities, amounting to the principal Sum of fourteen millions eight hundred fifty-seven thousand nine hundred fifty-five Pounds eighteen Shillings and four Pence; and such of the said Annuities as were last subscribed in pursuance of one other Act of the same Session of Parliament, shall be subscribed into the Joint Stock of Annuities, amounting to the principal Sum of two millions seven hundred thirteen thousand six hundred seventeen Pounds eighteen Shillings; and the several Officers of the said Governor and Company who shall be appointed to take in the said Subscriptions, or receive such Consents as aforesaid, shall, during the Time aforesaid, constantly attend at the said Office for that Purpose, at such Hours as Business is usually transacted there.

The Proprietors may subscribe;

viz. the Annuities first subscribed to be subscribed into the Joint Stock, amounting to 14,857,955 l. 18 s. 4 d. and the last subscribed, into the Joint Stock, amounting to the Sum of 2,713,617 l. 18 s.

Officers to attend to take in Subscriptions.

Executors, &c. may subscribe.

XXII. And it is hereby enacted by the Authority aforesaid, That it shall and may be lawful for all Executors, Administrators, Guardians, Trustees, Committees of the Estates of Ideots or Lunaticks, and the Accomptant General of the Court of *Chancery*, and the Deputy Remembrancer of his Majesty's Court of *Exchequer*, and the Attornies, Representatives or Assignees of such Executors, Administrators, Guardians, Trustees and Committees, to make or cause to be made Subscriptions in the Book or Books herein before-mentioned, signifying their Consent to subscribe the several and respective Annuities herein before-mentioned, carrying an Interest after the Rate of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum* into the several and respective Joint Stocks of Annuities aforesaid, for and on the Behalf of their respective Testators, Infants, Minors, Femes Covert, Ideots or Lunaticks, and the Suitors of the Court of *Chancery*, and of the said Court of *Exchequer*, and others, for whom they are or shall be respectively intrusted; and such Executors, Administrators, Guardians, Trustees, Committees and the Attornies, Representatives or Assignees of such Executors, Administrators, Guardians, Trustees and Committees, and the Accomptant General and Deputy Remembrancer, are and shall be, by virtue of this Act, indemnified in and for the doing the same.

The Tallies and Orders to be delivered up to the Accomptant General of the Bank,

and to be transmitted to the Exchequer to be cancelled.

XXIII. And be it further enacted, That all and every the Tallies and Orders which shall be subscribed for Annuities, transferrable at the Bank of *England*, in pursuance of this Act, shall be delivered up by the respective Proprietor or Proprietors thereof, or by his, her or their respective Attornies or Representatives, to the Accomptant General of the Bank of *England*, or to such Person or Persons who shall be employed by the Governor and Company of the Bank of *England*, to take such Subscriptions, who is hereby impowered to give Credit to the said Proprietor, for so much Interest or Share in the Joint Stocks of Annuities respectively, to which the same shall be subscribed, pursuant to the Directions in this Act before-mentioned and expressed, as the said principal Sums in the said Tallies and Orders shall amount unto; and the Tallies and Orders so subscribed, shall be transmitted by the said Accomptant General, or other Person or Persons impowered to take such Subscriptions as aforesaid, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, to be there cancelled and made void.

Clause of Redemption.

XXIV. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, and upon Repayment by Parliament, according to such Notice, of the said several and respective Sums, or any Part thereof, for which the said several and respective Annuities or any of them shall be payable, by Payments not less than five hundred thousand Pounds at one Time, in such Manner as shall be directed by any future Act or Acts of Parliament in that Behalf; and also upon full Payment of all Arrearages of the same Annuities; then, and not till then, so much of the said several and respective Annuities as shall be attending on the said principal Sums so paid off, shall cease, determine and be understood to be redeemed; and that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the said *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice within the Words and Meaning of this Act.

Annuities subscribed not redeemable before the Times limited.

XXV. Provided nevertheless, That no Part of any of the Annuities which were subscribed in pursuance of the said two Acts of the twenty-third Year of his Majesty's Reign, shall be liable to be redeemed before the Times therein respectively limited; any Thing herein contained to the contrary thereof in any wise notwithstanding.

The first and last subscribed Old South-Sea Annuities to be consolidated;

XXVI. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *April* one thousand seven hundred and fifty-eight, the Joint Stock of the first subscribed *Old South-Sea* Annuities, with as much of the Joint Stock of the second subscribed *Old South-Sea* Annuities as shall be then unsatisfied, shall be made one Joint Stock of *Old South-Sea* Annuities.

and the New South Sea Annuities.

XXVII. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *January* one thousand seven hundred and fifty-eight, the Joint Stock of the first subscribed *New South-Sea* Annuities, with so much of the Joint Stock of the second subscribed *New South-Sea* Annuities as shall be then unsatisfied, shall be made into one new Joint Stock of *South-Sea* Annuities.

CAP.

CAP. XXVIII.

An Act for repairing the Post Road from the City of *Edinburgh* through the Counties of *Linlithgow* and *Sterling*, from the *Boathouse Ford* on *Almond Water*, and from thence to the Town of *Linlithgow*, and from the said Town to *Falkirk*, and from thence to *Sterling*; and also from *Falkirk* to *Kilsyth*, and to *Inch Bellie Bridge*, on the Post Road to the City of *Glasgow*. PR. [Certain Tolls granted for 21 Years.]

CAP. XXIX.

An Act for giving a proper Reward to Coroners for the due Execution of their Office; and for the Amoval of Coroners upon a lawful Conviction for certain Misdemeanors.

'WHEREAS the Office of Coroner is a very ancient and necessary Office: And whereas by an 'Act made in the third Year of the Reign of King *Henry* the Seventh, reciting that Coroners had 'not, nor ought to have, any Thing by the Law for their Office doing; which oft time had been the 'Occasion that Coroners had been remiss in doing their Office: It was ordained, That a Coroner should 'have for his Fee, upon every Inquisition taken upon the View of the Body slain, thirteen Shillings and 'four Pence, of the Goods and Chattels of him that is the Slayer and Murderer, if he have any Goods; 'and if he have no Goods, of such Amerciaments as should fortune any Township to be amerced, for the 'Escape of the Murderer: And whereas the said Fee of thirteen Shillings and four Pence, due only upon 'an Inquisition taken upon the View of a Body slain or murdered, and payable only out of the Goods and 'Chattels of the Slayer or Murderer, or out of the Amerciaments imposed upon the Township, if the 'Murderer escape, is not an adequate Reward for the general Execution of the said Office:' To the Intent therefore that Coroners may be encouraged to execute their Office with Diligence and Integrity; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for every Inquisition, not taken upon the View of a Body dying in a Gaol or Prison, which from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-two, shall be duly taken within that Part of *Great Britain* called *England*, by any Coroner or Coroners, in any Township or Place, contributory to the Rates directed by an Act made in the twelfth Year of the Reign of his present Majesty, intituled, *An Act for the more easy assessing, collecting and levying of County Rates*, the Sum of twenty Shillings; and for every Mile which he or they shall be compelled to travel, from the usual Place of his or their Abode, to take such Inquisition, the further Sum of nine Pence, over and above the said Sum of twenty Shillings, shall be paid to him or them out of any Monies arising from the Rates before-mentioned, by Order of the Justices of the Peace in their General or Quarter Sessions assembled, for the County, Riding, Division or Liberty where such Inquisition shall have been taken, or the major Part of them; which Order the said Justices of the Peace so assembled, or the major Part of them, are hereby authorized and directed to make; for which Order no Fee or Reward shall be paid to the Clerk of the Peace or any other Officer.

3 H. 7. c. 1. *Refer to* 3 Ed. 1. c. 10. 4 Ed. 1. st. 2. 28 Ed. 3. c. 6. 1 H. 8. c. 7. 1 & 2 P. & M. c. 13. §. 5.

Coroner to be paid 20 s. for every Inquisition taken in any Township contributing to the County Rates, (except on Bodies dying in Gaol) and 9 d. for every Mile he shall be obliged to travel, to be paid out of the County Rates;

II. And be it further enacted by the Authority aforesaid, That for every Inquisition, which from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-two, shall be duly taken upon the View of a Body dying in any Gaol or Prison, within that Part of *Great Britain* called *England*, by any Coroner or Coroners of a County, so much Money not exceeding the Sum of twenty Shillings, shall be paid to him or them, as the Justices of the Peace in their General or Quarter Sessions assembled for the County, Riding or Division wherein such Gaol or Prison is situate, or the major Part of them, shall think fit to allow, as a Recompence for his or their Labour, Pains and Charges in taking such Inquisition, to be paid in like Manner by Order of the said Justices, or the major Part of them, out of any Monies arising from the said Rates; which Order the said Justices of the Peace so assembled, or the major Part of them, are hereby authorized and directed to make; for which Order no Fee or Reward shall be paid to the Clerk of the Peace or any other Officer.

and for every Inquisition on Bodies dying in Gaol, as the Justices shall think fit;

III. Provided nevertheless, That over and above the Recompence hereby limited and appointed for Inquisitions taken as aforesaid, the Coroner or Coroners who shall take an Inquisition upon the View of a Body slain or murdered, shall also have the Fee of thirteen Shillings and four Pence, payable by virtue of the said Act made in the third Year of the Reign of King *Henry* the Seventh, out of the Goods and Chattels of the Slayer or Murderer, or out of the Amerciaments imposed upon the Townshp, if the Slayer and Murderer escape; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

and for Inquisitions on a Body slain, 13 s. 4 d. over and above.

IV. Provided also, and be it declared and enacted by the Authority aforesaid, That no Coroner to whom any Benefit is given by this Act, shall, by Colour of his Office, or upon any Pretext whatsoever, take for his Office doing, in case of the Death of any Person, any Fee or Reward, other than the said Fee of thirteen Shillings and four Pence, limited as is aforesaid by the said Act made in the third Year of the Reign of King *Henry* the Seventh, and other than the Recompence hereby limited and appointed, upon Pain of being deemed guilty of Extortion.

Coroner taking more, guilty of Extortion.

V. Provided likewise, and be it further enacted by the Authority aforesaid, That no Coroner of the King's Houshold, and of the Verge of the King's Palaces, nor any Coroner of the Admiralty, nor any Coroner of the County Palatine of *Durham*, nor any Coroner of the City of *London* and Borough of *Southwark*, or of any Franchises belonging to the said City; nor any Coroner of any City, Borough, Town, Liberty or Franchise, which is not contributory to the Rates directed by the said Act, made in the twelfth

Coroners for particular Places excepted.

Year of the Reign of his preſent Majeſty, or within which ſuch Rates have not been uſually aſſeſſed, ſhall be intitled to any Fee, Recompence or Benefit given to or provided for Coroners by this Act; but that it ſhall and may be lawful for all ſuch Coroners as are laſt-mentioned, to have and receive all ſuch Fees, Salaries, Wages and Allowances as they were intitled to by Law before the making of this Act, or as ſhall be given or allowed to them by the Perſon or Perſons by whom they have been or ſhall be appointed.

Coroner convicted of Miſdemeanor in his Office, to be amoved.

VI. And be it further enacted by the Authority aforeſaid, That if any Coroner who is not appointed by virtue of an annual Election or Nomination, or whoſe Office of Coroner is not annexed to any other Office, ſhall from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-two, be lawfully convicted of Extortion, or wilful Neglect of his Duty, or Miſdemeanor in his Office, it ſhall be lawful for the Court before whom he ſhall be ſo convicted, to adjudge that he ſhall be amoved from his Office; and thereupon, if ſuch Coroner ſhall have been elected by the Freeholders of any County, a Writ ſhall iſſue for the amoving him from his Office, and electing another Coroner in his ſtead, in ſuch manner as Writs for the Amoval or Diſcharge of Coroners, and for electing Coroners in their ſtead, are in any Caſes already directed by Law: And if the Coroner ſo convicted ſhall have been appointed by the Lord or Lords of any Liberty or Franchiſe, or in any other Manner than by the Election of the Freeholders of any County, the Lord or Lords of ſuch Liberty or Franchiſe, or the Perſon or Perſons intitled to the Nomination or Appointment of any ſuch Coroner, ſhall, upon Notice of ſuch Judgment of Amoval, nominate and appoint another Perſon to be Coroner in his ſtead.

CAP. XXX.

An Act to amend an Act made in the laſt Seſſion of Parliament, (intituled, *An Act for regulating the Commencement of the Year, and for correcting the Calendar now in Uſe.*)

24 Geo. 2. c. 23.

'WHEREAS by an Act of Parliament made in the twenty-fourth Year of the Reign of his preſent Majeſty, (intituled, *An Act for regulating the Commencement of the Year, and for correcting the Calendar now in Uſe*) it is among other Things enacted, That the Natural Day next immediately following the ſecond Day of *September*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-two, ſhall be reckoned and accounted to be the fourteenth Day of *September*, omitting for that Time only, the eleven intermediate nominal Days of the common Calendar, and that the Days immediately ſucceeding ſhall be called, reckoned and numbered forwards in numerical Order, from the ſaid fourteenth Day of *September*, and that all Meetings and Aſſemblies of any Bodies Politick or Corporate, either for the Election of any Officers or Members thereof, or for any ſuch Officers entering upon the Execution of their reſpective Offices, or for any other Purpoſe which by Law, Charter, Cuſtom or Uſage, are to be holden on any fixed or certain Day of any Month, ſhall from and after the ſaid ſecond Day of *September*, be holden and kept upon or according to the ſame reſpective nominal Days and Times whereon the ſame are then to be holden; but which ſhould be computed according to the New Method of numbering and reckoning the Days of the Calendar as therein mentioned, as by the ſaid Act may more fully appear: And whereas by the Charters, Cuſtoms or Uſage of ſome Cities, Boroughs, Towns or other Communities, or Bodies Politick or Corporate, the Election of Officers, or the Entrance of Officers on the Execution of their Offices, or the doing of ſome other corporate Acts, may be fixed or required to be on ſome certain nominal Day or Days of the ſaid Month of *September*, falling between the ſecond and fourteenth Days of the ſame Month, which ſaid nominal Days are by the ſaid Act required to be dropt or omitted for this preſent Year, ſo that there will not in Fact be any nominal Days between the ſaid ſecond and fourteenth Days of the ſaid Month of *September* for this preſent Year, whereon ſuch corporate Acts can be done; and Doubts have ariſen whether ſuch corporate Acts may be done at all without a ſpecial Proviſion for that Purpoſe, by Authority of Parliament; and Inconveniencies may poſſibly enſue for want thereof;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for all ſuch Bodies Politick and Corporate as aforeſaid, and all and every the Officers and Members thereof, and they and every of them are hereby required to do all ſuch Acts, as by any Law, Charter or Uſage are appointed or required to be done on any of the nominal Days of or in the ſaid Month of *September*, which by the ſaid recited Act are directed to be dropt or omitted for this preſent Year, upon the ſame natural Day or Days of this Year only, as ſuch Acts would, might or ought to be done, in caſe the ſaid recited Act had not been made; and that all Acts ſo done in purſuance hereof ſhall be deemed and are hereby declared and enacted to be as good and effectual to all Intents and Purpoſes, as if the ſame were done on any of the nominal Days ſo dropt or omitted as aforeſaid; any Law, Statute, Charter, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

The Election of Officers, &c. to be done upon the ſame natural Days of this Year only, as before.

'II. And whereas in divers Parts of this Kingdom, by Cuſtom, Preſcription or Uſage, or by virtue of ſome Law or Contract, certain Lands and Grounds are to be opened and uſed for Common of Paſture or other Purpoſes, and the ſame Lands and Grounds are again incloſed and ſhut up, and certain Rents or other Payments are due and payable, and ſome other Matters and Things may be to be done upon ſome of the moveable Feaſts, or upon certain Days or Times depending upon or to be computed from the ſame: And whereas the ſaid moveable Feaſts are hereafter to take place, and to be obſerved according to the new Calendar by the ſaid Act directed to be uſed, whereby ſome Doubts have already ariſen, or may hereafter ariſe, about the Time for opening and uſing, incloſing and ſhutting up ſuch Lands and Grounds, the

'the paying of such Rents or other Payments, and the doing such other Matters or Things as aforesaid:' For Remedy thereof be it further enacted by the Authority aforesaid, That from and after the said second Day of *September* in the said Year of our Lord one thousand seven hundred and fifty-two, the respective Times for opening, using, inclosing and shutting up all such Lands and Grounds as aforesaid, for the paying of such Rents or other Payments, and for the doing of such other Matters or Things as aforesaid, if such Times are depending on any moveable Feast or Feasts, shall be computed and take Place according to the said new Calendar, and the Tables and Rules in the said recited Act directed to be used, and not according to the Method of Supputation heretofore used, or to the Tables heretofore commonly affixed to the Book of Common Prayer; and the temporary and distinct Property and Right of all Persons, Bodies Politick and Corporate, of, to and in all such Lands and Grounds, shall commence and be enjoyed, and all such Rents and Payments shall become and be due and payable, and all such Matters and Things shall be transacted and done accordingly; any Law, Custom, Prescription or Usage to the contrary notwithstanding.

The Times for opening and inclosing Grounds for Common, and for Payment of Rents, &c. if the same depend on any moveable Feast, are to be according to the new Calendar.

III. Provided always, and it is hereby further declared and enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend to the abridging, enlarging, confirming or altering, the Title of any Person, Body Politick or Corporate whatsoever, of, in or to any such Lands or Grounds, but the same shall remain and continue the same in all Respects, (except as to the new Computation of Time when such respective Right or the Enjoyment thereof shall commence, or be put in Use.)

The Title to such Lands not altered.

'IV. And whereas within the City of *London* the usual and accustomed Time of the annual Meeting and 'Assembly of the Citizens of the said City, for the Admission and Swearing of the Mayor of the same 'City in the *Guildhall* there, hath been on the Feast Day of Saint *Simon* and *Jude*, being the twenty-eighth 'Day of *October* in every Year; and the usual and accustomed Solemnity of presenting and swearing the 'Mayor of the same City in the Court of Exchequer at *Westminster*, hath been on the Day next following the said Feast of Saint *Simon* and *Jude*, to wit, on the twenty-ninth Day of *October* in every Year: 'And whereas by the said in Part recited Act it was enacted, That all Meetings and Assemblies of any 'Bodies Politick or Corporate, either for the Election of any Officers or Members thereof, or for any such 'Officers entering upon the Execution of their respective Offices, or for any other Purpose whatsoever, 'which by any Law, Statute, Charter, Custom or Usage within this Kingdom, were to be holden and kept 'on any fixed or certain Day of any Month, should, from and after the second Day of *September* one 'thousand seven hundred and fifty-two now next ensuing, be holden and kept upon or according to the 'same respective nominal Days and Times whereon or according to which the same were, at the Time of 'making the said Act, to be holden: And whereas by another Act of Parliament made in the same twenty- 'fourth Year of the Reign of his present Majesty, intituled, *An Act for the Abbreviation of* Michaelmas 'Term, it was enacted, That the said Solemnity of presenting and swearing the Mayors of the said City 'of *London*, before the King or Queen of *England*, in their Court of *Exchequer* at *Westminster*, or before 'the Barons of the said Court, after every annual Election into the said Office, in the Manner and Form 'heretofore used, on the twenty-ninth Day of *October*, should, from and after the Feast of Saint *Michael* 'in the Year of our Lord one thousand seven hundred and fifty-two, be kept and observed on the ninth 'Day of *November* in every Year;' Be it therefore enacted by the Authority aforesaid, That the said annual Admission and Swearing of the Mayor of the said City of *London*, at the *Guildhall* there, shall not at any Time hereafter be had and performed on the said twenty-eighth Day of *October*; but the same, and all annual Meetings and Assemblies for that Purpose, shall at all Times hereafter be had, done and holden in the usual and accustomed Manner on the eighth Day of *November* in every Year, being the Day next preceding the said ninth Day of *November*, whereon the said Solemnity of presenting and swearing the Mayor of the said City in the Court of *Exchequer* is appointed for the future to be kept and observed as aforesaid, and not before; any Thing in the said first recited Act of Parliament, or any Law, Custom or Usage to the 'contrary thereof in any wise notwithstanding.

24 Geo. 2. c. 48.

The annual Admission and Swearing of the Mayor of London to be on 8 Nov.

CAP. XXXI.

An Act to continue, explain and amend several Laws more effectually to prevent the Spreading of the Distemper which now rages amongst the Horned Cattle in this Kingdom.

19 *Geo.* 2. *c.* 5. 20 *Geo.* 2. *c.* 4. *Further continued and amended by* 26 *Geo.* 2. *c.* 34. 27 *Geo.* 2. *c.* 14. 30 *Geo.* 2. *c.* 20.

CAP. XXXII.

An Act to allow the Importation of Gum Senega into this Kingdom, from any Part of *Europe*, upon the Payment of a Duty; and for Relief of *James Guthrie*, with Respect to the Duties paid and secured upon a Quantity of Tobacco burnt at the Port of *Kircudbright*; and for giving further Time for Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices.

'WHEREAS the Printing of Silks, Linens and Callicoes, is greatly improved in this Kingdom; 'and the Value of the said Manufactures is thereby considerably inhanced, and the Exportation 'thereof increased: And whereas the Printing of the said Manufactures cannot be carried to Perfection 'without a sufficient Quantity of Gum Senega; the Importation of which hath of late greatly decreased, 'and the Price thereof advanced to an excessive Rate, whereby it is become necessary that some Provision 'should be made for the more effectual and constant Supply of that useful and valuable Commodity, in

Concerning Drugs refer to 8 & 9 *W.* 3. *c.* 34. 3 *Ann.* *c.* 4. §. 8. 7 *Ann.* *c.* 8. §. 12. 1 *Geo.* 1. *c.* 43. 8 *Geo.* 1. *c.* 15. §. 10. 17 *Geo.* 2. *c.* 32.

'order to encourage, support and extend the said Trade: And whereas Gum Senega cannot otherwise be 'imported into this Kingdom than according to the Rules prescribed by an Act made in the twelfth Year
12 Car. 2. c. 18. 'of the Reign of King *Charles* the Second, intitled, *An Act for the Encouraging and Increasing of Shipping 'and Navigation*:' Therefore we, your Majesty's most faithful Commons, in order to support and extend the said Trade, by allowing the Importation of Gum Senega from any Place in *Europe*, so as not to discourage the Importation of the said Commodity from the Places of its Growth or Produce, do most humbly beseech your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the

Gum Senega allowed to be imported from any Part of Europe,

tenth Day of *April* one thousand seven hundred and fifty-two, it shall and may be lawful to and for any of his Majesty's Subjects to import into this Kingdom Gum Senega, in *British* built Ships, navigated according to Law, from any Port or Place in *Europe*, upon Payment of the Duty, and under the Restrictions and Limitations herein after-mentioned; any Thing in the said Act made in the twelfth Year of the Reign of King *Charles* the Second, or in any other Act or Acts of Parliament to the contrary in any wise notwithstanding.

upon Payment of 10 s. per hundred Weight.

II. And be it further enacted by the Authority aforesaid, That there shall be paid to his Majesty, his Heirs and Successors, for every hundred Pounds Weight of Gum Senega, which at any Time or Times after the said tenth Day of *April* one thousand seven hundred and fifty-two shall be imported or brought into this Kingdom, from any Port or Place in *Europe*, by the Importer of such Gum Senega, before the Landing thereof, a Duty of ten Shillings; and so in Proportion for any greater or less Quantity.

To be under the Management of the Commissioners of the Customs.

III. And be it further enacted by the Authority aforesaid, That the said Duty hereby granted and made payable, shall be raised, levied and collected, by the respective Officers of his Majesty's Customs in this Kingdom, under the Management and Direction of the respective Commissioners of the Customs for the Time being; and that all and every the Clauses, Powers, Directions, Penalties, Forfeitures, Matters and Things whatsoever, contained in an Act made in the twelfth Year of the Reign of King *Charles* the Second,
12 Car. 2. c. 4. intituled, *A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize exported and imported*, or in any other Laws or Statutes whatsoever now in Force for raising, levying, collecting, answering and paying the Subsidy of Tonnage and Poundage thereby granted, shall be applied, practised and put in Execution, for raising, levying, securing, collecting, answering and paying the Duty by this Act granted and made payable, as fully and effectually to all Intents and Purposes as if all and every the said Clauses, Powers, Directions, Penalties and Forfeitures were particularly repeated, and again enacted, in the Body of this present Act.

Making a false Entry,

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall enter, or cause to be entered, any Gum Senega as imported immediately from the Place of its Growth or Produce, or from any of his Majesty's Colonies or Plantations in *America*, in order to avoid the Payment of the Duty by this Act granted and made payable, which Gum Senega shall afterwards appear to have been imported from some Port or Place in *Europe*, the Person or Persons making, or causing to be made, such Entry or

to forfeit the same, and double the Value;

Entries, shall forfeit all such Gum Senega so entered, and also double the Value thereof; to be sued for and recovered by Bill, Plaint or Information, in any of his Majesty's Courts of Records at *Westminster*, or in the Court of *Exchequer* in *Scotland* respectively, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance, shall be allowed; and one Moiety of the said Forfeiture, when recovered, shall go and be applied to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Use of the Person or Persons who shall sue or prosecute for the same.

one Moiety to the King, and the other to the Prosecutor.

Onus Probandi to lie on the Importers.

V. Provided always, and be it enacted, That upon all Disputes which shall arise touching the Port or Place from whence any Gum Senega shall have been imported, the *Onus Probandi* shall lie on the Importer, and not on the Informer or Prosecutor; any Law, Custom or Usage to the contrary notwithstanding.

Duties to be kept apart, to be applied by Parliament.

VI. And be it further enacted by the Authority aforesaid, That the Money arising by the Duty hereby granted and made payable (the necessary Charges of raising the same excepted) shall from Time to Time be paid into the Receipt of his Majesty's Exchequer, distinctly and apart from all other Branches of the Publick Revenues, subject and liable to the Uses, Applications and Purposes, as shall by any future Act or Acts of Parliament be directed or appointed.

Concerning Drugs, see farther 31 *Geo.* 2. *c.* 12 & 35.

'VII. And whereas the Ship *Neptune* of *Dumfries*, *James Sturgeon* Master, being loaded with Tobacco, 'and bound to the Port of *Diepe* in *France*, was on the sixteenth Day of *June* one thousand seven hundred 'and fifty overset within the Limits of the Port of *Kircudbright*, whereby a Quantity of Tobacco, amount-'ing to two hundred and twenty-three thousand four hundred and eight Pounds, was totally damaged and 'rendered useless, the Duties whereof had been paid and secured at the said Port of *Kircudbright*, by *James 'Guthrie* and Company, Merchants in *Dumfries*, and others, at Importation, according to Law: And whereas 'the Whole of the said damaged Tobacco was burnt in the Sight, and by the Direction of the Officers of 'his Majesty's Customs at the said Port of *Kircudbright*, and no Part thereof sold or consumed in *Great 'Britain*;' Be it therefore enacted by the Authority aforesaid, That the Collector or other proper Officer or

Collectors of Kircudbright to make a Debenture for 223, 480lb. of Tobacco belonging to James Gu-

Officers at the said Port of *Kircudbright* shall, and they are hereby impowered and required to make out and grant a proper Debenture or Debentures for the said two hundred and twenty-three thousand four hundred and eight Pounds of Tobacco, whereby the said *James Guthrie* and Company may be intitled to draw back such Part of the Duties of the said Tobacco as had been paid at the Importation thereof, and where-

by the Bonds or Securities granted for the Remainder of the said Duties may be discharged and vacated, together with any Interest become due thereon since the said sixteenth Day of *June* one thousand seven hundred and fifty, in the same Manner as if the said Tobaccoes had been then exported to Parts beyond Sea; and the said Bonds and Securities so given, with the said Interest, shall from henceforth be discharged and vacated, and the same are hereby declared to be discharged and vacated accordingly; any Act or Acts of Parliament to the contrary notwithstanding.

thrie, for which Duty had been paid, &c.

" Time given to make Payment of the Duties omitted to be paid for the Indentures or Contracts of Clerks " and Apprentices, and for tendering the same to be stamped, *&c.*

CAP. XXXIII.

An Act for repairing the Road leading from the Town of *Morpeth*, by or through *Mitford*, *Thropple*, *Long Witton*, and by the North Side of *Rothley Park* Wall to *Sting Cross*, and to the *High Cross* in *Elsdon* in the County of *Northumberland*. PR. [Certain Tolls granted for 21 Years.]

CAP. XXXIV.

An Act for the more easy and speedy Recovery of Small Debts within the Town of *Bermingham*, and Hamlet of *Deritend* thereto adjoining, in the County of *Warwick*. PR.

CAP. XXXV.

An Act for continuing the Act for encouraging the Growth of Coffee in his Majesty's Plantations in *America*; and also for continuing, under certain Regulations, so much of an Act as relates to the *Præmiums* upon the Importation of Masts, Yards and Bowsprits, Tar, Pitch and Turpentine.

'WHEREAS the Laws herein after-mentioned have by Experience been found useful and beneficial, and are near expiring:' May it therefore please your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the fifth Year of the Reign of his present Majesty, (intituled, *An Act for encouraging the Growth of Coffee in his Majesty's Plantations in* America) which was to continue in Force from the twenty-fifth Day of *March* one thousand seven hundred and thirty-nine, and from thence to the End of the then next Session of Parliament; and which by an Act made in the eleventh Year of his present Majesty's Reign, was further continued from the Expiration thereof for the further Term of seven Years, and from thence to the End of the then next Session of Parliament; and which by an Act made in the nineteenth Year of his present Majesty's Reign, was further continued from the Expiration of the said last-mentioned Term for the further Term of seven Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament.

5 Geo. 2. c. 24. for encouraging the Growth of Coffee, continued to 25 March 1758, &c. *Farther continued by* 32 *Geo.* 2. c. 23.

II. And be it further enacted by the Authority aforesaid, That so much of an Act made in the second Year of his present Majesty, (intituled, *An Act for the better Preservation of his Majesty's Woods in* America; *and for the Encouragement of the Importation of Naval Stores from thence, and to encourage the Importation of Masts, Yards and Bowsprits, from that Part of* Great Britain *called* Scotland) as relates to the *Præmiums* upon Masts, Yards and Bowsprits; Tar, Pitch and Turpentine; which was to continue in Force from the twenty-ninth Day of *September* one thousand seven hundred and twenty-nine, for the Term of thirteen Years, and to the End of the then next Session of Parliament; and which by another Act made in the thirteenth Year of the Reign of his present Majesty, was continued until the twenty-fifth Day of *December* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament; and which, by another Act made in the twenty-fourth Year of his Majesty's Reign, was further continued, from the Expiration thereof, until the twenty-fifth Day of *December* one thousand seven hundred and fifty-one, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament.

2 *Geo.* 2. *c.* 35. So much of 2 Geo. 2. c. 35. as relates to the Præmiums on the Importation of Masts, Yards and Bowsprits, Tar, Pitch and Turpentine, further continued to 25 March 1758. *Farther continued by* 32 *Geo.* 2. *c.* 23.

III. Provided, That no Bounty shall be paid on any Tar, unless each Barrel shall contain thirty-one Gallons and one half; and that the Officers who survey such Barrel, shall not survey the same till the Water shall be all drawn off, and every Barrel filled up with Tar.

Regulation to be observed concerning Tar.

CAP.

CAP. XXXVI.

An Act for the better preventing Thefts and Robberies, and for regulating Places of Publick Entertainment, and puniſhing Perſons keeping diſorderly Houſes.

For former Proviſions refer to 39 *El. c.* 17. 7 *Jac.* 1. *c.* 4. 21 & 12 *W.* 3. *c.* 18. 1 *Ann. ſtat.* 2. *c.* 13. 5 *Ann. c.* 32. 6 *Geo.* 1. *c.* 19. 14 *Geo.* 2. *c.* 33. 17 *Geo.* 2. *c.* 5.

'WHEREAS the Advertiſing a Reward with no Queſtions aſked, for the Return of Things which 'have been loſt or ſtolen, is one great Cauſe and Encouragement of Thefts and Robberies;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

The Perſon advertiſing a Reward for the Return of Things ſtolen or loſt, &c.

That from and after the firſt Day of *June* one thouſand ſeven hundred and fifty-two, any Perſon publickly advertiſing a Reward with no Queſtions aſked, for the Return of Things which have been ſtolen or loſt, or making uſe of any Words in ſuch publick Advertiſement, purporting that ſuch Reward ſhall be given or paid without ſeizing or making Enquiry after the Perſon producing ſuch Thing ſo ſtolen or loſt, or promiſing or offering, in any ſuch publick Advertiſement, to return to any Pawnbroker, or other Perſon, who may have bought or advanced Money by way of Loan upon ſuch Thing ſo ſtolen or loſt the Money ſo paid or advanced, or any other Sum of Money or Reward for the Return of ſuch Thing; and

and the Printer to forfeit 50l.

any Perſon printing or publiſhing ſuch Advertiſement, ſhall reſpectively forfeit the Sum of fifty Pounds for every ſuch Offence, to any Perſon who will ſue for the ſame.

'II. And whereas the Multitude of Places of Entertainment for the lower Sort of People is another great 'Cauſe of Thefts and Robberies, as they are thereby tempted to ſpend their ſmall Subſtance in riotous 'Pleaſures, and in Conſequence are put on unlawful Methods of ſupplying their Wants, and renewing 'their Pleaſures:' In order therefore to prevent the ſaid Temptation to Thefts and Robberies, and to correct as far as may be the Habit of Idleneſs, which is become too general over the whole Kingdom, and is productive of much Miſchief and Inconvenience; Be it enacted by the Authority aforeſaid, That from and after the firſt Day of *December* one thouſand ſeven hundred and fifty-two, any Houſe, Room, Garden, or

Unlicens'd Places of Entertainment deemed diſorderly Houſes.

other Place kept for publick Dancing, Muſick, or other publick Entertainment of the like Kind, in the Cities of *London* and *Weſtminſter*, or within twenty Miles thereof, without a Licence had for that Purpoſe, from the laſt preceding *Michaelmas* Quarter Seſſions of the Peace, to be holden for the County, City, Riding, Liberty or Diviſion in which ſuch Houſe, Room, Garden, or other Place is ſituate, (who are hereby authorized and impowered to grant ſuch Licences as they in their Diſcretion ſhall think proper) ſignified under the Hands and Seals of four or more of the Juſtices there aſſembled, ſhall be deemed a diſorderly Houſe or Place: And every ſuch Licence ſhall be ſigned and ſealed by the ſaid Juſtices in open Court, and afterwards be publickly read by the Clerk of the Peace, together with the Names of the Juſtices ſubſcribing the ſame; and no ſuch Licence ſhall be granted at any adjourned Seſſions; nor ſhall any Fee or Reward be taken for any ſuch Licence: And it ſhall and may be lawful to and for any Conſtable, or other

Conſtables may ſeiſe Perſons found therein.

Perſon, being thereunto authorized, by Warrant under the Hand and Seal of one or more of his Majeſty's Juſtices of the Peace of the County, City, Riding, Diviſion or Liberty where ſuch Houſe or Place ſhall be ſituate, to enter ſuch Houſe or Place, and to ſeize every Perſon who ſhall be found therein, in order that they may be dealt with according to Law: And every Perſon keeping ſuch Houſe, Room, Garden, or

Perſon keeping the ſame to forfeit 100l.

other Place, without ſuch Licence as aforeſaid, ſhall forfeit the Sum of one hundred Pounds to ſuch Perſon as will ſue for the ſame; and be otherwiſe puniſhable as the Law directs in Caſes of diſorderly Houſes.

Licenſed Places to have an Inſcription over them,

III. Provided always, and it is hereby further enacted by the Authority aforeſaid, That in order to give publick Notice what Places are licenſed purſuant to this Act, there ſhall be affixed and kept up in ſome notorious Place over the Door or Entrance of every ſuch Houſe, Room, Garden, or other Place, kept for any of the ſaid Purpoſes, and ſo licenſed as aforeſaid, an Inſcription in large Capital Letters, in the Words following; *videlicet*, LICENSED PURSUANT TO ACT OF PARLIAMENT OF THE TWENTY-FIFTH OF KING GEORGE THE SECOND; and that no ſuch

and not to be opened before 5 in the Evening.

Houſe, Room, Garden, or other Place, kept for any of the ſaid Purpoſes, although licenſed as aforeſaid, ſhall be open for any of the ſaid Purpoſes before the Hour of five in the Afternoon; and that the affixing and keeping up of ſuch Inſcription as aforeſaid, and the ſaid Limitation or Reſtriction in point of Time, ſhall be inſerted in, and made Conditions of, every ſuch Licence; and in caſe of any Breach of either of

On Breach of either of the Conditions the Licence to be revoked.

the ſaid Conditions, ſuch Licence ſhall be forfeited, and ſhall be revoked by the Juſtices of Peace in their next General or Quarter Seſſions, and ſhall not be renewed; nor ſhall any new Licence be granted to the ſame Perſon or Perſons, or any other Perſon on his or their or any of their Behalf, or for their Uſe or Benefit, directly or indirectly, for keeping any ſuch Houſe, Room, Garden, or other Place, for any of the Purpoſes aforeſaid.

Places licenſed by the Crown, or Lord Chamberlain, excepted

IV. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to the Theatres Royal in *Drury Lane* and *Covent Garden*, or the Theatre commonly called *The King's Theatre* in the *Hay Market*, or any of them; nor to ſuch Performances and publick Entertainments as are or ſhall be lawfully exerciſed and carried on under or by virtue of Letters Patents, or Licence of the Crown, or the Licence of the Lord Chamberlain of his Majeſty's Houſhold; any Thing herein contained notwithſtanding.

V. And

V. And in order to encourage Prosecutions against Persons keeping Bawdy-houses, Gaming-houses or other disorderly Houses, Be it enacted by the Authority aforesaid, That if any two Inhabitants of any Parish or Place, paying Scot, and bearing Lot therein, do give Notice in Writing to any Constable (or other Peace Officer of the like Nature, where there is no Constable) of such Parish or Place, of any Person keeping a Bawdy-house, Gaming-house, or any other disorderly House, in such Parish or Place, the Constable, or such Officer as aforesaid, so receiving such Notice, shall forthwith go with such Inhabitants to one of his Majesty's Justices of the Peace of the County, City, Riding, Division or Liberty in which such Parish or Place does lie; and shall, upon such Inhabitants making Oath before such Justice, that they do believe the Contents of such Notice to be true, and entering into a Recognizance in the penal Sum of twenty Pounds each, to give or produce material Evidence against such Person for such Offence, enter into a Recognizance in the penal Sum of thirty Pounds, to prosecute with Effect such Person for such Offence at the next General or Quarter Session of the Peace, or at the next Assizes to be holden for the County in which such Parish or Place does lie, as to the said Justice shall seem meet; and such Constable or other Officer shall be allowed all the reasonable Expences of such Prosecution, to be ascertained by any two Justices of the Peace of the County, City, Riding, Division or Liberty where the Offence shall have been committed, and shall be paid the same by the Overseers of the Poor of such Parish or Place; and in case such Person shall be convicted of such Offence, the Overseers of the Poor of such Parish or Place shall forthwith pay the Sum of ten Pounds to each of such Inhabitants; and in case such Overseers shall neglect or refuse to pay to such Constable or other Officer such Expences of the Prosecution as aforesaid, or shall neglect or refuse to pay upon Demand, the said Sums of ten Pounds and ten Pounds, such Overseers, and each of them, shall forfeit to the Person intitled to the same, double the Sum so refused or neglected to be paid.

Constable's Duty upon Notice of Persons keeping a Bawdy-house, Gaming-house, &c.

The Charges of Prosecution,

and 10l. on Conviction to each of the two Inhabitants, to be paid by the Overseers, on Penalty of forfeiting double.

VI. Provided always, and be it enacted by the Authority aforesaid, That upon such Constable or other Officer entering into such Recognizance to prosecute as aforesaid, the said Justice of the Peace shall forthwith make out his Warrant to bring the Person so accused of keeping a Bawdy-house, Gaming-house or other disorderly House, before him, and shall bind him or her over to appear at such General or Quarter Session or Assizes, there to answer to such Bill of Indictment as shall be found against him or her for such Offence; and such Justice shall and may, if in his Discretion he thinks fit, likewise demand and take Security for such Person's good Behaviour in the mean time, and until such Indictment shall be found, heard and determined, or be returned by the Grand Jury not to be a true Bill.

Person keeping such Bawdy-house, &c. to be bound over.

VII. Provided also, That in case such Constable shall neglect or refuse, upon such Notice, to go before any Justice of the Peace, or to enter into such Recognizance, or shall be wilfully negligent in carrying on the said Prosecution, he shall for every such Offence forfeit the Sum of twenty Pounds to each of such Inhabitants so giving Notice as aforesaid.

Constable neglecting his Duty forfeits 20l.

'VIII. And whereas, by reason of the many subtle and crafty Contrivances of Persons keeping Bawdy-'houses, Gaming-houses or other disorderly Houses, it is difficult to prove who is the real Owner or Keeper 'thereof, by which Means many notorious Offenders have escaped Punishment;' Be it enacted by the Authority aforesaid, That any Person who shall at any Time hereafter appear, act or behave him or herself as Master or Mistress, or as the Person having the Care, Government or Management of any Bawdy-house, Gaming-house or other disorderly House, shall be deemed and taken to be the Keeper thereof, and shall be liable to be prosecuted and punished as such, notwithstanding he or she shall not in Fact be the real Owner or Keeper thereof.

Who shall be deemed the Keeper of such Bawdy-house, &c.

IX. Provided nevertheless, That upon any such Prosecution against any Person for keeping a Bawdy-house, Gaming-house or other disorderly House, any Person may give Evidence against the Defendant or on Behalf of the Defendant in such Prosecution, notwithstanding his or her being an Inhabitant or Parishioner of the said Parish or Place, or having entered into such Recognizance as aforesaid.

Evidence may be given by an Inhabitant, &c.

X. And be it further enacted by the Authority aforesaid, That no Indictment which shall at any Time after the said first Day of *June* be preferred against any Person for keeping a Bawdy-house, Gaming-house or other disorderly House, shall be removed by any Writ of *Certiorari* into any other Court; but such Indictment shall be heard, tried and finally determined, at the same General or Quarter Session or Assizes, where such Indictment shall have been preferred (unless the Court shall think proper, upon Cause shewn, to adjourn the same) any such Writ or Allowance thereof notwithstanding

Indictment not removeable by Certiorari.

'XI. And whereas many Persons are deterred from prosecuting Persons guilty of Felony, upon ac-'count of the Expence attending such Prosecution, which is another great Cause and Encouragement of 'Thefts and Robberies;' In order therefore to encourage the bringing Offenders to Justice, Be it enacted by the Authority aforesaid, That it shall and may be in the Power of the Court, before whom any Person has been tried and convicted of any Grand or Petit Larceny, or other Felony, at the Prayer of the Prosecutor, and on Consideration of his Circumstances, to order the Treasurer of the County in which the Offence shall have been committed, to pay unto such Prosecutor such Sum of Money as to the said Court shall seem reasonable, not exceeding the Expences which it shall appear to the Court the Prosecutor was put unto in carrying on such Prosecution, making him a reasonable Allowance for his Time and Trouble therein; which Order the Clerk of Assize, or Clerk of the Peace respectively, is hereby directed and required forthwith to make out and to deliver unto such Prosecutor, upon being paid for the same the Sum of one Shilling, and no more; and the Treasurer of the County is hereby authorized and required, upon Sight of such Order, forthwith to pay to such Prosecutor, or other Person authorized to receive the same, such Sum of Money as aforesaid, and shall be allowed the same in his Accounts.

In Prosecutions for Felony; Court may make Orders for Payment of the Prosecutor's Expences;

Clerks Fee for such Order.

County Treasurer to pay the Order.

XII. And,

Justices may examine on Oath Rogues, Vagabonds and other disorderly Persons;

Concerning Vagrants see farther 26 *Geo.* 2. *c.* 34.

the Examination to be transmitted to the Sessions.

Person not giving a satisfactory Account, &c. to be committed,

and an Advertisement to be published, describing his Person, and the Things found on him.

XII. And, for the better discovering and bringing to Justice Thieves, Robbers and other Persons maintaining themselves by pilfering and defrauding Mankind; Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for any two or more of his Majesty's Justices of the Peace, in any County, City or Liberty, in case any Person apprehended upon any general privy Search, or by virtue of any special Warrant, shall be charged before them with being a Rogue and Vagabond, or an idle and disorderly Person, or with Suspicion of Felony, (although no direct Proof be then made thereof) to examine such Person upon Oath, not only as to the Parish or Place where he was last legally settled, but also as to his Means of Livelihood; the Substance of which Examination shall be put into Writing, and be subscribed or signed by the Person so examined; and the said Justices shall likewise sign the same, and transmit it to the next General or Quarter Sessions of the Peace to be holden for the same County, City or Liberty, there to be filed, and to be kept on Record: And if such Person shall not make it appear to such Justices, that he has a lawful Way of getting his Livelihood, or shall not procure some responsible Housekeeper to appear to his Character, and to give Security for his Appearance before such Justices at some other Day to be fixed for that Purpose (in case the same shall be required) to commit such Person to some Prison or House of Correction, for any Time not exceeding six Days; and in the mean time to order the Overseers of the Poor, or one of them, of the Parish or Place in which such Person shall be apprehended, to insert an Advertisement in some publick Paper, describing such suspicious Person, and any Thing or Things which shall have been found upon him, or in his Custody, and which he shall be suspected not to have come honestly by, and mentioning the Place to which such Person is committed, and specifying the Time and Place when and where such Person is to be again brought before them to be re-examined; and if no Accusation shall be then laid against him, then such Person shall be discharged, or otherwise dealt with according to Law.

Recovery of Forfeitures.

XIII. And be it further enacted by the Authority aforesaid, That any Person intitled to any of the Forfeitures by this Act imposed, may sue for the same by Action of Debt, in any of his Majesty's Courts of Record at *Westminster*, in which it shall be sufficient to declare, That the Defendant is indebted to the Plaintiff in the Sum of being forfeited by an Act, intituled, *An Act for the better preventing Thefts and Robberies, and for regulating Places of publick Entertainment, and punishing Persons keeping disorderly Houses*; and the Plaintiff, if he recover in any such Action, shall have his full Costs.

Costs.

Limitation of Actions.

XIV. Provided, That no Action shall be brought by virtue of this Act, unless the same shall be commenced within the Space of six Calendar Months after the Offence committed.

Act to be in Force for 3 Years.

XV. And be it further enacted by the Authority aforesaid, That this Act shall continue in Force until the Expiration of three Years, to be computed from the first Day of this Session of Parliament; and from thence to the End of the then next Session of Parliament, and no longer.

Made perpetual by 28 *Geo.* 2. *c.* 19. §. 1.

CAP. XXXVII.

An Act for better preventing the horrid Crime of Murder.

For former Laws concerning Murder refer to 52 *H.* 3. *c.* 25. 6 *Ed.* 1. *c.* 9. 3 *H.* 7. *c.* 1. 1 *Ed.* 6. *c.* 12. 1 *Jac.* 1. *c.* 8. 21 *Jac.* 1. *c.* 27. 2 *Geo.* 2. *c.* 21.

'WHEREAS the horrid Crime of Murder has of late been more frequently perpetrated than formerly, and particularly in and near the Metropolis of this Kingdom, contrary to the known Humanity and natural Genius of the *British* Nation: And whereas it is thereby become necessary, that some further Terror and peculiar Mark of Infamy be added to the Punishment of Death, now by Law inflicted on such as shall be guilty of the said heinous Offence;' May it please your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *Easter* Term in the Year of our Lord one thousand seven hundred and fifty-two, all Persons who shall be found guilty of wilful Murder, be executed according to Law, on the Day next but one after Sentence passed, unless the same shall happen to be the Lord's Day, commonly called *Sunday*, and in that Case on the *Monday* following.

Murderers to be executed the next Day but one after Sentence,

and their Bodies to be delivered to Surgeons Hall.

II. And be it further enacted by the Authority aforesaid, That the Body of such Murderer so convicted shall, if such Conviction and Execution shall be in the County of *Middlesex*, or within the City of *London* or the Liberties thereof, be immediately conveyed by the Sheriff or Sheriffs, his or their Deputy or Deputies, and his or their Officers, to the Hall of the *Surgeons Company*, or such other Place as the said Company shall appoint for this Purpose, and be delivered to such Person as the said Company shall depute or appoint, who shall give to the Sheriff or Sheriffs, his or their Deputy or Deputies, a Receipt for the same; and the Body so delivered to the said Company of *Surgeons*, shall be dissected and anatomized by the said *Surgeons*, or such Person as they shall appoint for that Purpose: And in case such Conviction and Execution shall happen to be in any other County or other Place in *Great Britain*, then the Judge or Justice of Assize, or other proper Judge, shall award the Sentence to be put in Execution the next Day but one after such Conviction (except as is before excepted) and the Body of such Murderer shall in like Manner be delivered by the Sheriff, or his Deputy, and his Officers, to such Surgeon as such Judge or Justice shall direct for the Purpose aforesaid.

Sentence to be pronounced immediately.

III. And be it further enacted by the Authority aforesaid, That Sentence shall be pronounced in open Court immediately after the Conviction of such Murderer, and before the Court shall proceed to any other Business, unless the Court shall see reasonable Cause for postponing the same; in which Sentence shall be expressed not only the usual Judgment of Death, but also the Time appointed hereby for the Execution thereof, and

and the Marks of Infamy hereby directed for such Offenders, in order to impress a just Horror in the Mind of the Offender, and on the Minds of such as shall be present, of the heinous Crime of Murder.

IV. Provided always, and be it enacted, That after such Sentence pronounced as aforesaid, in case there shall appear reasonable Cause, it shall and may be lawful to and for such Judge or Justice, before whom such Criminal shall have been so tried, to stay the Execution of the Sentence, at the Discretion of such Judge or Justice, Regard being always had to the true Intent and Purpose of this Act. The Judge may stay the Execution;

V. Provided also, That it shall be in the Power of any such Judge or Justice to appoint the Body of any such Criminal to be hung in Chains: But that in no Case whatsoever the Body of any Murderer shall be suffered to be buried; unless after such Body shall have been dissected and anatomized as aforesaid; and every such Judge or Justice shall, and is hereby required to direct the same either to be disposed of as aforesaid, to be anatomized, or to be hung in Chains, in the same Manner as is now practised for the most atrocious Offences. and appoint the Body to be hung in Chains, or to be anatomized.

VI. And be it further enacted by the Authority aforesaid, That from and after such Conviction, and Judgment given thereupon, the Gaoler or Keeper to whom such Criminal shall be delivered for safe Custody, shall confine such Prisoner to some Cell, or other proper and safe Place within the Prison, separate and apart from the other Prisoners; and that no Person or Persons whatsoever, except the Gaoler or Keeper, or his Servants, shall have Access to any such Prisoner, without Licence being first obtained for that Purpose under the Hand of such Judge or Justice, before whom such Offender shall have been tried, or under the Hand of the Sheriff, his Deputy or Under Sheriff. Prisoner to be confined to some Cell; and none but the Gaoler, &c. to have Access without Licence from the Judge or Sheriff.

VII. Provided always, That in case any such Judge or Justice shall see Cause to respite the Execution of such Offender so condemned as aforesaid, such Judge or Justice may relax or release any or all of the Restraints or Regulations herein before or herein after directed to be observed by the Gaoler or Keeper of the Prison where such Prisoner shall be confined, by any Licence in Writing signed by such Judge or Justice for that Purpose, for and during the Time of such Stay of Execution; any Thing herein before contained to the contrary thereof notwithstanding. Judge may relax the said Restraints.

VIII. And be it further enacted by the Authority aforesaid, That after Sentence passed as aforesaid, and until the Execution thereof, such Offender shall be fed with Bread and Water only, and with no other Food or Liquor whatsoever (except in case of receiving the Sacrament of the Lord's Supper, and except in case of any violent Sickness or Wound, in which Case some known Physician, Surgeon or Apothecary may be admitted by the Gaoler or Keeper of the said Prison to administer Necessaries; the Christian and Surname of such Physician, Surgeon or Apothecary, and his Place of Abode, being first entered in the Books of such Prison or Gaol, there to remain) and in case such Gaoler or Prison-keeper shall offend against or neglect to put in Execution any of the Directions or Regulations hereby enacted to be observed, such Gaoler or Prison-keeper shall for such Offence forfeit his Office, and be fined in the Sum of twenty Pounds, and suffer Imprisonment until the same be paid. Prisoner to be fed with Bread and Water, except, &c. Gaoler making Default to forfeit his Office, and 20 l.

IX. And be it enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall by Force set at Liberty, or rescue or attempt to rescue or set at Liberty, any Person out of Prison who shall be committed for, or found Guilty of Murder, or rescue or attempt to rescue any Person convicted of Murder going to Execution, or during Execution, every Person so offending shall be deemed, taken and adjudged to be Guilty of Felony, and shall suffer Death without Benefit of Clergy. Penalty of rescuing a Murderer.

X. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall, after such Execution had, by Force rescue or attempt to rescue the Body of such Offender out of the Custody of the Sheriff or his Officers, during the Conveyance of such Body to any of the Places hereby directed, or shall by Force rescue or attempt to rescue such Body from the Company of *Surgeons*, or their Officers or Servants, or from the House of any Surgeon where the same shall have been deposited in pursuance of this Act; every Person so offending shall be deemed and adjudged to be Guilty of Felony, and shall be liable to be transported to some of his Majesty's Colonies or Plantations in *America* for the Term of seven Years, in like manner as is directed by the Laws now in force relating to the Transportation of Felons; and shall be subject to the like Punishment and Methods of Conviction, in case of returning into, or being found at large within *Great Britain*, within the said Term of seven Years, in all Respects, as by Law other Felons are subject to, in case of unlawfully returning from Transportation. Penalty of rescuing the Body after Execution.

XI. Provided always, and it is hereby enacted by the Authority aforesaid, That nothing herein contained shall extend to repeal or alter so much of an Act made in the eleventh Year of his late Majesty's Reign (intituled, *An Act for the more effectual disarming the* Highlands *in that Part of* Great Britain *called* Scotland; *and for the better securing the Peace and Quiet of that Part of the Kingdom)* as relates to the Suspension of the Execution of Persons convicted of capital Offences within that Part of *Great Britain* called *Scotland*, for the respective Times in the said Act mentioned; any Thing herein before contained to the contrary notwithstanding. This Act not to extend to 11 Geo. 1. c. 26.

CAP. XXXVIII.

An Act for the more easy and speedy Recovery of small Debts within the Borough of St. *Albans*, in the County of *Hertford*, and the several Towns, Parishes, Wards, Hamlets, and Places within the Liberty of St. *Albans*. PR.

CAP. XXXIX.

An Act to obviate Doubts that may arise upon an Act made and passed in the eleventh and twelfth Years of the Reign of his late Majesty King *William* the Third, intituled, *An Act to enable his Majesty's natural-born Subjects to inherit the Estate of their Ancestors, either lineal or collateral, notwithstanding their Father or Mother were Aliens.*

11 & 12 W. 3. c. 6.

'WHEREAS in and by an Act of Parliament made and passed in the eleventh and twelfth Years of the Reign of his late Majesty King *William* the Third, intituled, *An Act to enable his Majesty's natural-born Subjects to inherit the Estate of their Ancestors, either lineal or collateral, notwithstanding their Father or Mother were Aliens*; It is enacted, That all and every Person or Persons, being the King's natural-born Subject or Subjects, within any of the King's Realms or Dominions, should and might thereafter lawfully inherit and be inheritable, as Heir or Heirs, to any Honours, Manors, Lands, Tenements or Hereditaments, and make their Pedigrees and Titles by Descent from any of their Ancestors, lineal or collateral, although the Father and Mother, or Father or Mother, or other Ancestor of such Person or Persons by, from, through, or under whom he, she or they should or might make or derive their Title or Pedigree, were or was, or should be born out of the King's Allegiance, and out of his Majesty's Realms and Dominions, as freely, fully and effectually, to all Intents and Purposes, as if such Father or Mother, or Fathers or Mothers, or other Ancestor or Ancestors by, from, through, or under whom he, she or they should or might make or derive their Title or Pedigree, had been naturalized or natural-born Subjects: And whereas many Doubts and Inconveniencies may arise upon the said recited Act, in case of Persons gaining Capacities to inherit and derive their Pedigrees by virtue of the said recited Act, after the Deaths of their Ancestors to whom they claim to be Heirs, whereby Estates well vested by Descent, Mortgages, Purchases, and Settlements duly made, may be defeated:' For Remedy whereof be it enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Statute shall not extend, or be deemed, taken, or construed to extend to give any Right or Title to any Person or Persons to inherit as Heir or Heirs, or Coheir or Coheirs, to any Person dying seised of any Manors, Lands, Tenements or Hereditaments, in Possession, Reversion or Remainder, by enabling any such Person or Persons to claim or derive his, her or their Pedigree through any Alien Ancestor or Ancestors, unless the Person or Persons so claiming or deriving his, her or their Title as Heir or Heirs, Coheir or Coheirs, was or were, or shall be in Being, and capable to take the same Estate as Heir or Heirs, Coheir or Coheirs, by virtue of the said Statute, at the Death of the Person who shall so last die seised of such Manors, Lands, Tenements or Hereditaments, and to whom he, she or they shall so claim to be Heir or Heirs, Coheir or Coheirs, by Force of the said Statute.

None to inherit by the recited Act, but such as shall be in Being, at the Death of the Ancestor who shall die seised.

If the Descent shall be cast upon a Daughter,

and the Alien Father, &c. shall afterwards have a Son, the Daughter to be divested,

and where no Son, the Daughter afterwards born in his Majesty's Dominions, shall jointly inherit.

II. Provided always, and be it enacted by the Authority aforesaid, That in case the Person or Persons who shall be in Being, and capable to take at the Death of the Ancestor so dying seised of any such Honours, Manors, Lands, Tenements or Hereditaments, and upon whom the Descent shall be cast by virtue of this Act, or of the said recited Act, shall happen to be a Daughter or Daughters of an Alien, and that the Alien Father or Mother, through whom such Descent shall be derived by such Daughter or Daughters, shall afterwards have a Son born within any of his Majesty's Realms or Dominions; the Descent so cast upon such Daughter or Daughters shall be divested in favour of such Son; and such Son shall inherit and take the Estate in like manner as is allowed by the Common Law of this Realm in Cases of the Birth of a nearer Heir; or in case such Father or Mother shall have no Son or Sons, but shall have one or more Daughter or Daughters afterwards born within any of his Majesty's Realms or Dominions, the Daughter or Daughters so born afterwards shall inherit and take in Coparcenary with the Daughter or Daughters upon whom the Descent shall be cast at the Death of the Ancestor last seised; any Thing in this Act contained to the contrary in any wise notwithstanding.

CAP. XL.

An Act for the Application of a Sum of Money therein mentioned, granted to his Majesty, for making Compensation and Satisfaction to the Royal *African* Company of *England*, for their Charter, Lands, Forts, Castles, Slaves, Military Stores, and all other their Effects whatsoever; and to vest the Lands, Forts, Castles, Slaves and Military Stores, and all other their Effects in the Company of Merchants trading to *Africa*; and for other Purposes in the Act mentioned.

'WHEREAS his late Majesty King *Charles* the Second, by his Royal Charter or Letters Patent, under the Great Seal of *England*, bearing Date the twenty-seventh Day of *September* in the twenty-fourth Year of his Reign, in consideration of the Surrender of a former Grant in the said Letters Patent recited, did give and grant unto certain Persons therein named, all and singular the Regions, Countries, Dominions, Territories, Continents, Coasts and Places, lying and being within the Limits and Bounds in the said Letters Patent mentioned, that is to say, Beginning at the Port of *Sally* in *South-Barbary* inclusive, and extending from thence to Cape *de bona Esperanza* inclusive, with all the Islands

' near

'near adjoining to these Coasts, and comprehended within the Limits aforesaid; which Regions, Countries, Dominions, Territories, Continents, Coasts and Places, and Islands, had been theretofore called 'or known by the Name of *South Barbary*, *Guinny*, *Binny* or *Angola*, or by some or any other Name or 'Names, and which were or had been reputed, esteemed or taken to be Part, Parcel or Member of any 'Country, Region, Dominion, Territory or Continent, within the Limits aforesaid; and all and singular Ports, Harbours, Creeks, Islands, Lakes and Places in the Parts of *Africa*, to them or any of them 'belonging; or being under the Obedience of any King, State or Potentate of any Region, Dominion or 'Country, within the Limits aforesaid, to hold from the making the said Letters Patent for the Term of 'one thousand Years, subject to such Conditions and Reservations as therein mentioned; and did in and 'by the said Letters Patent incorporate the several Persons therein named, by the Name of *The Royal* 'African *Company of* England, and did declare such Grant and Demise to be in Trust to and for the sole 'Use, Benefit and Behoof of the Royal *African* Company of *England*, therein and thereby so incorporated, 'and their Successors: And whereas the said Royal *African* Company of *England* have, since the granting 'the said Charter, been at a very considerable Expence in re-building and enlarging several of their Forts 'and Castles on the Coasts aforesaid, and have there erected, built and purchased, several New Forts: 'And whereas by an Act of Parliament made and passed in the twenty-third Year of the Reign of his 23 Geo. 2. c. 31. 'present Majesty, intituled, *An Act for extending and improving the Trade to* Africa, a new Company was 'established by the Name of *The Company of Merchants trading to* Africa; and the better to uphold, maintain and defend all such Forts, Factories and Settlements, on the Coast of *Africa*, as then were erected, 'or thereafter should be thought necessary to be erected, for the securing and better carrying on the said 'Trade; it was enacted, among other Things, That all and every the *British* Forts, Settlements and 'Factories, on the Coast of *Africa*, beginning at Cape *Blanco*, and extending from thence to the Cape of '*Good Hope* inclusive, and all other the Regions, Countries, Dominions, Territories, Continents, Coasts, 'Ports, Bays, Rivers and Places, lying and being within the aforesaid Limits, and the Islands near adjoining to those Coasts, and comprehended within those Limits, which then were claimed by, or were in 'the Possession of the said Royal *African* Company of *England*, or which might be thereafter in the Possession of the Company thereby established, should from and after the passing of an Act of Parliament 'for divesting the said *African* Company of their said Charter, Forts, Castles, Military Stores, Canoe 'Men, Castle Slaves, and all other their Property on the Coast of *Africa* (their Goods and Merchandizes 'only excepted) be absolutely vested in the said new Company established by the said Act, and their Successors, to the Intent and Purpose that the said Forts, Settlements and Premisses should be employed at 'all Times thereafter only for the Protection, Encouragement and Defence of the said Trade; and it was 'by the said Act further enacted, That the Accountant General of the High Court of Chancery for the 'Time being, and such two of the other Masters of the said Court, as the Lord High Chancellor of *Great* '*Britain* for the Time being, or Lord Keeper of the Great Seal of *Great Britain* for the Time being, or the 'Lords Commissioners for the Great Seal of *Great Britain* for the Time being, should from Time to Time 'nominate for that Purpose, should be, and they were thereby constituted and appointed Commissioners 'for examining into the Claims of the Creditors of the said Royal *African* Company, and to inquire and 'state how and when the same were respectively incurred, in such manner as in and by the said Act is 'directed, together with their Opinion of the Justness and Reasonableness of such Debts respectively, and 'to lay Accounts of their Proceedings before the Parliament with all convenient Speed: And whereas the 'Commissioners appointed by and in pursuance of the said Act did lay Accounts of their Proceedings before the Parliament the last Session, but several Claims of several of the Company's Officers and Servants 'abroad, for Salaries due to them, or for Goods sold and delivered, and for Monies laid out and expended 'for the said Company's Use, for want of proper Vouchers from abroad could not be examined into within 'the Time prescribed for that Purpose by the said Act: And whereas by an Act of Parliament made and passed in the twenty-fourth Year of the Reign of his present Majesty, intituled, *An Act for allowing fur-* 24 Geo. 2. c. 49. '*ther Time to the Commissioners appointed by and in pursuance of an Act of the twenty-third Year of his present* '*Majesty's Reign, intituled*, An Act for extending and improving the Trade to *Africa*, *to inquire into the* '*Claims of certain Creditors of the Royal* African *Company therein mentioned, and for the Relief of* David Crichton, *and for restraining the said Company from disposing of such of their Effects as are therein mentioned*; '*and for staying all Suits for Money due from or on account of the said Company for the Time therein mentioned*; 'It was enacted among other Things, That all and every the Powers and Authorities in and by the said 'above recited Act of the twenty-third Year of the Reign of his present Majesty granted to and vested in 'the said Commissioners appointed by or in pursuance of the said Act for enabling them to examine into 'the Claims of the Creditors of the said Company, and stating the same, with their Opinion thereon, 'should, for the Purposes of examining into and stating the Claims therein particularly mentioned, and no 'other, be and continue in full Force until the twelfth Day of *January* one thousand seven hundred and 'fifty-two, and the said Commissioners, or any two of them, were thereby authorized and required, from 'and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-one, to proceed with all 'convenient Speed upon the Examination of the several Claims of the several Persons thereafter named; 'and the said Commissioners were thereby required to close and finish their Examination of all the said 'Claims on or before the twelfth Day of *January* then next ensuing, and to lay Accounts of their Proceedings before the Parliament with all convenient Speed: And whereas the said Commissioners have laid 'Accounts of their Proceedings, under the said last recited Act, before the Parliament: And whereas several other Sums of Money are due and owing to several other Persons from the said Royal *African* Company: And whereas Captain *Thomas Pye*, Commander of his Majesty's Ship *Humber*, did, in pursuance 'of Directions given him by the Commissioners for executing the Office of Lord High Admiral of *Great* '*Britain* for that Purpose in the Year one thousand seven hundred and forty-nine, take a Survey of the Forts

'and Caſtles of the ſaid Royal *African* Company of *England* on the Coaſt of *Africa*, and of the Quan-
'tity, Number and Quality of Cannon and their Military Stores, Canoe Men, Caſtle Slaves, Canoes
'and Veſſels then at each reſpective Fort, which belonged to the ſaid Royal *African* Company of *England*,
'a particular Account of which Survey is expreſſed and ſet forth in the firſt Schedule to this Act annexed:
'And whereas the ſaid Royal *African* Company of *England* are willing to ſurrender all and ſingular their
'Lands, Forts, Caſtles, Settlements, Cannon, Military Stores, Canoe Men, Caſtle Slaves, Canoes and
'Veſſels, together with the ſaid Charter, Books of Account, Papers, Contracts and Agreements, and all
'their Property, Eſtate, Intereſt and Effects whatſoever, for ſuch Compenſation and Satisfaction, and to
'be applied in ſuch Manner as herein after is expreſſed and directed;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Royal *African* Company of *England*, from and after the tenth Day of *April* one thouſand ſeven hundred and fifty-two, ſhall be, and they are hereby abſolutely diveſted of and from their ſaid Charter, Lands, Forts, Caſtles and Military Stores, Canoe Men, Caſtle Slaves, and all other their Eſtate, Property and Effects whatſoever; and that all and every the *Britiſh* Forts, Lands, Caſtles, Settlements and Factories on the Coaſt of *Africa*, beginning at *Port Sally*, and extending from thence to the Cape of *Good Hope* incluſive, which were granted to the ſaid Company by the ſaid Charter, or which have been ſince erected or purchaſed by the ſaid Company; and all other the Regions, Countries, Dominions, Territories, Continents, Coaſts, Ports, Bays, Rivers and Places lying and being within the aforeſaid Limits, and the Iſlands near adjoining to thoſe Coaſts, and comprehended within the Limits deſcribed by the ſaid Charter; and which now are, or at any Time heretofore have been in the Poſſeſſion of or claimed by the ſaid Royal *African* Company of *England*, together with the Cannon and other Military Stores, Canoe Men, Caſtle Slaves at and belonging to the ſaid Forts, Caſtles, Settlements and Factories, particularly mentioned and ſet forth in the ſaid firſt Schedule to this Act annexed (ſuch Stores as have been made uſe of in the Service of the Forts, and ſuch Canoe Men and Slaves, as may have died ſince the taking of the ſaid Survey, only excepted) and alſo all Contracts and Agreements made by or for, or on the Behalf of the ſaid Royal *African* Company, with any of the Kings, Princes or Natives of any of the Countries or Places on the ſaid Coaſts; and all other the Property, Eſtate and Effects whatſoever of the ſaid Royal *African* Company ſhall, from and after the ſaid tenth Day of *April* one thouſand ſeven hundred and fifty-two, be veſted in, and the ſame and every of them are and is hereby fully and abſolutely veſted in the ſaid Corporation called and known by the Name of *The Company of Merchants trading to* Africa, and their Succeſſors, freed and abſolutely diſcharged of and from all Claims and Demands of the ſaid Royal *African* Company of *England*, and their Creditors, and every of them, and of all and every Perſon or Perſons claiming under them, or any or either of them.

The African Company diveſted of their Charter, Forts, &c.

and the ſame veſted in the Company of Merchants trading to Africa.

II. Provided always, and it is hereby enacted, That the diveſting the ſaid Royal *African* Company of *England* of their Charter, and veſting the ſaid Forts, Settlements and Factories, and all other the beforementioned Premiſſes in the ſaid Company of Merchants trading to *Africa*, ſhall not extend, or be conſtrued to extend to give the ſaid Company of Merchants trading to *Africa*, or their Committee, any other Right, Privileges or Powers, than ſuch as are given to the ſaid Company of Merchants, and their Committee, by the ſaid recited Act made and paſſed in the twenty-third Year of the Reign of his preſent Majeſty.

No other Powers conferred than what are granted by 23 Geo. 2. c. 31.

'III. And whereas it appears that a certain Iſland ſituate in the River *Sierra Leon*, on the ſaid Coaſt of
'*Africa*, called *Bance Iſland*, with a Fort and Buildings thereon, having been formerly in the Poſſeſſion of
'the ſaid Royal *African* Company, was in the Year one thouſand ſeven hundred and twenty-eight deſerted
'by the ſaid Company and their Agents; and the ſaid Fort for ſome Time paſt has been, and is now in
'the Poſſeſſion of *Alexander Grant*, *John Sargent* and *Richard Oſwald* of *London*, Merchants, who have diſ-
'burſed a conſiderable Sum in the Preſervation and Improvement of the ſaid Iſland and Fort; and for
'which it is juſt and reaſonable they ſhould receive a Recompence;' Be it therefore enacted, That they the ſaid *Alexander Grant*, *John Sargent* and *Richard Oſwald* ſhall be at Liberty, notwithſtanding this preſent Act, to continue in the quiet Poſſeſſion of the ſaid Iſland, Fort and Buildings thereon, and that the ſame ſhall from henceforth continue, and be abſolutely veſted in them the ſaid *Alexander Grant*, *John Sargent* and *Richard Oſwald*, their Heirs and Aſſigns, to and for their own Uſe and Benefit; any Thing herein, or in any former Act or Acts of Parliament contained to the contrary thereof in any wiſe notwithſtanding.

Bance Iſland veſted in Alexander Grant, John Sargent and Richard Oſwald;

IV. Provided always, That it ſhall not be lawful for them the ſaid *Alexander Grant*, *John Sargent* and *Richard Oſwald*, or any of them, or their Heirs or Aſſigns, to demiſe, grant or alienate their Right and Intereſt therein, to any Perſon or Perſons whatſoever, being Foreigners.

Proviſo that they grant not the ſame to Foreigners.

V. Provided always, and it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company of Merchants, and their Succeſſors, or their Committee for the Time being, by and with the Conſent and Approbation of the ſaid Commiſſioners for Trade and Plantations, or the Majority of them, to authorize and impower ſuch Perſons, as they ſhall think fit, at any of the ſaid Forts, Caſtles, Settlements and Factories, or elſewhere in *Africa*, to raiſe, arm, train and muſter ſuch Military Forces, as to them ſhall ſeem requiſite and neceſſary; and to execute and uſe within the ſaid Forts, Caſtles, Factories and Settlements, ſuch Rules and Regulations for the Defence of the ſaid Places, and for the Puniſhment of Offences committed within the ſame, as from Time to Time ſhall be given them by the ſaid Company of Merchants or their Committee, by and with the Conſent and Approbation of the ſaid Commiſſioners for Trade and Plantations, or the Majority of them, ſo as ſuch Puniſhment ſhall not extend to the Loſs or Deprivation of Life or Limb; and that it ſhall and may be lawful for the Perſons authorized as aforeſaid, in any Caſes where it ſhall be thought proper, to ſend over in Confinement, the Perſon or Perſons of any Offender or Offenders, to be here tried according to the Laws of this Kingdom.

The new Company, with the Conſent of the Commiſſioners for Trade, may raiſe Military Forces,

VI.

VI. And for the more effectual Encouragement of Merchants that shall trade unto or reside in the Places aforesaid; Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Company of Merchants trading to *Africa*, or their Committee, by and with the Consent and Approbation of the said Commissioners for Trade and Plantations, or the Majority of them, to erect, constitute and establish a Court or Courts of Judicature, to be held at such Place or Places, Fort or Forts, Plantations or Factories, upon the said Coast, as the said Company shall from Time to Time direct and appoint, for hearing and determining all Causes, the Matter or Matters whereof shall arise there, on account of Mercantile or Maritime Bargains, buying, selling or bartering of Wares; or Bills, Bonds, or Promises for Payment of Money, or Mercantile or Trading Contracts, made, transacted or entred into upon the said Coast, concerning any Person or Persons residing within the Bounds and Limits aforesaid. and erect Court

VII. Provided nevertheless, and be it enacted by the Authority aforesaid, That his Majesty, his Heirs and Successors, shall have full Power at his Will and Pleasure, from Time to Time, by his or their Sign Manual, to revoke all such Powers which shall be given to any Persons; for raising, arming and training the Military Forces, and all such Rules and Regulations, as shall be given or established, and to grant all Military Powers on the said *African* Coast, and establish such Rules and Regulations as he or they shall from Time to Time think fit; and also to revoke and repeal all such Courts of Justice as shall be erected; and to erect and establish such other Courts of Justice there, as he or they shall from Time to Time think fit. His Majesty may revoke any of the Powers, and establish other Regulations, &c.

VIII. And be it further enacted by the Authority aforesaid, That all the Contracts and Agreements which have been made by the said Royal *African* Company of *England*, with any of the Kings, Princes or Natives of any of the Countries or Places on the said Coast; and also all Deeds, Writings, Evidences or Muniments, Books of Account, and all Papers of what Kind or Nature soever, belonging, or which did belong, to the said Company, shall, on or before the said tenth Day of *April* one thousand seven hundred and fifty-two, be delivered over by the said Royal *African* Company of *England*, or their Officers, Servants, Agents and all other Persons, who have or shall have the Custody of them, or any of them, to the said Company of Merchants trading to *Africa*, together with an Inventory of the Books, Contracts, Agreements, Deeds, Writings and Evidences above-mentioned, to be by them kept and preserved, for the Benefit and Protection of the said Trade, Forts and Settlements; and the said Company of Merchants trading to *Africa* are, from Time to Time, to produce to the Commissioners hereafter mentioned, such of the Stock Leidger, and Transfer Books, of the said Royal *African* Company, as they shall require. Former Contracts, &c. to be delivered over to the new Company. Stock Leidger and Transfer Books to be produced to the Commissioners.

IX. And for making a full Compensation and Satisfaction to the Royal *African* Company of *England*, for their said Charter, Lands, Forts, Castles, Slaves, Military Stores, Books, Papers, and all other their Effects whatsoever; Be it enacted by the Authority aforesaid, That out of all or any the Aids or Supplies granted to his Majesty in this Session of Parliament, there may and shall be applied and paid the Sum of one hundred and twelve thousand one hundred and forty-two Pounds three Shillings and three Pence, without Account, so such Persons and in such Proportions, and in such Manner, as is herein after particularly directed and appointed. 112,142 l. 3 s. 3 d. to be applied out of the Supplies, as a Satisfaction to the old Company,

X. And it is hereby further enacted by the Authority aforesaid, That out of the said Sum of one hundred and twelve thousand one hundred and forty-two Pounds three Shillings and three Pence, the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, do issue and pay, or cause to be issued and paid, the Sum of one thousand six hundred and ninety-five Pounds and three Shillings, to *Richard Edwards* Esquire, and *Edmund Sawyer* Esquire, two of the Masters of the High Court of *Chancery*, and *John Waple* Esquire, one other of the Masters, and also Accountant General of the said Court; being the Commissioners appointed to examine and state the Claims of the Creditors of the said Royal *African* Company, by an Act of Parliament of the twenty-third Year of the Reign of his present Majesty, for their Trouble, and in Satisfaction of the Expences of executing the said Commission. whereof 1,695 l. 3 s. to be paid to the Commissioners to state the Claims of the Creditors.

XI. And it is hereby further enacted by the Authority aforesaid, That out of the said Sum of one hundred and twelve thousand and one hundred and forty-two Pounds, three Shillings and three Pence, the further Sum of eighty-four thousand six hundred and fifty-two Pounds twelve Shillings and seven Pence, be distributed and paid to the several Creditors mentioned and set forth in the second Schedule to this Act annexed, in the respective Sums and Proportions in the said Schedule mentioned, in full Satisfaction of all and every their Demands. 84,652 l. 12 s. 7 d. to the Creditors set forth in the second Schedule.

XII. And it is hereby further enacted by the Authority aforesaid, That out of the said Sum of one hundred and twelve thousand one hundred and forty-two Pounds three Shillings and three Pence, the Sum of twenty-three thousand six hundred and eighty-eight Pounds fifteen Shillings and five Pence, be paid and divided to and amongst the Persons named in the third Schedule to this Act annexed, in the Sums and Proportions therein mentioned, being such of the Proprietors of *African* transferrable Stock, as were possessed of the same on the thirty-first Day of *December* in the Year of our Lord one thousand seven hundred and forty-eight, the same being computed to be at and after the Rate of ten Pounds *per Centum* on the said Stock, so possessed by them at that Time, in full of all their Right and Title to the same, or any Part thereof. 23,688 l. 15 s. 5 d. to the Persons named in the third Schedule.

XIII. And be it further enacted by the Authority aforesaid, That the Sum of two thousand one hundred and five Pounds twelve Shillings and three Pence, Residue of the said Sum of one hundred and twelve thousand one hundred and forty-two Pounds three Shillings and three Pence, be paid and divided to and amongst the Persons named in the fourth Schedule of this Act annexed, in the Sums and Proportions therein mentioned, being such of the Proprietors of *African* transferrable Stock, as have become possessed of the same since the said thirty-first Day of *December* one thousand seven hundred and forty-eight, being computed 2,105 l. 12 s. 3 d. to the Persons named in the fourth Schedule.

puted to be at and after the Rate of five Pounds *per Centum* on the Stock so possessed by them, in full of all their Right and Title to the same, or any Part thereof.

The old Company to cease,

XIV. And be it further enacted by the Authority aforesaid, That from and after the said tenth Day of *April* one thousand seven hundred and fifty-two, the said Royal *African* Company of *England* shall cease to be a Corporation, and be incapable of doing or exercising any Corporate Act; and all Claims and Demands against the said Company, or any of their Officers, Agents or Servants, or other Person or Persons,

and all Claims on them declared void;

for or in respect of any Debt due, or pretended to be due from, or contracted for or on the Behalf of the said Company, are hereby declared to be null and void; and if any Action, Suit or Process is now depending, or shall hereafter be commenced or prosecuted for any such Claims or Demands as aforesaid, then and in such Case, it shall and may be lawful to plead the General Issue, and give this Act in Evidence in Bar thereto; and if the Plaintiff be nonsuited, or Verdict pass against him, or Judgment be given on Demurrer, the Defendant shall have full Costs.

may plead the General Issue, &c.

Commissioners appointed for two Years, for making out Certificates to the Creditors, &c.

XV. And be it further enacted by the Authority aforesaid, That the said *Richard Edwards* Esquire, and *Edmund Sawyer* Esquire, two of the Masters of the High Court of *Chancery*, and *John Walpe* Esquire, one other of the Masters, and also Accountant General of the said Court, or such other of the Masters of the High Court of *Chancery* as may be hereafter appointed in pursuance of this Act, shall be, and they are hereby, constituted and appointed Commissioners for the making out and delivering Certificates to all and every the Creditors of the said Royal *African* Company of *England*, and the Proprietors of their Stock, in the said Schedules particularly mentioned, and for other the Purposes in this Act contained, for the Space of two Years, to be computed from the first Day of *January* one thousand seven hundred and fifty-two; and the said Commissioners, or any two of them, are hereby impowered and required, with all convenient Speed, to make out under their Hands, or the Hands of two of them, and to deliver, or cause to be delivered, to all and every the Creditors of the said Company mentioned in the second Schedule to this Act annexed, and to the several Proprietors of *African* transferrable Stock mentioned in the third and fourth Schedules to this Act annexed, in respect of the Sums in and by this Act directed to be paid to them respectively, Certificates of what is due or allowed to them respectively as aforesaid, and to take proper Receipts for the same, in full Satisfaction of all their Claims and Demands on the said Company; in which said Certificates, and each and every of them, it shall and may be lawful to and for the said Commissioners to include as many of the said Creditors and Proprietors, whose Demands shall be respectively under the Sum of one hundred Pounds, as they shall think fit; and shall and may make all and every such their respective Certificates in the Name or Names of the Attorney or Attornies of the said Creditors or Proprietors, for their Use; provided such Letters of Attorney shall be executed in the Presence of one or more of the said Commissioners, or in such Manner as they shall direct.

Certificates may include any Number of Creditors, under 100 l.

Creditors dying, or declared Bankrupt, Certificate to be delivered to the Executors or Assignees.

XVI. And be it further enacted by the Authority aforesaid, That in case any of the said Creditors, Proprietors or other Persons, as aforesaid, are now dead, or hath been duly declared Bankrupt, or shall, before the making out and delivering of such Certificates as herein before directed, happen to die, or be duly declared Bankrupt, then the said Commissioners, or any two of them, shall deliver, or cause to be delivered, to the Executors or Administrators of such Creditor, Proprietor or other Person, as aforesaid, so dead or dying, as aforesaid, or to the Assignee or Assignees of the Estate and Effects of such Creditor, Proprietor or other Person, as aforesaid, so declared, or to be declared, Bankrupt as aforesaid, the Certificate or Certificates herein directed to be made out as aforesaid, and to which such Creditor, Proprietor or other Person, as aforesaid, would have been respectively intitled.

Creditors to deliver up on Oath to the Commissioners all Securities.

XVII. And be it further enacted by the Authority aforesaid, That all and every the said Creditors of the said Company, and Proprietors of their Stock, on Receipt of the Certificates herein before directed to be made out and delivered to them respectively, shall and do, upon their respective corporal Oaths, which the said Commissioners, or any two of them, are hereby authorized to administer for that Purpose, produce and deliver up to the said Commissioners, or any two of them, as aforesaid, all and singular the Bonds, Bills, Notes, Receipts or other Securities whatsoever, relating to their respective Debts, which at the Time of the Examination of the Claims of the said respective Creditors by the said Commissioners were produced before them, or which, at the Time of receiving the said Certificates, shall be in the Hands, Custody, Power or Possession of the said Creditors respectively, or of any Person or Persons in Trust for them; which said several Bonds, Bills, Notes, Receipts or other Securities, so to be produced and delivered up as aforesaid, the said Commissioners, or any two of them, are hereby impowered and required forthwith to cancel and destroy, and the said Commissioners are hereby impowered to stop and retain the Certificate or Certificates of such Creditor or Creditors, as shall not deliver up the Securities to their Satisfaction, or as they shall require.

Creditors to attend the Commissioners according to Notice in the London Gazette.

XVIII. And be it further enacted by the Authority aforesaid, That for the Purposes aforesaid, all and every the said Creditors of the said Company, and the said Proprietors of *African* transferrable Stock, or the Executors or Administrators of such of them as are dead, or may hereafter die, or the Assignees of such of them as are or may be duly declared Bankrupt, shall attend the said Commissioners on such Days and Times, and at such Place within the Cities of *London* or *Westminster*, or the Suburbs thereof, as the said Commissioners, or any two or more of them, shall from Time to Time appoint; of which Notice shall be given in the *London Gazette*.

Treasury to pay the Certificates.

XIX. And be it further enacted by the Authority aforesaid, That the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered on Tender to them of the Certificates herein before directed to be made out by the said Commissioners, or any two of them,

them, to issue and pay, or cause to be issued and paid, to the Person or Persons named in the said Certificates, the several Sums in the said Certificates respectively contained.

On Death of Commissioners, others to be appointed.

XX. And be it further enacted by the Authority aforesaid, That in case of the Death of two of the said Commissioners, or of any other Commissioner to be hereafter appointed, by and in pursuance of this Act, such other Master or Masters of the said Court of *Chancery*, as the Lord High Chancellor of *Great Britain* for the Time being, or Lord Keeper of the Great Seal of *Great Britain* for the Time being, or the Lords Commissioners for the Great Seal of *Great Britain* for the Time being, shall from Time to Time nominate for that Purpose, shall be, and he or they is and are hereby constituted and appointed a Commissioner or Commissioners for the Purposes in this Act contained, and the said Commissioners are hereby required to lay Accounts of their Proceedings before the Parliament.

Proceedings to be laid before Parliament.

The Effects of the old Company to be sold,

XXI. And it is hereby further enacted by the Authority aforesaid, That the said Company of Merchants trading to *Africa*, and their Successors, shall and do, and they are hereby required, with all convenient Speed, to sell and dispose of all and every the Goods, Wares and Merchandize of the said Royal *African* Company of *England*, which now are or hereafter shall come to the Hands, Custody or Possession of the said Company of Merchants, their Agents, Officers or Servants, (the Military Stores, Slaves, Canoes and Vessels, in the first Scedule to this Act annexed, excepted) for the best Price that can be got for the same; and that the said Company of Merchants do every Session of Parliament, until the Whole shall be disposed of, lay before both Houses of Parliament an Account of the Disposition of the said Goods, Wares and Merchandize.

and the Account to be laid before Parliament.

Allowances to the Commissioners for making out the Certificates.

XXII. And it is hereby further enacted, That the said Commissioners shall and may take for each Certificate from the Parties obtaining the same, a Sum not exceeding the Rate of two Pounds *per Centum*, upon the Money contained therein, where the Sum shall not be more than one hundred Pounds; and a Sum not exceeding one Pound *per Centum*, where the Money contained therein is above one hundred Pounds, and not exceeding one thousand Pounds; and a Sum not exceeding ten Shillings *per Centum*, where the Money contained therein does exceed one thousand Pounds; which respective Sums, and no more, the said Commissioners shall and may demand and take, in full Recompence for all Trouble and Expences which they, their Clerks, Agents or Servants, shall be at in the Execution of the Powers thereby given them.

Creditors to pay 2 l. per Cent. to Robert Myre, William Mills, and John Leapidge, for soliciting their Debts.

'XXIII. And whereas at a General Meeting of the Creditors of the said Royal *African* Company, held 'the fourth Day of *March* which was in the Year of our Lord one thousand seven hundred and forty-seven, 'the following Creditors, to wit, *Robert Myre* of *London* Merchant, *William Mills* of *London* Merchant, 'and *John Leapidge* of *London* Stationer, with others, were chosen and appointed by the said Creditors to 'solicit a Satisfaction, for the just Debts due and owing to all the Creditors of the said Company: And 'whereas it is just and reasonable that all the said Creditors should contribute to the Charges and Expences 'of such Solicitation, and also to a proportionable Part of the Charges and Expences of obtaining and 'passing the said Act of the last Session of Parliament, and this present Act;' Be it further enacted by the Authority aforesaid, That each and every Creditor of the said Company, whose Name is expressed in the second Scedule to this Act annexed, shall pay to the said *Robert Myre*, *William Mills*, and *John Leapidge*, or one of them, a Contribution at and after the Rate of two Pounds *per Centum*, for or upon the Sum in the said Schedule expressed, to be allowed to him or her respectively, to be by them the said *Robert Myre*, *William Mills*, and *John Leapidge*, applied in Payment of all such Charges and Expences, as they on Behalf of themselves, and the rest of the said Creditors, have been or shall be at in soliciting and obtaining the Satisfaction aforesaid, and in Repayment of all such Contributions as have been heretofore paid by the said Creditors, or any of them, to them the said *Robert Myre*, *William Mills*, and *John Leapidge*, or any of them, and also in Payment of a proportionable Part of the Charges and Expences of obtaining the said Act of Parliament passed the last Session, and of the Charges and Expences of passing this present Act, in such Manner as shall be adjudged and directed by the said Commissioners, or any two of them, in Writing under their respective Hands; and no one of the said Creditors shall have, or be intitled to have, a Certificate of or for his or her said Debt or Claim from the said Commissioners, or any of them, by virtue of this Act, until he or she shall produce to such Commissioners a Note in Writing under the Hands of the said *Robert Myre*, *William Mills*, and *John Leapidge*, or one of them, expressing the Receipt of the said Contribution; and the said *Robert Myre*, *William Mills*, and *John Leapidge*, shall on or before the tenth Day of *May* which shall be in the Year of our Lord one thousand seven hundred and fifty-four, or within three Calendar Months next after all the Contributions aforesaid shall have been paid in as aforesaid (if the same shall be sooner paid) lay and submit an Account thereof, and of their Payments and Disbursements, in Writing under their Hands, before the said Commissioners for their Examination and Allowance; and shall dispose of the Ballance then remaining in their Hands (if any) in such Manner as the said Creditors at a General Meeting to be summoned for that Purpose, by Advertisement in the *London Gazette*, or the major Part in Value of the Creditors present at such Meeting, shall resolve, agree or direct.

Proprietors of transferrable Stock to pay 2 l. per Cent. to be applied in Payment of the Company's Solicitor, &c.

'XXIV. And whereas there is a considerable Sum of Money due to *William Newland*, the Solicitor of 'the Royal *African* Company, for his Fees, Labour and Disbursements in divers Solicitations, for and on 'Account of the said Company, in their general Business since the one and thirtieth Day of *December* one 'thousand seven hundred and forty-nine: And whereas it is just and reasonable, that all the Proprietors of 'the transferrable Stock of the said Company should contribute to a proportionable Part of the Charges 'and Expences of obtaining and passing the said Act of the last Session of Parliament, and also of this 'present Act;' Be it therefore enacted by the Authority aforesaid, That each and every Proprietor of the said Company, whose Names are expressed in the third and fourth Schedules to this Act annexed, shall pay to *John Vaughan* Esquire, *Solomon Ashley* Esquire, *Bibye Lake* Esquire, Captain *Thomas Collett* and *Samuel Exell* Gentleman, or one of them, a Contribution at and after the Rate of two Pounds *per Centum*, for

for and upon the respective Sums in the said respective Schedules expressed, to be payable to the Persons therein mentioned, to be by them the said *John Vaughan* Esquire, *Solomon Ashley* Esquire, *Bibye Lake* Esquire, Captain *Thomas Collett* and *Samuel Exell* Gentleman, applied in Payment of such Sums of Money as are now due to the said *William Newland*, on the Account before mentioned; and in Payment of a proportionable Part of the Charges and Expences of obtaining the said Act of Parliament passed the last Session, and of the Charges and Expences of passing this Act, in such Manner as shall be adjudged and directed by the said Commissioners, or any two of them, in Writing under their respective Hands; and no one of the said Proprietors shall have or be intitled to have a Certificate of or for his or her said Share and Proportion from the said Commissioners, or any of them, by virtue of this Act, until he or she shall produce to such Commissioners a Note in Writing under the Hands of the said *John Vaughan* Esquire, *Solomon Ashley* Esquire, *Bibye Lake* Esquire, Captain *Thomas Collett* and *Samuel Exell* Gentleman, or one of them, expressing the Receipt of the said Contribution; and the said *John Vaughan* Esquire, *Solomon Ashley* Esquire, *Bibye Lake* Esquire, Captain *Thomas Collett* and *Samuel Exell* Gentleman, shall, on or before the tenth Day of *May* one thousand seven hundred and fifty-four, or within three Calendar Months next after all the Contributions aforesaid shall have been paid in as aforesaid, (if the same shall be sooner paid) lay an Account thereof, and of their Payments and Disbursements, in Writing under their Hands, before the said Commissioners, for their Examination and Allowance; and shall dispose of the Balance then remaining in their Hands (if any) in such Manner as the said Proprietors at a General Meeting to be summoned for that Purpose, by Advertisement in the *London Gazette*, or the major Part of them in Value, present at such Meeting shall direct and appoint.

After the Contributions are paid in, an Account thereof, and of the Disbursements, to be laid before the Commissioners.

General Issue.

XXV. And it is hereby further enacted by the Authority aforesaid, That if any Action or Actions shall be commenced or brought against any Person or Persons, for what he or they shall do or cause to be done in pursuance of this Act, then, and in every such Case, such Person or Persons shall and may plead the General Issue, and give this Act and the Special Matter in Evidence; any Law or Usage to the contrary thereof, in any wise notwithstanding.

Publick Act.

XXVI. And be it further enacted by the Authority aforesaid, That this Act shall be taken and deemed to be a Publick Act, and shall be judicially taken notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

The

The First SCHEDULE *referred to in this* ACT.

An ACCOUNT of the Castle Slaves, Canoe Men, Military Stores, Canoes and Vessels belonging to the Royal *African* Company of *England*, at their several Forts on the Coast of *Africa*, according to the Surveys made by the Order of *Thomas Pye*, Esquire, Commander of his Majesty's Ship *Humber*, in the Year 1749.

Names of Forts	Castle Slaves	N°	Guns	Pound.	Where mounted.	Shot.	N°	Powder	Muskets.	N°	Military Stores	N°	Vessels.	N°
Cape Coast Castle.	Carpenters —	10	12	12	On the Platform.	Differ Sizes.	4616	3000lb damaged.	Muskets--	23	Bayonets —	23	Lively Schooner	
			2	9					At Queen Ann's Point.	4	Swords---	19	A Launch —	
	Blacksmiths--	7	10	3							Cartouch Boxes	2	Seventeen hand Canoe	1
			5	1							Halberts —	6		
	Armourers —	3	4	9	On the S. E. Bastion.						Bells---	26		
	Brickmakers-	3	2	6							Drums---	6	13 hand D°	1
	Bricklayers —	9	2	9	On the S. W. Round Bastion.						Daggers —	2	11 hand D°	1
				6							Partizans--	2	9 hand D°	1
	Gunner —	1	4	6	On the N. W. Bastion.								5 hand D°	1
	Goldsmiths —	3	5	6										
	Slaves Cooks	2	5	1	On the N. E. Bastion.									
			1	3										
	Chief Cooks-	3												
			3	9										
	Doctors Servants	2	2	6	On Greenhill Point.									
	Coopers —	3	1	4										
			2	3										
	Chapel Servants	7												
			1	6	Brass on the Parade.									
	Gold-takers-	2												
			3	4	In the Spur unserviceable.									
	Men —	137	1	3										
	Canoe Men--	20	1	3	Brass on the Lieutenants Room.									
	Women —	79												
			3	12	At Fort Royal dismounted and nailed up.									
	Children —	76												
			2	9										
			3	6										
			1	2	At Phipps Tower, Carriages broke, &c.									

Commenda.			7	3	S. W. Bastion.	From 9 Pounders to 2 Pounders	800	390 lb.	Muskets--	6	Granado Shells	42	13 hand Canoe	1
	Bomb Boy —	1	2	4					Bayonets —	6			7 hand D° —	1
			2	2					Cartouch Boxes	10	Formers —	6	5 hand D° —	1
	Sawyers —	10	3	3	S. E. Bastion.				Buckaneer Guns	9	Copper Ladles	2	3 hand D° —	1
	Women —	6	2	6					Danes Guns	30	Swords---	6		
			1	4							Fathom 2½ in Rope	30		
	Children —	5									Lead Ball —	538 lb.		
			1	9							Gun Flints	347		
			2	4							Iron Bars--	3		
			3	3										

Names of Forts.	Castle Slaves.	N°	Guns	Pound.	Where mounted.	Shot.	N°	Powder	Muſquets.	N°	Military Stores.	N°	Veſſels.	N°
Succondee.	Men	5	1	9	N. Baſtion.	From 2 Pounders to 6 Pounders.	360	none.	Muſquets	6	Powder horns	2	11 hand Canoe	1
			3	4									3 hand D°	1
	Women	2	2	3							Priming wires	13		
			3	4										
	Children	3			W. Baſtion.						Braſs Ladles	2		
			1	5							Worms	7		
			2	4								Fathom		
			1	2	S. Baſtion.						Country Match	40		
			3	3										
			7	2	E. Baſtion.						Cochorn	1		
			2	4							Bayonets	6		
			3	6							Swords	6		
			1	9	N E. Curtain.									
			1	5										
Dick's Cove.	Sawyers	4	8	3	S. Platform.	Differt Sizes from 3 Pounders to 6 Pounders	150	104 lb.	Muſquets	6	Copper Ladles	2	5 hand Canoes	3
	Carpenters	4	1	4									2 hand D°	6
	Smiths	4	3	3	N. E. Baſtion.						Worms	6		
	Maſons	2	2	6							Formers	3		
	For all Uſes	43	5	4	S. W. Baſtion.						Match	50 lb.		
			2	4	S. E. Baſtion.						Muſquet Balls	3		
	Sick	5	Swivel	10	S. W. Platform.						Swords	6		
			3	4	N. W. Baſtion.						Bayonets	6		
											Cartouch Boxes	6		
											Halbert	1		
Tantumquerry.	Men	6	2	4	S. E. Baſtion.	From 1 Pounder to 9 Pounders	241	3 C. wt.	Dan. Guns	6	Granadoes	30	None.	
			1	1					Cutlaſſes	3	Copper Ladles	1		
	Women	4	1	9	S. W. Baſtion.						Worms	5		
			3	4								Fathom		
			2	4	N. E. Baſtion.						Country Match	20		
			2	1							Powder Horn	1		
			1	4	S. W. Baſtion.									
			1	4										
			1	2										
			1	1										
			2	4	Unſerviceab. in the Tower. N. B. All hardly fit for Uſe.									
			1	4										
Winnebah.	Men	8	2	3	S. E. Baſtion.	From 3 Pounders to 6 Pounders	197	2 C. wt.	Muſquets with Bayonets and Slings	5	Hand Granadoes	8	None.	
			1	4							All Sorts of Military Stores wanting			
	Women	5							Swords					
			1	8										
			1	6	S. W. Baſtion.									
			2	4										
			1	8	N. E. Baſtion.									
			1	3										
			1	4										
			3	3	N. W. Baſtion.									
			2	3	Platform.									
			2	1	Over the Gate.									

Accra

Names of Forts.	Castle Slaves.	N°	Guns.	Pound.	Where mounted.	Shot.	N°	Powder	Musquets.	N°	Military Stores.	N°	Vessels.	N°
Accra.	Men	7	3	6	N. W. Bastion.	From 1 Pounder to 9 Pounders	600	5 C. wt	Musquets	6	Hand Granadoes	50	7 hand Canoe	1
			1	9									5 hand Ditto	1
	Women	15	2	4							Spunges	3	3 hand Ditto	1
	Children	4	2	6	N. E. Bastion.						Worms	8		
			3	4							Copper Ladles	1		
	Conoe Men	6												
			1	9	S. W. Bastion.									
			3	4										
			2	3	S. E. Bastion.									
			2	4										
			8	6	Platform.									
			6	3										
Wbydah.	Men	33	7	3	S. W. Bastion.	From 2 Pounders to 9 Pounders	380	240 lb.	Musquets	56	Copper Ladles	6	1 Eleven hand Canoe, bad.	1
	Women	46	2	4					Blunderbusses	5	Worms	2		
			2	2										
	Children	27												
			3	3	S. E. Bastion.									
			2	6										
	Canoe Men	12	1	4										
			1	9										
			2	4	N. E. Bastion.									
			3	3										
			7	3										
			2	6	N. W. Bastion.									
			2	4										
			1	4	Parade.									
James Island, Gambia.	Sawyers	4	5	6	N. W. Bastion, one of the 4 Pounders out of Repair.	Of several different Sizes.	900	Barrels. N° 12, Musquet Cartridges filled, 200.	Musquets in very bad Repair	48	Match	0	Sloops, 20 Tons each and 5 Guns	2
	Carpenters	4	2	4							Hand-spikes	17	Long Boats	4
											Rammer-heads	9	Canoes	6
	Smiths	4	4	6	N. E. Bastion.				Coehorns	2	Cordage	0		
											Iron Crows	0		
	Masons	2	5	6	S. E. Bastion the 4 Pounders very bad, and 2 Guns wanting.									
	For all Uses	43	1	4										
	Sick	5	5	6	S. W. Bastion, 1 Gun wanting.									
			1	4										
			4	24	N. Half Moon.									
			1	12										
			3	9	W. Half Moon.									
			2	24										
			15	0	Swivels unmounted.									
			8	0	Not fit for Use.									

N. B. *The Gun Carriages in good Repair, the Trucks most of them Iron; but in want of all Military Store, except what is mentioned under that Article.*

The Second SCHEDULE *referred to in this* ACT.

	l.	s.	d.	
To *George Arnold* Esquire, and Company, the Sum of 1321 *l.* 15 *s.* and also the Sum of 500 *l.* making together the Sum of —— —— —— —— —— ——	1821	15	0	&c.

The Third SCHEDULE *referred to in this* ACT.

	STOCK. l.	s.	d.	The Sum of l.	s.	d.	
To *John Ash* of *Alderbroke*, for —— —— —— ——	6	17	6	0	13	9	&c.

The Fourth SCHEDULE *referred to in this* ACT.

	STOCK. l.	s.	d.	The Sum of l.	s.	d.	
To *Solomon Ashley*, Esq; *James-street*, *Westminster*, for —— ——	350	0	0	17	10	0	&c.

CAP. XLI.

An Act for annexing certain Forfeited Estates in *Scotland* to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same; and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of *Scotland*, and preventing Disorders there for the future.

20 Geo. 2. c. 41. 'WHEREAS by an Act made in the twentieth Year of his Majesty's Reign, (intituled, *An Act for vesting in his Majesty the Estates of certain Traitors; and for the more effectually discovering the same; and applying the Produce thereof to the Use of his Majesty; and for ascertaining and satisfying the lawful Debts and Claims thereupon)* it is (among other Things) enacted, That in case his Majesty, his Heirs and Successors, shall not make effectual Provision for the Payment and Satisfaction of all such Debts and Claims upon the Estates Real and Personal, by the said Act vested in his Majesty, as shall be decreed to be just and lawful, in the Manner by the said Act directed, within the Space of twelve Months after the same shall be respectively adjudged, then it shall be lawful for the Barons of the Court of *Exchequer* in *Scotland*, or any three of them, and they are thereby required to sell, or cause to be sold, so much of the Estates of the attainted Persons, as they shall judge necessary to be sold for Satisfaction of the Debts and Claims affecting the same, and apply the Money arising by the Sale thereof respectively, in Discharge of the several Debts or Claims to which they shall be adjudged to be liable: Provided nevertheless, That if his Majesty, his Heirs or Successors, shall, after the Expiration of the said Time, make effectual Provision for the Payment or Satisfaction of all the Debts or Claims upon any such Estate, and shall, before the same is sold, by Warrant or Warrants under his or their Sign Manual, at any Time or Times, direct any such Estates not to be sold, then the said Barons shall not proceed in the Sale of any Estates so prohibited

20 Geo. 2. c. 50. to be sold: And whereas by another Act of the twentieth Year of the King, (intituled, *An Act for taking away the Tenure of Ward-holding in* Scotland, *and for converting the same into Blanch and Feu-holdings; and for regulating the Casualty of Non-Entry in certain Cases; and for taking away the Casualties of single and Life-Rent Escheats incurred there, by Horning and Denunciation for Civil Causes; and for giving to Heirs and Successors there, a summary Process against Superiors; and for discharging the Attendance of Vassals at Head Courts there; and for ascertaining the Services of Tenants there; and for allowing Heirs of Tailzie there, to sell Lands to the Crown for erecting Buildings, and making Settlements in the Highlands)* upon a Recital that it hath been, and may be found necessary for the Publick Service to erect Buildings, and make Settlements in certain Places in the Highlands of *Scotland*; it is enacted, That it shall and may be lawful for any Person who is seized in, or possessed of, a Tailzied Estate in *Scotland*, to sell, dispone or resign, *ad perpetuam remanentiam*, any Part thereof, which his Majesty, his Heirs and Successors, shall think fit to purchase, for erecting of Buildings, or making Settlements within the same: And by one other Act of the same

20 Geo. 2. c. 51. Year of the King, (intituled, *An Act to enlarge the Time limited by an Act of the last Session of Parliament, for restraining the Use of the Highland Dress, and to enable Heirs of Tailzie, Guardians, Tutors, Curators, and Trustees in* Scotland, *to sell Lands to the Crown)* upon a Recital that it may be necessary for the Preservation of the publick Peace, and the further civilizing of the Inhabitants of the Highlands of *Scotland*, that Lands should be purchased there by his Majesty, his Heirs or Successors, which Lands may be subject to strict Tailzie, or belong to Infants, Pupils, Minors, Ideots, Lunaticks, fatuous or furious Persons; it is enacted, That it shall and may be lawful for any Person who is seized in, or possessed of, a Tailzied Estate in *Scotland*, or for any Guardian, Tutor, Curator or Trustee of an Infant, Pupil, Minor, Ideot, Lunatick, fatuous or furious Person, to sell, dispose or resign, *ad perpetuam remanentiam*, the Whole or any Part of such Tailzied Estate, or the Estate of such Infant, Pupil, Minor, Ideot, Lunatick, fatuous or furious Person, which his Majesty, his Heirs or Successors, may think fit to purchase for the Purposes aforesaid; which Lands so purchased shall remain in his Majesty, his Heirs and Successors, unalienable for ever, except as to the Power of granting Leases for seven Years, with a Diminution of a fifth Part of

'the

'the usual Rent only: And whereas to prosecute more effectually the good Purposes intended by the said 'in part recited Acts, in order to strengthen the Foundations of the future Tranquillity of this Kingdom, 'it is necessary that some farther Provisions and Regulations be made;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this Parliament assembled, and by the Authority of the same, That all and every the Lands, Lordships, Baronies, Patronages, Tithes, Fishings, and other like Heritages, which became forfeited to his Majesty by the Attainder of the several Persons after named of High Treason, for their being engaged in the late unnatural and wicked Rebellion, and which were vested in his Majesty by the above-mentioned Act of the twentieth Year of his Reign; that is to say, the Lands and other Premisses which became forfeited by the Attainder of *Simon* late Lord *Lovat*; *John Drummond*, taking upon himself the Stile or Title of Lord *John Drummond*, Brother to *James Drummond*, taking on himself the Title of Duke of *Perth*; *George* late Earl of *Cromarty*; and *Archibald M'Donald*, Son of *Col M'Donald* of *Barrisdale*; as the same Lands, Lordships, Baronies, and other Premisses, are more particularly enumerated and described in the Title-deeds, Rights and Infeoffments of the said attainted Persons, or their Predecessors, or in the Surveys already taken, or hereafter to be taken thereof, by the Barons of *Exchequer* in *Scotland*, in pursuance of the Powers given to them by the aforesaid Act of the twentieth Year of the King, by which the said Forfeited Estates were vested in his Majesty, shall, together with all the Parts and Pertinents of the same, from and after the twenty-fifth Day of *December* one thousand seven hundred and fifty-two, be, and be deemed to be, annexed to the Imperial Crown of this Realm, and shall be and remain for ever unalienable from the same; and all Grants, Charters, or other Rights, made or to be made, or granted, of all or any of the said Lands, Baronies, and other Premisses, by his Majesty, his Heirs or Successors, excepting as is herein after excepted, shall be void to all Intents and Purposes.

Certain Forfeited Estates annexed to the Crown unalienably.

II. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to take away any Right, Title or Benefit whatsoever, which any Person or Persons are, shall or may be intitled to, in virtue of any Claim or Claims that have been, or shall be duly entered in the Court of Session in *Scotland*, pursuant to the aforesaid Act, or in virtue of any Decree or Decrees that hath been or shall be made upon such Claims.

Right of Claims not injured.

III. And to the End that Payment may be made to the just and lawful Creditors on the Forfeited Estates hereby annexed to the Crown, so far as the Value of such Lands and Premisses, whereupon such Claims shall have been sustained, shall respectively extend, and no further; Be it enacted by the Authority aforesaid, That Actions may be brought before the Court of Session, in the Name of his Majesty's Advocate, against such Creditors, which shall and may be served against the Defendants, under the general Description of the Claimants upon such Estates, by one Edictal Citation, upon thirty Days Notice, to be affixed on the Walls of the Inner and Outer House of the Court of Session where the Rolls of Causes in that Court are usually affixed, in order to have the Value of such Forfeited Estates ascertained, upon a Proof brought before the said Court of the Rental and Value thereof; and in every such Action it shall and may be lawful for the Creditors on the said Estates to bring a joint Proof, and the said Lords of Session are hereby authorized and required to proceed in valuing the said Estates summarily, in setting which Valuation Regard shall be had to the ordinary Rates, at which like Lands and Estates have been sold in the same County; and the said Lords of Session shall thereafter, without Loss of Time, certify to the Barons of Exchequer in *Scotland*, the Amount of the several Claims on such Forfeited Estates, with the Value of the Lands and Real Estate, upon which respectively the Claimants are just and lawful Creditors; and in such Cases where the Claims that have been sustained exceed the Value of the Lands and other Premisses out of which they ought to be paid, that the said Lords of Session shall at the same Time certify the Order of Preference by which the said Claims ought to be paid, to the Extent of the Value that shall be certified as aforesaid; and the said Barons of Exchequer are hereby authorized and required to transmit such Certificate or Certificates to the High Treasurer, or Commissioners of the Treasury for the Time being; and upon such Certificate or Certificates being made and transmitted, the Creditors respectively shall be paid out of the then next Aids to be granted in Parliament, according to the Order of Preference specified in such Certificate; so that the Sum to be paid to the Creditors upon each of the said Estates shall not exceed the Value of such Estate certified as aforesaid.

Satisfaction to be made to Creditors, so far only as the Value of such Lands.

IV. Provided always, That out of the Value to be certified as aforesaid, it shall and may be lawful, in the first Place, to deduct or retain the Expence that shall have been laid out by the Agents for the Crown, in raising and prosecuting the Actions of Valuation and Ranking, and adjusting the Schemes of Division of the Value among the Creditors, as the same shall have been taxed and settled by the said Court of Session.

Expences of the Agents for the Crown to be paid.

V. And be it further enacted by the Authority aforesaid, That every such Decree of the Court of Session concerning the Valuation of such Estates, or the Ranking or Order of Preference of the Creditors thereon, shall be final and binding upon all Persons concerned, in case thirty Days, on any of which such Proceedings as are usual and competent by the Laws of *Scotland* for reversing or amending such Decrees may be had, shall elapse without such Proceedings being had, made or commenced by either Party.

Decrees concerning such Valuation to be final.

'VI. And whereas, in such Cases, wherein the Claims upon the Lands, and other Premisses hereby 'annexed, shall clearly fall short of the Value of such Lands and Premisses upon which respectively they 'shall have been entered and sustained, it will not be necessary to raise and prosecute Actions of Valuation 'and Ranking in the Manner before prescribed;' Be it therefore enacted by the Authority aforesaid, That in every Case where the total Claims upon any Estate or Estates shall not exceed twenty Years Purchase, of the clear surveyed Rental, returned into the Court of Exchequer, of such Estate or Estates, the said Lords

Where the Claims do not

exceed 20 Years Purchase, the same to be certified;

and the Creditors to be paid out of the next Aids.

Lords of Session are hereby authorized and required to certify to the Barons of Exchequer the Amount of the Claims sustained upon such Estate or Estates, which do not exceed the Value as aforesaid; and the said Barons of Exchequer are hereby authorized and required to transmit such Certificate or Certificates, and also the clear annual Value of such Estate, appearing by such surveyed Rental as aforesaid, to the High Treasurer, or Commissioners of the Treasury for the Time being; and upon such Certificate or Certificates being transmitted, the Creditors respectively, whose Claims shall have been sustained, shall be paid out of the then next Aids to be granted in Parliament.

'VII. And whereas certain other Lands and Estates became vested in his Majesty by virtue of the before 'mentioned Act of the twentieth Year of his Reign, and the Attainder of High Treason of the Persons 'following, namely, *Donald Cameron* of *Lochiel*, *Charles Stuart* of *Ardsheil*, *Donald M'Donald* of *Kenloch* 'Moydart, *Evan M'Pherson* of *Clunie*, *Francis Buchanan* of *Arnprior*, *Donald M'Donald* of *Lochgary*, 'Allan Cameron of *Callart*, *Francis Farquharson* of *Monaltry*, and *Alexander M'Donald* of *Keppoch*; which 'Lands and Estates were holden of Subject Superiors, who have entered Claims in the Court of Session to 'the Property thereof. And whereas it would be highly conducive to the good Purposes intended by this 'Act, that the said Lands and Estates should remain with his Majesty, his Heirs and Successors:' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, his Heirs and Successors, by proper Persons to be appointed for that Purpose, under his or their Sign Manual, to transact or compound with such Subject Superiors, or any of them, concerning their Claims to the Property of the said forfeited Estates held of them respectively, and also to treat and agree with the said Subject Superiors for the Purchase of the Superiority of the said Lands and Estates, and that the agreed Prices of such Superiorities, and also the Sums to be paid by way of Composition for such Claims of Property, shall be from Time to Time certified by the Persons authorized to treat for the same on the Part of the Crown, to the High Treasurer, or Commissioners of the Treasury, for the Time being.

Power to purchase the Superiority of all other Estates holden of Subject Superiors,

Where the Superiority was subject to a strict Tailzie, the Purchase-money to be laid out.

VIII. Provided always, That in every Case where such Superiority was subject to a strict Tailzie, the Monies to be paid as the Price thereof shall be laid out and settled in the Manner directed by the beforementioned Act of the twentieth Year of the King for enabling Heirs of Tailzie, and others in *Scotland*, to sell Lands to the Crown.

Lands held of Subjects to be vested in Trustees.

IX. And be it further enacted by the Authority aforesaid, That in case the Property of any of the said Lands or Estates so claimed by such Subject Superiors as aforesaid, shall be finally determined to be forfeited to his Majesty, or such Subject Superior shall be agreed or compounded with for such Claim in Manner herein before mentioned; then and in either of the said Cases, until such Superiorities shall be purchased as aforesaid, it shall and may be lawful to his Majesty, his Heirs and Successors, to vest, in such Manner as shall be agreeable to the Laws of *Scotland*, the said Lands and Estates held of Subject Superiors, or such Parts of the Lands and other the Premisses herein before annexed to the Crown, as shall appear to have been formerly held of Subject Superiors, in one or more Trustee or Trustees, their Heirs and Successors, to be renewed from Time to Time by his Majesty, his Heirs and Successors, and which Trustee and Trustees, their Heirs and Successors, shall, according to the Forms of the Law of *Scotland*, be from Time to Time entered and received Vassals in the Lands, and other the Premisses by the respective Superiors thereof, and shall hold the same in Trust for the Uses and Purposes of this Act; and the said Lands and Estates, with all the Rents, Issues and Profits thereof, shall be disposed, and applied to the Uses and Purposes in this Act mentioned, and to none other, and shall be under the same Management, and subject to the same Rules, Orders and Directions, and the same Provisions for Payment of the lawful Debts thereon shall take place, that are by this Act made concerning the other Lands and Estates hereby annexed to the Imperial Crown of this Realm.

and to be applied as this Act directs.

Heirs of such Trustees not to incur the Passive Titles, &c.

X. Provided always, That the Heirs of such Trustee or Trustees, by making up Titles to such Trust Estates, shall not incur the Passive Titles, nor represent their Predecessors universally; any Law or Custom to the contrary notwithstanding.

Trustees may be changed.

XI. Provided also, That his Majesty, his Heirs and Successors, may change such Trustees, at his or their Pleasure, and present new ones from Time to Time, who shall be received by the immediate Superiors respectively for the Time being, without Payment of a Year's Rent, or any other Composition.

Such Superiorities as shall be forfeited,

or purchased, to be annexed unalienably to the Crown.

XII. And be it further enacted by the Authority aforesaid, That whensoever the Property of any of the Lands or Estates so claimed by any Subject Superior, shall have been finally determined to be forfeited to his Majesty, or such Subject Superior shall have been agreed or compounded with for the same as aforesaid; and also the Superiority of such Lands shall have been purchased by his Majesty, his Heirs or Successors, then the Lands and Estates, whereof the Superiorities are so purchased, shall both Property and Superiority be from that Time annexed to the Imperial Crown of this Realm, and shall remain for ever unalienable from the same.

'XIII. And whereas the Barony of *Strowan*, and other the Lands, Tenements and Hereditaments 'which formerly belonged to *Alexander Robertson* of *Strowan*, now deceased, became forfeited to the 'Crown, by Decree or Sentence of Forfeiture past in the Parliament of *Scotland* in the Year one thousand 'six hundred and ninety, and now belong to and remain the Property of his Majesty;' Be it further enacted by the Authority aforesaid, That the said Barony and Lands be and are hereby annexed to the Imperial Crown of this Realm, and shall be and remain for ever unalienable from the same, and the lawful Debts thereon shall be paid in the same Manner as is provided concerning the Lands and Premisses beforementioned.

The Barony of Strowan annexed to the Crown. Debts thereon to be paid.

The Rents of the said Estates how to be applied,

XIV. And be it further enacted by the Authority aforesaid, That the clear Rents and Produce of the Lands and Estates hereby annexed to the Crown, or directed to be held in Trust as aforesaid, shall be applicable in the Manner herein after mentioned, or in such other Manner as his Majesty, his Heirs or Successors

ceſſors ſhall from Time to Time, by Warrants under his or their Sign Manual, be pleaſed to direct, to the Purpoſes of civilizing the Inhabitants upon the ſaid Eſtates, and other Parts of the Highlands and Iſlands of *Scotland*, the promoting amongſt them the Proteſtant Religion, good Government, Induſtry and Manufactures, and the Principles of Duty and Loyalty to his Majeſty, his Heirs and Succeſſors, and to no other Uſe or Purpoſe whatſoever.

Commiſſioners to be appointed by the Crown.

XV. And to the end that the ſaid Lands and Eſtates may be managed, and the Produce thereof applied in the moſt beneficial Manner for the Ends and Purpoſes aforeſaid; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, by Commiſſion under the Privy Seal of *Scotland*, to authorize and impower ſuch Perſon or Perſons as his Majeſty, his Heirs and Succeſſors ſhall think fit, from Time to Time, to be Commiſſioners and Truſtees for managing the ſaid Eſtates, and applying the Produce thereof for the Ends and Purpoſes appointed by this Act.

Without Salary.

XVI. Provided always, and be it enacted by the Authority aforeſaid, That no Commiſſioner to be appointed for executing the Truſts in this Act as aforeſaid, ſhall receive any Fee, Salary, Penſion or Reward for the ſame.

Commiſſioners may grant Leaſes.

XVII. And be it further enacted by the Authority aforeſaid, That the Commiſſioners to be appointed as aforeſaid, ſhall have Power to grant Leaſes of the ſaid Eſtates, or any Part thereof, for any Term not exceeding twenty-one Years; or if the Leſſee ſhall enter into proper Covenants to lay out upon the Premiſſes any Sum not leſs than five Years Rent, in Buildings or other Improvements, within the Space of ſeven Years from the Date of ſuch Leaſe, then, and in ſuch Caſe, and upon ſuch Condition, for any Term not exceeding forty-one Years; all which Leaſes ſhall be ſubject to the Proviſions, Conditions and Limitations herein after mentioned, and ſuch other as his Majeſty, his Heirs and Succeſſors ſhall, from Time to Time, by his or their Sign Manual, direct and appoint.

Condition of the Leaſes.

XVIII. Provided always, That upon every ſuch Leaſe there ſhall be reſerved not leſs than three Fourths of the real annual Value of the Premiſſes ſo let; and that every Leaſe to be granted by ſuch Commiſſioners, ſhall contain a Clauſe for making the ſame void, in caſe the Leſſee or his or her Heirs ſhall aſſign or let the Premiſſes, or any Part thereof, to any other Perſon, or ſhall ſuffer the ſame to be adjudged at the Suit of any Creditor, or ſhall not occupy, cultivate and be reſident upon the Premiſſes, or ſhall pay or cauſe to be paid, directly or indirectly, to or for the Uſe of any Perſon or Perſons whatſoever, any Gratuity or Fine, or any annual Rent or Preſtation, for or in Conſideration of his obtaining or holding the Lands or other Premiſſes comprehended in ſuch Leaſe, other than the Rent in ſuch Leaſe expreſſed and covenanted to be paid to the ſaid Commiſſioners for the Purpoſes in this Act directed.

Leaſes void, unleſs the Leſſee take the Oaths.

None to hold Lands above the Rent of 20 l.

XIX. Provided alſo, That every ſuch Leaſe ſhall be abſolutely void, unleſs the Leſſee ſhall, before the making thereof, have taken the Oaths requiſite by Law to qualify Perſons to execute Offices of publick Truſt in *Scotland*, at the Quarter-Seſſions of the County where the Premiſſes lie, or before the Sheriff Depute, or his Subſtitute; and that no Perſon ſhall be capable of taking or enjoying, directly or indirectly, any Lands or Tenements, other than Mines or Fiſhings, by virtue of ſuch Leaſe or Leaſes, of greater annual Rent than twenty Pounds at the utmoſt.

Commiſſioners may ſue for the Rent, and Breach of Covenant.

XX. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall and may have Power and Authority to bring Actions in their own Names, either in the Court of Seſſion or Sheriffs Court, not only for Payment of the Rents into the Hands of the Factors appointed for levying the ſame, but alſo for Breach and Non-performance of the ſeveral Covenants contained in the Leaſes, under which the Lands ſhall be poſſeſſed.

Commiſſioners with Approbation of the Treaſury may appoint Receivers.

XXI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall and may have Power, by and with the Approbation of the High Treaſurer, or Commiſſioners of the Treaſury for the Time being, to appoint Stewards, Receivers or Factors on the ſaid Eſtates, with an Allowance not exceeding five Pounds *per Centum* of the Rental, who ſhall be bound reſpectively, with one or more ſufficient Surety or Sureties, in a Sum not leſs than two Years Rent of the Eſtate to be put under their Collection, to account to the ſaid Commiſſioners for the full Rents of ſuch Eſtates, and to pay in the clear Reſidue thereof to his Majeſty's Receiver General of the Crown Rents and Caſualties in *Scotland*, after Deduction and Allowance of the publick Burthens and neceſſary Charges of Management; and upon their ſo accounting and paying in the Reſidue of the Rent as aforeſaid, the ſaid Commiſſioners are hereby impowered to grant Acquittances or Diſcharges to ſuch Factors from Time to Time.

Factors to be appointed.

XXII. Provided always, That the ſaid Commiſſioners ſhall have Power to appoint Perſons to officiate as Factors in the Interim, until the Factories granted by them ſhall be approved or diſapproved of by the High Treaſurer or Commiſſioners of the Treaſury as aforeſaid.

Penalty on Factors taking any Gratuity.

XXIII. And be it further enacted by the Authority aforeſaid, That if any Steward, Receiver or Factor on the ſaid Eſtates, ſhall, during the Continuance of his Office, by himſelf or by any other Perſon whatever on his Account, directly or indirectly take, accept or receive from any of the Tenants or Poſſeſſors of ſuch Eſtates, any Money, Gift, Preſent, Service or other Gratuity whatſoever, to the Uſe of ſuch Factor, he ſhall incur the Penalty of fifty Pounds Sterling, *toties quoties*, one Moiety thereof to the Uſe of his Majeſty, and the other to any Perſon who ſhall ſue for the ſame, to be recovered by ſummary Petition or Complaint, upon fifteen Days Notice before the Court of Seſſion, or before the Sheriff's Court of the County.

Commiſſioners with Approbation of the Treaſury, may appoint Clerks, &c. and cauſe Survey to be made.

XXIV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall be, and are hereby impowered, by and with the Approbation of the High Treaſurer, or of the Commiſſioners of the Treaſury for the Time being, to appoint Clerks and other neceſſary Officers, with proper and reaſonable Salaries: And that the ſaid Commiſſioners ſhall cauſe ſuch Lands to be ſurveyed, and proper Plans to be made thereof, ſetting forth the Extent and different Qualities of the Grounds, the ſeveral Advantages

vantages and Diſadvantages ariſing from their Situation, and what Improvements may be made upon the ſame; which, with all other their Proceedings, ſhall be entered in Books to be by them kept for that Purpoſe, and a faithful Abſtract thereof ſhall by them be reported annually, or oftner if required, to the High Treaſurer, or the Commiſſioners of the Treaſury for the Time being, who ſhall cauſe Copies of ſuch Reports to be laid before both Houſes of Parliament in every Seſſion.

Where Eſtates comprehend whole Pariſhes, the Crown may divide the ſame into more Pariſhes; with a Stipend to the Miniſter.

XXV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, where any one or more of the Eſtates aforeſaid comprehend whole Pariſhes, belonging in Property to the Crown, which they ſhall judge to be of too large an Extent to be under the Charge of one Miniſter, to divide ſuch Pariſhes into two or more, by Warrant or Grant to be paſſed under the Privy Seal of *Scotland*, which ſhall preſcribe the Bounds of the new erected Pariſhes, and grant competent Proviſions to the Miniſters of ſuch Pariſhes, to be paid out of the preſent Maintenance for the Miniſter of the old Pariſh, and the Remainder out of the Rents of the ſaid Eſtates, but ſo as the Stipend to be ſettled on one Miniſter ſhall not exceed fifty Pounds Sterling *per Annum*, in Money or Value; and upon Production of ſuch Grant before the Commiſſioners for Plantation of Kirks and Valuation of Tythes, they are hereby required and impowered to interpoſe their Authority thereto, in ſuch Manner as to render the Proviſion thereby made effectual to the Miniſters ſerving the Cure in ſuch new erected Pariſhes.

Patronage of ſuch new Pariſhes to belong to the Crown, &c. Reſervation of Tithes, &c.

XXVI. Provided always, That the Patronage of ſuch new erected Pariſhes, whereof the Stipend ſhall be wholly, or the greater Part thereof paid out of the Rents of the ſaid Eſtates, ſhall belong to and for ever remain united to the Crown; ſaving and reſerving to all Perſons their Rights and Titles to the Tythes of ſuch old Pariſhes, and to the Patronage of the diſjoined or new Pariſhes to the Miniſter whereof the old Stipend ſhall be allocated, as the whole or greater Part of his Proviſion; and alſo ſaving and reſerving to the Incumbent for the Time being, when ſuch Diviſion or new Erection ſhall be made during his Incumbency, the Stipend or Maintenance he ſhall then be poſſeſſed of, although the ſame ſhould exceed fifty Pounds Sterling in Money or Value.

The new Erections of ſuch Pariſhes, in which other Perſons have an Intereſt, to be ſettled.

'XXVII. And whereas it may happen that other Perſons may have Intereſt or Property in ſome of the 'Pariſhes which his Majeſty, his Heirs or Succeſſors, may judge proper to be divided;' Be it enacted by the Authority aforeſaid, That all ſuch new Diviſions or Erections of Pariſhes, in which other Perſons beſides his Majeſty ſhall have an Intereſt, either as Heretors, Patrons or Titulars of the Tythes in the Pariſh or Pariſhes to be diſjoined, or in the new Pariſh to be erected, ſhall be made by Authority of the Court of Commiſſion for Plantation of Kirks and Valuation of Tythes in *Scotland*, upon an Action to be raiſed and purſued in the Name and at the Inſtance of his Majeſty's Advocate for *Scotland*, and which he is hereby enabled to raiſe and carry on, whether any of the other Heretors who have an Intereſt in the ſaid Diſjunction and new Erection ſhall conſent or not, and which Court of Commiſſion ſhall have Power, and is hereby required to ſettle and determine, according to the Rules of Law and Juſtice, all ſuch Queſtions, Debates and Controverſies as may ariſe touching the ſaid new Erections; and every ſuch Decree of the ſaid Court of Commiſſion ſhall be final and binding upon all Parties concerned, in caſe thirty Days, on any of which ſuch Proceedings as are uſual and competent by the Laws of *Scotland* for reverſing or amending ſuch Decrees may be had, ſhall elapſe, without ſuch Proceedings being had, made or commenced by any of the Parties therein concerned.

Crown may erect Schools;

XXVIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, to erect publick Schools on the ſaid Eſtates, or in other Parts of the Highlands or Iſlands of *Scotland*, for inſtructing young Perſons in reading and writing the *Engliſh* Language, and in the ſeveral Branches of Agriculture and Manufactures, and to erect Houſes for the Reception of ſuch young Perſons, and for carrying on ſuch Manufactures by them, and for the accommodating ſuch Maſters as ſhall be appointed by the ſaid Commiſſioners to inſtruct and teach them, and to apply ſuch Parts of the Produce of the ſaid Eſtates as ſhall be neceſſary for erecting ſuch Schools, providing competent Salaries for ſuch Teachers, and for the cloathing and maintaining ſuch young Perſons, and for ſupplying ſuch Schools with Utenſils and Materials for Agriculture and Manufactures, and for the raiſing of Flax, and for ſuch other like Uſes as by his Majeſty, his Heirs or Succeſſors, ſhall be thought proper for promoting the Purpoſes aforeſaid.

and impower the Commiſſioners to allot or purchaſe Lands to the Uſe thereof;

XXIX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, to impower the ſaid Commiſſioners to allot Portions of Land out of the ſaid Eſtates to the Uſe of ſuch Schools as may be erected on the ſaid Eſtates, or to apply ſuch Part of the clear Rent of ſuch Eſtates as his Majeſty, his Heirs and Succeſſors, ſhall think proper, in the Purchaſe of Portions of Land to be allotted to the Uſe of ſuch Schools as ſhall be erected in other Parts of the Highlands or Iſlands of *Scotland*.

and to grant Lands to be held feu of the Crown, for building Houſes, and for Gardens, &c.

XXX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to his Majeſty, his Heirs and Succeſſors, to authorize and impower the ſaid Commiſſioners to grant out in Property ſuch Parts and Portions of Ground, not exceeding ten Acres to one Perſon, as may be ſufficient for building convenient Dwelling-houſes, Out-houſes and Gardens, to Perſons well affected to his Majeſty's Perſon and Government, and who ſhall be duly qualified by taking the Oaths to the Government, who ſhall oblige themſelves to erect Buildings, and make Gardens thereupon; which Portions of Ground ſhall be by the Grantees held feu of his Majeſty, his Heirs or Succeſſors, for Payment of a yearly Feu Duty, equal to ſuch a Proportion of the Rent as the ſaid Commiſſioners ſhall find to correſpond to the Ground to be feued out by them: And in reſpect that ſuch ſmall Feus cannot bear the Charges of paſſing the Seals, and other Charges neceſſary for making out the Titles of Lands held of the Crown; it ſhall and may be lawful to his Majeſty, his Heirs and Succeſſors, to authorize and impower the ſaid Commiſſioners to grant Charters, containing

containing Precepts of Saſine, to be held feu of his Majeſty as aforeſaid, and alſo to grant all Charters, Precepts of *Clare conſtat*, and other Writings neceſſary for entering their Heirs and ſingular Succeſſors.

XXXI. Provided always, That any Perſon who ſhall reſide in any Dwelling-houſe erected upon any Portion of Land, which ſhall have been granted for that Purpoſe in Manner as aforeſaid, ſhall, during his Reſidence in ſuch Houſe, be capable of holding a Leaſe from the ſaid Commiſſioners of any other Part of the ſaid Eſtates, within the Diſtance of five Miles from ſuch Houſe, ſubject to all the other Conditions and Limitations of this Act; any Thing herein before contained to the contrary notwithſtanding. Perſons reſiding in ſuch Houſes, may hold Leaſes of other Parts of the Eſtates.

'XXXII. And whereas it hath been found a great Obſtruction to the Courſe of Juſtice in the High-'lands, that many Parts thereof are ſa remote from any Royal Burgh or County Gaol;' Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, by and out of the Rents and Profits of the Lands and Eſtates aforeſaid, to cauſe Priſons to be erected and maintained on ſuch Parts of the aforeſaid Lands, or other Parts of the Highlands or Iſlands of *Scotland* as they ſhall think fit, for the Cuſtody of Priſoners for Crimes or Offences; and that ſuch Priſons ſo erected ſhall be held to be lawful Priſons for the Purpoſe aforeſaid; and the Commiſſioners to be named as aforeſaid, are hereby impowered to appoint Gaolers for the keeping of ſuch Priſons, and to aſſign them reaſonable Wages, to be paid by the Factors on ſuch Eſtates, with proper Allowances from Time to Time, for the Maintenance of indigent Priſoners; and the ſaid Commiſſioners are hereby further impowered to appoint Baillies over the ſaid Eſtates, or any Village or Diſtrict thereof; which Baillies ſhall have all the Powers over ſuch Eſtates, that are now by Law competent to Baron Baillies, and ſhall further have Power to commit Offenders to the next ſure Priſon within the County, although not within the Territory of ſuch Baillie himſelf. Crown may erect Priſons. Commiſſioners may appoint Gaolers, and Baillies.

XXXIII. And be it further enacted by the Authority aforeſaid, That his Majeſty's Receiver General for *Scotland* ſhall reſerve the Monies that ſhall come into his Hands out of the Rents of the ſaid Eſtates, for anſwering ſuch Orders as ſhall be made upon him by the ſaid Commiſſioners, in purſuance of the Powers that ſhall be granted, and the Warrants and Directions that ſhall be given to them from Time to Time by his Majeſty, his Heirs and Succeſſors, concerning the Application of the Rents of the ſaid Eſtates, for the Ends and Purpoſes aforeſaid, and for no other Ends or Purpoſes whatſoever. Rents to be reſerved to anſwer the Orders of the Commiſſioners.

XXXIV. Provided always, and be it enacted by the Authority aforeſaid, That until the final Determination of the Claims that have been or ſhall be duly made or entered in the Court of Seſſion in *Scotland* to or upon the aforeſaid Eſtates, it ſhall and may be lawful for the High Treaſurer, or Commiſſioners of the Treaſury for the Time being, to cauſe to be applied ſo much of the Rents and Profits of the Eſtates aforeſaid as they ſhall find neceſſary for defraying the Expences of Management thereof, and of litigating and diſcuſſing ſuch Claims; any Thing herein contained to the contrary notwithſtanding. Till the Claims be determined the Treaſury may apply the Rents for defraying the Expence of managing the Eſtates.

Enforced by 31 *Geo.* 2. *c.* 16.

CAP. XLII.

An Act to render valid and effectual all Contracts and Agreements which ſhall be made by the Commiſſioners or Governors of the Royal Hoſpital for Seamen at *Greenwich*, for the Purchaſe of Lands, Tenements and Hereditaments, for the finiſhing and compleating the ſaid Hoſpital; and for aſcertaining the Recompence that ſhall be made for the ſame.

'WHEREAS by an Act of Parliament made and paſſed in the eighth Year of the Reign of his preſent Majeſty, intituled, *An Act for the Application of the Rents and Profits of the Eſtates forfeited by the Attainders of* James *late Earl of* Derwentwater, *and* Charles Radcliffe, the Commiſſioners or Governors of the Royal Hoſpital for Seamen at *Greenwich* were required to contract and agree with able and ſufficient Tradeſmen, Artificers, or other Perſons, for finiſhing and compleating the ſaid Royal Hoſpital in a Workman-like Manner, on the eaſieſt and moſt reaſonable Terms, according to the Plan laid before the Houſe of Commons in that Seſſion of Parliament: And whereas one Parcel of Land on the Weſt Side of the ſaid Hoſpital, whereon a ſmall Houſe lately ſtood, in the Occupation of *Benjamin Hopkins*, Barber, and commonly known by the Name of *Carr's Houſe*, containing at the South End eleven Feet ſix Inches, at the North End ten Feet ſeven Inches, on the Eaſt Side fifteen Feet five Inches, and on the Weſt Side fourteen Feet eleven Inches, be the ſame more or leſs; and one other Parcel of Land on the Eaſt Side of the ſaid Hoſpital, whereon ſeveral Houſes formerly ſtood, belonging to the Truſtees of *Morden College*, and now in the Poſſeſſion of the ſaid Commiſſioners or Governors of the ſaid Hoſpital, are neceſſary to be purchaſed, in order to finiſh the ſaid Royal Hoſpital according to the ſaid Plan; which by reaſon of Infancy, and other Diſabilities, the Commiſſioners or Governors of the ſaid Royal Hoſpital have not been able to purchaſe;' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted; and Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the Commiſſioners or Governors of the ſaid Royal Hoſpital, or any ſeven or more of them, to purchaſe, and alſo for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Mortgagee and Mortgagees, Truſtee and Truſtees, Feoffee and Feoffees, in Truſt for any Charity, or otherwiſe, Guardian or Guardians, Committee or Committees, of any Infant, Ideot or Lunatick, and all Executors and Adminiſtrators, and other Perſons whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their 8 Geo. 2. c. 29. Governors impowered to contract for the Purchaſe of the Lands before deſcribed.

Cestuique Trusts, and the respective Mortgagor and Mortgagors, and other Person and Persons intitled to any Equity of Redemption, who are or shall be seised or possessed of, or interested in, all or any of the Premisses herein before described, or any Part or Parts thereof, to convey the same respectively to the said Commissioners or Governors of the said Royal Hospital, or any seven or more of them, or to such Person or Persons as the said Commissioners or Governors, or any seven or more of them, shall appoint, in Trust for the Commissioners or Governors of the said Royal Hospital: And that all Contracts, Agreements, Bargains, Sales and Conveyances, which shall be made by such Persons as aforesaid, shall be good and valid in Law, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Equity of Redemption, Property, Claim and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, or Femes Covert, or other Persons whatsoever, and all claiming or to claim by, from or under them, or any of them: And the said Premisses so conveyed shall be, and are hereby declared to be vested in the said Commissioners or Governors, or in such Person or Persons as by the said Commissioners or Governors, or any seven or more of them, shall be so appointed as aforesaid, from the Time of such Conveyance made in Fee-simple, freed and discharged of all Claims, Demands, and Equity of Redemption, of any Person or Persons, either at Law or in Equity; any Law, Statute, Usage, or other Matter or Thing to the contrary thereof in any wise notwithstanding: And that all such Persons as aforesaid, so conveying as aforesaid, are and shall be indemnified for what they do, or shall do, by virtue of or in pursuance of this Act: And if it shall happen that any Person or Persons, Bodies Politick or Collegiate, or other Person or Persons seised or possessed of or interested in the said two Parcels of Land and Premisses before particularly described, or any Part or Parts thereof, upon Notice to them given, or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate or Collegiate, or at the House of the Tenant in Possession of the said Parcels of Land respectively; or, in case the same be untenanted, by affixing the same on some notorious Part thereof, shall for the Space of twenty-one Days after such Notice given, left or affixed as aforesaid, refuse or delay to treat and agree for the Sale and Conveyance thereof, or of their respective Estates and Interests therein, with the said Commissioners or Governors, or any seven or more of them, or with any Person or Persons authorized by them, or any seven or more of them; or shall refuse to produce a Title to such of the Premisses before described as they are in Possession of, or to the Interest they claim, to the Satisfaction of the said Commissioners or Governors, or any seven or more of them; that then and in every such Case it shall and may be lawful to and for the said Commissioners or Governors, or any seven or more of them, and they are hereby impowered and authorized to issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of *Kent* for the Time being, who is hereby authorized, directed and required accordingly to impanel, summon and return a competent Number of honest, substantial and disinterested Persons, qualified to serve on Juries, not less than twenty-four, nor more than forty-eight; and out of such Persons so to be impanelled, summoned and returned, a Jury of twelve Persons shall be drawn by the said Commissioners or Governors, or any seven or more of them, or by some Person to be by them, or any seven or more of them, for that Purpose appointed, in such Manner as Juries for the Trial of Issues in his Majesty's Courts at *Westminster*, by an Act made in the third Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; which Persons so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said Commissioners or Governors, or any seven or more of them, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed; and to attend there from Day to Day till discharged by the said Commissioners or Governors, or any seven or more of them; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array, for Affinity or any other Cause whatsoever; and the said Commissioners or Governors, or any seven or more of them, are hereby authorized by Precept or Precepts, under their Hands, from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whatsoever, who shall be thought proper or necessary to be examined as a Witness or Witnesses before them, on their Oath or Oaths, or on their solemn Affirmation, if the Person or Persons so to be examined be of the Profession of the People called *Quakers*, touching and concerning the Premisses; and the said Commissioners or Governors, or any seven or more of them, if they think fit, shall and may likewise authorize the said Jury to view the Place or Places, or Matters in question, in such Manner as they shall direct; and the said Commissioners or Governors, or any seven or more of them, shall have Power to adjourn such Meeting from Day to Day, as Occasion shall require; and to command such Jury, Witnesses and Parties, to attend until all such Affairs for which they were summoned shall be concluded; and the said Jury upon their Oaths (which Oaths, as also the Oaths or solemn Affirmation to such Person or Persons as shall be called upon to give Evidence, the said Commissioners or Governors, or any seven or more of them, are hereby authorized and impowered to administer) shall inquire of the Value of such Premisses before particularly described, and shall assess the Sum or Sums to be paid for the Purchase thereof respectively; and the said Commissioners or Governors, or any seven or more of them, shall and may give Judgment for such Sum and Sums of Money so to be assessed; which said Verdict or Verdicts, and the said Judgment, Decree or Determination thereupon, (Notice in Writing being given to the Person or Persons interested, at least twenty Days before the Time of such Assessment, declaring the Time and Place of the Meeting of the said Commissioners or Governors, and Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his, her or their usual Place or Places of Abode, or with some Tenant or Occupier of the said Parcels of Land intended to be valued and assessed, or by fixing such Notice on some notorious Place on the same Premisses, in case the Premisses are untenanted, and such Party cannot be found in the said County

Where Parties refuse to treat, &c.

a Jury is to be impanelled.

Jury may view the Place in question;

and assess the Sum to be paid for the Purchase, &c.

County of *Kent* to be ſerved with ſuch Notice) ſhall be binding and concluding, to all Intents and Purpoſes whatſoever, againſt the King's Majeſty, his Heirs and Succeſſors, and all and every other Perſon and Perſons, Bodies Politick and Corporate, claiming any Eſtate, Right, Title, Uſe, Truſt, Equity of Redemption or Intereſt in, to or out of all or any of the Premiſſes before particularly deſcribed, either in Poſſeſſion, Reverſion, Remainder or Expectancy, or otherwiſe howſoever; and the ſaid Verdicts, Judgments and Decrees ſo to be made, given and pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned and ſealed by any ſeven of the Commiſſioners or Governors preſent at the making and pronouncing the ſame; and ſuch Verdicts, Judgments and Decrees of the ſaid Commiſſioners or Governors, and Juries, ſhall be tranſmitted to and kept amongſt the Records of the Quarter-Seſſions for the County of *Kent*; and ſhall be deemed and taken to be Records to all Intents and Purpoſes whatſoever; and the ſame, or true Copies thereof, ſhall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatſoever; and all Perſons may have Recourſe to the ſame *gratis*, and take Copies thereof, paying for every Copy, not exceeding two hundred Words, ſix Pence, and ſo in proportion for any greater or leſs Number of Words.

The Judgment of the Commiſſioners and Verdict of the Jury to be binding;

and entered among the Records of the Seſſions, &c.

II. And it is hereby further enacted and declared, That upon Payment of ſuch Sum or Sums of Money ſo to be awarded or adjudged for the Purchaſe of the ſaid Premiſſes, or any Part thereof, the Perſon or Perſons intitled thereto ſhall make and execute, or procure to be made and executed, good, valid and legal Conveyances, Aſſignments and Aſſurances in the Law, to the ſaid Commiſſioners or Governors, or any ſeven or more of them, or to any Perſon or Perſons to whom the ſaid Commiſſioners or Governors, or any ſeven or more of them, ſhall appoint, in Truſt for the ſaid Commiſſioners or Governors, of the ſaid Premiſſes, for which Sum or Sums of Money were ſo awarded; and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments and Aſſurances; and ſhall do all Acts, Matters and Things, neceſſary or requiſite to make a clear, good and perfect Title to, or in Truſt for, the ſaid Commiſſioners or Governors; and ſuch Conveyances, Aſſignments and Aſſurances, ſhall contain all ſuch reaſonable and uſual Covenants as ſhall, on the Part of the ſaid Commiſſioners or Governors, be required; and in caſe any ſuch Perſon or Perſons, to whom ſuch Money ſhall be awarded as aforeſaid, ſhall not evince a Title to the ſaid Premiſſes to the ſaid Commiſſioners or Governors, and make, or procure to be made, good and legal Conveyances thereof, or ſhall refuſe ſo to do, being thereunto required, ſuch Sum and Sums of Money ſo awarded as aforeſaid, being ready to be paid to him, her or them, on making ſuch Title, and executing and procuring to be executed ſuch Conveyances, Aſſignments or Aſſurances as aforeſaid, and for that Purpoſe tendered at the Council Chamber of the ſaid Royal Hoſpital at *Greenwich*; or if in caſe any Perſon or Perſons intitled to the Premiſſes, for which ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found in the ſaid County of *Kent*; or in caſe that by reaſon of Diſputes depending in any Court of Law or Equity, or for Defect of Evidence, it ſhall not appear to the ſaid Commiſſioners or Governors, or any ſeven or more of them, what Perſon or Perſons is or are intitled to the Premiſſes in queſtion; that then, and in all and every or any ſuch Caſe and Caſes as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners or Governors, or any ſeven or more of them, to order ſuch Sum or Sums of Money ſo awarded as aforeſaid, as the Value of, and Purchaſe-money for, the ſaid Premiſſes, to be paid into the Bank of *England*, for the Uſe of the Parties intereſted in the ſaid Premiſſes, to be paid to them, and each and every of them, according to their reſpective Eſtates and Intereſts in the ſaid Premiſſes, at ſuch Times as the ſaid Commiſſioners or Governors, or any ſeven or more of them, ſhall, by Warrant or Warrants, under their Hands, order and direct; and the Caſhier and Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum and Sums, is and are hereby required to give a Receipt or Receipts for ſuch Sum and Sums, mentioning and ſpecifying for what Premiſſes, and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay ſuch Sum or Sums into the Bank of *England* as aforeſaid; which Receipt or Receipts ſhall be entered on Record, and regiſtered amongſt the Records of the Quarter-Seſſions for the County of *Kent*; and immediately on ſuch Payment and Regiſtry, all the Eſtate, Right, Title, Uſe, Truſt, Property, Equity of Redemption, Claim and Demand, in Law and Equity, of all and every Perſon and Perſons for whoſe Uſe ſuch Money was paid, of, in, to, from and out of the ſaid Premiſſes, or any Part thereof, ſhall veſt in ſuch Perſon or Perſons as ſhall be named for that Purpoſe by the ſaid Commiſſioners or Governors, or any ſeven or more of them; and ſuch Perſon or Perſons ſhall be deemed in Law to be in the actual Poſſeſſion thereof, and to be ſeiſed thereof in Fee-ſimple, freed and diſcharged from all Claims, Demands and Equity of Redemption, either at Law or in Equity, to all Intents and Purpoſes, as fully and effectually as if all and every Perſon and Perſons, having any Eſtate, Right, Title, Truſt, Intereſt or Equity of Redemption, of, in, to, from or out of the ſaid Premiſſes, had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery of Seiſin, Fine and Recovery, or any other Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Equity of Redemption, Claim and Demand of the Perſon or Perſons to whoſe Uſe ſuch Payment was made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife or Wives of ſuch Perſon or Perſons, and all Eſtates Tail, and Remainders, as fully and effectually as a Fine or Recovery would do or would have done, if levied by proper Parties in due Form of Law.

Conveyance to be made on Payment of the Sum awarded.

If the Title ſhall not be evinced, or good Conveyance made,

or the Party cannot be found, &c.

the Purchaſe-money to be paid into the Bank;

and the Right to veſt in the Truſtees.

III. Provided always, and it is hereby declared and enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners or Governors, or any ſeven or more of them, after ſuch Payment into the Bank, and Regiſtry as aforeſaid, on the Petition of any Perſon or Perſons in Poſſeſſion of the Premiſſes, at the Time the Money was ſo paid into the Bank, to place out or inveſt, or cauſe to be placed out or inveſted, ſuch Sum or Sums of Money, or any Part thereof, in ſome of the publick Funds, or on Government Security,

On Petition of any Poſſeſſor of the Premiſſes, the Commiſſioners may inveſt the Money in the Funds, &c.

rity, at Intereſt, in the Name of the ſaid Commiſſioners or Governors, or any ſeven or more of them, or in the Name or Names of any Perſon or Perſons appointed by the ſaid Commiſſioners or Governors, or any ſeven or more of them, for that Purpoſe, in Truſt to transfer and aſſign the ſame to ſuch Perſon or Perſons to whom the Premiſſes belong, on his, her or their executing proper Conveyances thereof; and in the mean Time in Truſt to pay the Intereſt and Dividends ariſing therefrom, to ſuch Perſon or Perſons as was or were in Poſſeſſion of the ſaid Premiſſes at the Time of the ſaid Payment into the Bank; and the ſaid Commiſſioners or Governors, or any ſeven or more of them, are hereby authorized and impowered to make ſuch Order as aforeſaid on the Bank, for the Payment of ſuch Sum or Sums of Money, or any Part thereof as ſhall be neceſſary, in order to their being ſo inveſted in publick Securities: And the ſaid Commiſſioners or Governors ſhall be quieted in the Poſſeſſion of the Lands and Premiſſes, for which ſuch Money is ſo paid as aforeſaid; and ſhall not be anſwerable or accountable for the ſame, in any Court of Law or Equity, otherwiſe than according to the true Intent and Meaning of this Act.

Where the Premiſſes are mortgaged, the Purchaſe-money may be veſted in the Funds, for his Uſe, &c.

IV. Provided always, and it is hereby enacted and declared, That if any Contract ſhall be made for the Purchaſe of any Premiſſes in Mortgage, or any Sum or Sums ſhall, in Manner as before-mentioned, be aſſeſſed or awarded as the Value of ſuch mortgaged Premiſſes, and the Perſon or Perſons intitled to the Equity of Redemption thereof cannot be found, that then, and in every ſuch Caſe, the Money ſo contracted for, or aſſeſſed or awarded, ſhall, by the ſaid Commiſſioners or Governors, or any ſeven or more of them, be veſted in any of the publick Funds; and the Intereſt or Dividends thereof ſhall be paid to ſuch Mortgagee, until the Perſon intitled to ſuch Equity of Redemption ſhall make out his Title thereto; and in caſe any ſuch Perſon or Perſons ſo intitled to ſuch Equity of Redemption, ſhall not, within five Years next after the inveſting ſuch Monies in the publick Funds, exhibit his, her or their Bill in the High Court of Chancery, or in his Majeſty's Court of Exchequer at *Weſtminſter*, in order to litigate the ſame, he, ſhe or they ſhall for ever thenafter be debarred therefrom; and at any Time after the End of ſuch five Years (no Bill being exhibited as aforeſaid) ſuch Money ſo inveſted in the publick Funds ſhall be paid, or the Securities for the ſame aſſigned to ſuch Mortgagee or Mortgagees, or their legal Repreſentative or Repreſentatives; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Poſſeſſor to deliver up the Premiſſes, upon 21 Days Notice;

and on Refuſal, the Sheriff is to deliver the ſame.

V. And be it further enacted, That all and every Perſon and Perſons who is, are or ſhall be in Poſſeſſion of the Lands and Premiſſes, or any Part thereof, ſo to be purchaſed by the ſaid Commiſſioners or Governors, or any ſeven or more of them, or for which any Purchaſe-money ſhall be ſo aſſeſſed or awarded as aforeſaid, ſhall, upon twenty-one Days Notice in Writing, left at or affixed on the ſaid Premiſſes, or any Part thereof, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſſes to the ſaid Commiſſioners or Governors, or any ſeven or more of them, or to any Perſon or Perſons who ſhall, by the ſaid Commiſſioners or Governors, or any ſeven or more of them, be authorized to receive the ſame; and in caſe any Perſon or Perſons ſhall refuſe ſo to do, that it ſhall and may be lawful to and for the ſaid Commiſſioners or Governors, or any ſeven or more of them, to iſſue their Precept or Precepts to the Sheriff of the County of *Kent*, to deliver Poſſeſſion of the Premiſſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Sheriff is hereby required to deliver Poſſeſſion thereof accordingly, and to levy ſuch Coſts, which ſhall accrue from the Iſſuing and Execution of ſuch Precept or Precepts, on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her or their Goods.

Monies paid to Bodies Corporate, or other Truſtees, to be laid out in the Purchaſe of Lands, &c.

VI. And it is hereby further enacted and declared, That all and every Sum and Sums of Money, to be paid to any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Truſt, Guardian, Committee, or other Truſtee or Truſtees, in purſuance of this Act, ſhall be by them reſpectively laid out in the Purchaſe of Lands, Tenements and Hereditaments, and ſettled to and upon, and ſubject to ſuch Titles, Uſes, Truſts, Limitations, Remainders and Contingencies, as the ſaid Lands and Premiſſes, ſo to be purchaſed by the ſaid Commiſſioners or Governors as aforeſaid, were ſettled, limited and aſſured at the Time of ſuch Sale ſo made reſpectively, and ſhall and may be held and enjoyed accordingly; and that in the mean time, until ſuch Purchaſe made, ſuch Money ſhall be veſted in ſome of the publick Funds or Government Securities at Intereſt, and the Intereſt ſhall be paid to ſuch Perſon or Perſons as would have been intitled to the Rents and Profits of ſuch Lands, Tenements and Hereditaments ſo to be purchaſed, in caſe the ſame were purchaſed and ſettled, purſuant to the true Intent and Meaning of this Act.

In Default of Jurymen, the Sheriff may return Standers-by.

VII. And it is hereby enacted and declared, That in caſe of any Default of a ſufficient Number of Jurymen to be ſworn, purſuant to this Act, the Sheriff for the County of *Kent* ſhall return other honeſt and indifferent Men of the Standers-by, or that can ſpeedily be procured to attend that Service, ſubject to ſuch Challenges as aforeſaid; and the Commiſſioners or Governors, or any ſeven or more of them, ſhall from Time to Time have Power to impoſe any reaſonable Fine on the ſaid Sheriff, his Under-ſheriff, Bailiffs or Agents reſpectively, or on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury or Juries as ſhall not appear or refuſe to be ſworn on ſuch Jury, or being ſworn, ſhall refuſe to give a Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; and likewiſe upon ſuch Perſon or Perſons ſummoned to give Evidence, who ſhall refuſe to appear or give Evidence, and from Time to Time to levy ſuch Fine or Fines, by Warrant or Warrants under the Hands and Seals of the ſaid Commiſſioners or Governors, or any ſeven or more of them, by Diſtreſs and Sale of the Offender's Goods, rendering the Overplus, if any; and all ſuch Fines ſhall be applied to the Uſe of the ſaid Royal Hoſpital.

Sheriff, and other Perſons neglecting their Duty, may be fined.

Governors may purchaſe any other Lands, &c.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners or Governors of the ſaid Royal Hoſpital, or any ſeven or more of them, to purchaſe

chaſe any other Meſſuages, Lands, Tenements or Hereditaments, which ſhall be thought neceſſary for the finiſhing the ſaid Royal Hoſpital, according to the ſaid Plan; and that it ſhall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Mortgagee and Mortgagees, Truſtee and Truſtees, Feoffee and Feoffees in Truſt for any Charity or otherwiſe, Guardian or Guardians, Committee or Committees of any Infant, Idcot or Lunatick, and all Executors and Adminiſtrators, and other Perſons whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, and the reſpective Mortgager and Mortgagers, and other Perſon and Perſons intitled to any Equity of Redemption, who are or ſhall be ſeiſed or poſſeſſed of or intereſted in any ſuch Houſes, Lands or Hereditaments, to convey the ſame reſpectively to the ſaid Commiſſioners or Governors, or any ſeven or more of them, or to ſuch Perſon or Perſons as the ſaid Commiſſioners or Governors, or any ſeven or more of them, ſhall appoint, in Truſt for the ſaid Commiſſioners or Governors; and that all Contracts, Agreements, Bargains, Sales and Conveyances which ſhall be made by ſuch Perſon or Perſons as aforeſaid, ſhall be good and valid in Law, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Equity of Redemption, Property, Claim and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants, or Iſſue unborn, Lunaticks, Ideots, or Femes Covert, or other Perſons whatſoever, and all claiming or to claim, by, from or under them, or any of them: And the ſaid Premiſſes ſo conveyed ſhall be, and are hereby declared to be, veſted in the ſaid Commiſſioners or Governors, or in ſuch Perſon or Perſons as by the ſaid Commiſſioners or Governors, or any ſeven or more of them, ſhall be ſo appointed as aforeſaid, from the Time of ſuch Conveyance made, in Fee-ſimple, freed and diſcharged of all Claims, Demands and Equity of Redemption, of all and every Perſon and Perſons, either at Law or in Equity; any Law, Statute, Uſage or other Matter or Thing to the contrary thereof in any wiſe notwithſtanding: And that all ſuch Perſons as aforeſaid, ſo conveying as aforeſaid, are and ſhall be indemnified for what they do or ſhall do by virtue of or in purſuance of this Act: And in caſe the ſaid Commiſſioners or Governors of the ſaid Hoſpital cannot, on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and fifty-ſeven, purchaſe ſuch other Meſſuages, Lands and Premiſſes as may be thought neceſſary for the finiſhing the ſaid Royal Hoſpital according to the ſaid Plan, upon ſuch Terms as they ſhall think reaſonable; that then, and in ſuch Caſe, it ſhall and may be lawful to and for the Commiſſioners or Governors of the ſaid Royal Hoſpital, and they are hereby authorized and impowered to finiſh the ſaid Royal Hoſpital in ſuch Manner as moſt conveniently may be, without waiting for or expecting to purchaſe any ſuch Premiſſes.

which ſhall be thought neceſſary, &c.

If ſuch other Lands cannot be purchaſed before 25 March 1757, the finiſhing the Hoſpital not to be delayed.

IX. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners or Governors, or ſuch Perſon or Perſons to whom they, or any ſeven or more of them, ſhall appoint any Conveyances to be made, or in whom the ſaid Premiſſes ſhall be veſted by virtue of this Act, ſhall not be diſturbed or hindered in the quiet Poſſeſſion and Enjoyment thereof, on Pretence of any want of Form or other Defect in the Proceedings hereby directed; but that it ſhall and may be lawful to and for any Perſon or Perſons, barred of any Right, Title, Intereſt, Equity of Redemption, Claim or Demand whatſoever, in, to or out of the ſaid Premiſſes, or any Part thereof, to bring any Action or Actions for Money had and received to his, her or their Uſe, againſt any Perſon or Perſons who received the Purchaſe-money for ſuch Premiſſes reſpectively; and, on Proof of ſuch Title as would have enabled them to recover ſuch Lands, Tenements or Hereditaments, or any Part thereof, or any Eſtate or Intereſt in the ſame, that then and in every ſuch Caſe, they ſhall recover the ſaid Purchaſe-money, or ſo much thereof as ſhall be equivalent to their Intereſt in the ſaid Premiſſes, together with ſuch Intereſt as ſhall be equivalent to their Intereſt therein, which they might have been intitled unto in caſe this Act had not been made.

Poſſeſſion of the Commiſſioners not to be diſturbed.

Claimants may ſue the Receivers of Purchaſe-money.

X. And it is hereby further enacted and declared, That this Act ſhall be deemed and allowed to be a publick Act, and be judicially taken Notice of as ſuch, by all Judges, Juſtices and other Perſons, without ſpecially pleading the ſame.

Publick Act.

CAP. XLIII.

An Act for the more eaſy and ſpeedy Recovery of Small Debts in the Town and Port of *Liverpoole*, and Liberties thereof, in the County Palatine of *Lancaſter*. PR.

CAP. XLIV.

An Act to explain and amend an Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act to enlarge the Pier and Harbour of* Scarborough *in the County of* York; and for making the ſaid Act more effectual. PR.

'WHEREAS by an Act made and paſſed in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to enlarge the Pier and Harbour of* Scarborough *in the County of* York, it was enacted, That to the End that the ſaid Pier might be enlarged, extended and improved, and kept in Repair, that from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, until the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty-three; and alſo from the ſaid twenty-fourth Day of *June* ſeventeen hundred and thirty-two, to the twenty-fourth Day of *June* ſeventeen hundred and eighty-three, the ſeveral Duties therein mentioned ſhould be reſpectively anſwered and paid to the Bailiffs and Burgeſſes of *Scarborough* aforeſaid, and their Succeſſors, as they in Common Coun-

5 Geo. 2. c. 31.

'cil

'cil assembled, or the major Part of them, should from Time to Time, under their Common Seal, order 'and appoint; and by the said Act several Powers and Authorities were granted to and vested in the said 'Bailiffs and Burgesses, and their Successors, for the better collecting the said Duties, and carrying on the 'said Work, and executing the several Trusts thereby in them reposed: And whereas great Frauds and 'Abuses have of late Years been committed in the Execution of the several Trusts reposed in the said 'Bailiffs and Burgesses of *Scarborough* aforesaid by the said Act, particularly by the Misapplication of the 'Sum of three thousand Pounds, which had been raised by the said Bailiffs and Burgesses of *Scarborough*, 'in Common Council assembled, by Mortgage of the new Pier Duties payable at *Newcastle*; which said 'Sum of three thousand Pounds, and also the Sum of three hundred and seventy-nine Pounds eight Shil-'lings and four Pence, have been by the said Bailiffs and some of the Burgesses and Members of the said 'Borough of *Scarborough*, applied in Discharge of their own Bonds, and private Debts and Engagements, 'or retained in their Hands, and no Part thereof applied according to the Directions of the said Act; 'whereby the Works of the said Pier have been in a great Measure neglected, and the laudable Intentions 'of the Legislature frustrated, and rendered ineffectual, to the manifest Detriment of the Publick:' To the End therefore that the like Frauds and Abuses may be prevented for the future, and that the several Sums of Money arising from the several Duties given and granted by the said last recited Act, for and towards the enlarging, extending, improving and repairing the said Pier, may be duly applied to the Purposes designed by the said Act, and for the better maintaining and supporting the Harbour of *Scarborough* aforesaid; which cannot effectually be done, but by divesting the said Bailiffs and Burgesses of all Powers and Authorities given them by the said Act, and by vesting the same in other Trustees; May it please your Majesty that it may be enacted, *&c.*

"The Powers granted by the recited Act to the Bailiffs and Burgesses to cease. New Commissioners "appointed; with Power to audite the Accounts of all Monies received and disbursed by virtue of the "recited Act. Duties and Forfeitures to be paid to the Commissioners or their Order. The Commis-"sioners at their first Meeting to choose a Clerk, Surveyor and Receiver of the Duties. Accounts to be "stated yearly, and to lie open for publick Inspection. Accounts to be laid before the Justices, and passed "by them. 5 *l.* Penalty on Persons prejudicing the Harbour by emptying Ballast, &c. or otherwise, and "to be levied by Distress and Sale. For want of Distress the Offender to be committed. Stones may be "taken from waste Grounds, *&c.* for the Works of the Pier, paying 5 *s.* by the Year to the Corporation. "Bailiffs, *&c.* to deliver upon Oath all Books and Writings relating to the Duties, on Penalty of 20 *l.* "Bailiffs, *&c.* not repaying their Proportions of the Monies misapplied, or retained in their Hands, with "Interest, may be sued by the Commissioners, and the Charges thereof to be paid out of the Duties, *&c.* "No Part of the Act of 5 *Geo.* 2. hereby repealed, except what relates to the Appointment of the Bailiffs, "*&c.* The Powers thereby granted, to vest in the Commissioners. Rights, *&c.* of the Burgesses re-"served."

CAP. XLV.

An Act for the more easy and speedy Recovery of Small Debts within the City and County of the City of *Canterbury*, and the Liberties and Precincts of the same. PR.

CAP. XLVI.

An Act for repairing and widening the Road from *Alemouth* through the Town of *Alnwick* to *Rothbury*, and from thence to the Town of *Hexham*; and also the Road leading out of the aforesaid Road between *Alnwick* and *Rothbury*, to *Jockey's Dike Bridge* in the County of *Northumberland*. PR. [Certain Tolls granted for 21 Years.]

CAP. XLVII.

An Act for repairing and widening the Roads from the east End of *Monk Bridge*, near the Suburbs of the City of *York*, to *New Malton*, and from thence to *Scarborough* in the North Riding of the County of *York*; and also from *Spittle-house*, in the East Riding of the said County, to *Scarborough* aforesaid. PR. [Certain Tolls granted for 21 Years.]

CAP. XLVIII.

An Act for repairing and widening the Road leading from a Part of the Road (directed to be repaired by an Act passed in the last Session of Parliament, from *Carlisle* to *Newcastle upon Tyne*) near *Glenwelt*, to another Part of the Road (so making from *Carlisle* to *Newcastle*) upon *Shildon Common* in the County of *Northumberland*. PR. [Certain Tolls granted for 21 Years.]

CAP. XLIX.

An Act for repairing the High Road from the Town of *Shrewsbury* through *Cressage*, *Harley*, *Much Wenlock*, by *Muckley Cross*, and through *Morville* to *Bridgenorth* in the County of *Salop*. PR. [Certain Tolls granted for 21 Years.]

CAP. L.

An Act for repairing the Road from the north End of *Malling Street*, near the Town of *Lewes*, to *Witch Cross*, and from the north End of *Malling Street* aforesaid, to the *Broil Park* Gate; and from *Offham*

to *Witch Cross* aforesaid, all lying within the County of *Sussex*. P R. [Certain Tolls granted for 21 Years.]

CAP. LI.

An Act for amending and making more effectual several Acts for amending the Roads from the City of *London* to *East Grinstead* in the County of *Sussex*; and to the Towns of *Sutton* and *Kingston* in the County of *Surrey*; and for more effectually repairing the Road from *Newington* through *Camberwell* in the said County to *New Cross* in the County of *Kent*; and for repairing and widening the Road from *Camberwell Green* to the *Fox under the Hill* in the Parish of *Camberwell*. P R. [The Acts 6 Geo. 1. c. 26. &c. amended.]

CAP. LII.

An Act for widening and repairing the Road from *Combe Bridge* in the County of *Somerset* to *Bradford* in the County of *Wilts*; and from thence through *Hilperton*; and so far over *Ashton Common* as to join the Road which leads from *Steeple Ashton* to *Trowbridge*; and also the Road leading from *Bradford* aforesaid to *Cockhill Gate* in the said County of *Wilts*. P R. [Certain Tolls granted for 21 Years.]

CAP. LIII.

An Act for repairing the Road from *Knaresborough* in the County of *York*, by *Long flat Lane*, *Gouldsborough Fields*, *Flaxby*, *Allerton Mauleverer*, and *Scate Moor*, to *Green Hammerton* in the same County; and for making the same a High Carriage Road. P R. [Certain Tolls granted for 21 Years.]

CAP. LIV.

An Act for amending the several Roads leading from the Town of *Taunton* in the County of *Somerset*. P R. [Certain Tolls granted for 21 Years.]

CAP. LV.

An Act for explaining and amending so much of an Act passed in the fourteenth Year of the Reign of his present Majesty, for the repairing and enlarging the Roads from the Town of *Selby* in the West Riding of the County of *York* to the Town of *Leeds*, and from thence in two several Branches, one through *Bradford* and *Horton*, and the other through *Bowling* and *Wibsey*, to the Town of *Halifax* in the same Riding, as relates to that Part of the said Roads which lies between *Leeds* and *Halifax*. P R. [The Act 14 Geo. 2. c. 32. amended.]

CAP. LVI.

An Act for repairing the several Roads leading from the Town of *Bromyard* in the County of *Hereford*, to the several Places called the *Halfway Ash* in the Parish of *Docklow*, *Herefordshire Lake* in the Parish of *Whitburne*, *Perry Bridge* in the Parish of *Stoke Bliss*, leading through the several Parishes of *Edwin*, *Ralph*, *Collington*, and the Hamlet of *Little Kyre*, *Sapey Wood* in the Parish of *Upper Sapey*, *Bishop's Froome*, *Wooferwood Gate*, and *Herefordshire Lake*, in the said Parish of *Bromyard*, in the Counties of *Hereford* and *Worcester*. P R. [Certain Tolls granted for 21 Years.]

CAP. LVII.

An Act for repairing and widening the Road leading from *Market Harborough* in the County of *Leicester* through *Desborough*, *Rowell*, *Kettering*, *Barton Seagrave* and *Thrapston* in the County of *Northampton*; and through *Bythorne*, *Spaldwick* and *Ellington*, to the *Pound* in the Parish of *Brampton* in the County of *Huntingdon*. P R. [Certain Tolls granted for 21 Years.]

CAP. LVIII.

An Act for repairing the Roads from the Town of *Leeds*, through *Harwood*, to the South West Corner of the Inclosures of *Harrogate*; and from thence in two Branches (one through *Ripley* over *Burage Green*, and the other through *Knaresborough* and *Boroughbridge*) to *Ripon*; and from thence to the first Mill of Water, or Watercourse, on *Hutton Moor* in the County of *York*; and for repairing the Sloughs or Rutts on the said Moor. P R. [Certain Tolls granted for 21 Years.]

CAP. LIX.

An Act for repairing and widening the Roads leading from *Chippenham Bridge* in the County of *Wilts* to the Top of *Togg Hill* in the County of *Gloucester*; and from *Chippenham Bridge* aforesaid to the Top of *Old Sodbury Hill* in the said County of *Gloucester*. P R. [Certain Tolls granted for 21 Years.]

CAP. LX.

An Act for repairing and amending the several Roads leading from the West End of *Upton Bridge* in the County of *Worcester* to the Parish of *Tirley* in the County of *Gloucester*, and to the Parish of *Colwall* in the County of *Hereford*; and to the further Side of a Place called *The Rid Green*, in the Road to the City of *Worcester*, and through a Place called *Roberts End Street* to *Malvern Chace* in the said County of *Worcester*. P R. [Certain Tolls granted for 21 Years.]

Anno

Anno Regni GEORGII II. Regis Magnæ Britanniæ, Franciæ & Hiberniæ, viceſimo ſexto.

'AT the Parliament begun and holden at *Weſtminſter*, the tenth Day of *November*, *Anno Domini* one thouſand ſeven hundred and forty-ſeven, in the twenty-firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the eleventh Day of *January* one thouſand ſeven hundred and fifty-three. Being the ſixth Seſſion of this preſent Parliament.'

CAP. I.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-three; and for enlarging the Time limited by an Act of the laſt Seſſion of Parliament, for ſubſcribing Annuities, after the Rate of three Pounds *per Centum per Annum*, into the Joint Stock of Annuities therein mentioned. EXP.

Clauſe in 25 Geo. 2. c. 27. § 1. Act of the laſt Seſſion for converting Annuities into a Joint Stock.

'LXIII. AND whereas by an Act made in the laſt Seſſion of Parliament, (intituled, *An Act for converting the ſeveral Annuities therein mentioned, into ſeveral Joint Stocks of Annuities, transferrable at the Bank of* England, *to be charged on the Sinking Fund*; *and alſo for conſolidating the ſeveral other Annuities therein mentioned into ſeveral Joint Stocks of Annuities, transferrable at the* South-Sea Houſe) Books were directed to be prepared for receiving the Subſcription or Conſent of ſuch of the Proprietors of ſeveral Annuities, after the Rate of three Pounds *per Centum per Annum*, as ſhould ſubſcribe the ſame into the Joint Stock of Annuities, in the ſaid Act deſcribed, at any Time between the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty two, and the fifth Day of *January* one thouſand ſeven hundred and fifty-three incluſive, and no longer: And whereas the greateſt Part of the ſaid Annuities hath been ſubſcribed accordingly; and ſome of the Proprietors of ſuch Part of the ſaid Annuities as remain unſubſcribed, may be deſirous that the Time for ſuch Subſcription ſhould be enlarged, which will alſo be of Advantage to the Publick;' Be it enacted by the Authority aforeſaid, That the Governor and Company of the Bank of *England* ſhall cauſe ſuch Books as have been prepared according to the Directions of the ſaid Act, for receiving the Subſcription of the Proprietors of the ſaid Annuities into the ſaid Joint Stock of Annuities, to be kept open at the Bank of *England* for that Purpoſe, in ſuch Manner as by the ſaid Act is directed, to the fifth Day of *April* one thouſand ſeven hundred and fifty-three incluſive, being the Time limited by the ſaid Act for the Subſcription of other Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*; and ſuch Proprietors of the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, as have not already ſubſcribed the ſame into the ſaid Joint Stock of Annuities, their reſpective Attornies, Repreſentatives or Aſſigns, and all Perſons authorized by the ſaid Act to ſubſcribe for them before the ſaid fifth Day of *January* one thouſand ſeven hundred and fifty-three, ſhall have Power to make ſuch Subſcription without Fee or Charge at any Time before the ſaid fifth Day of *April* one thouſand ſeven hundred and fifty-three; and ſuch Subſcription ſhall be as valid and effectual to all Intents and Purpoſes, as if the ſame had been made before the ſaid fifth Day of *January* one thouſand ſeven hundred and fifty-three.

Books to be kept open at the Bank for receiving Subſcriptions to 5 April 1753.

CAP. II.

An Act to amend an Act made in the eighth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the better Recovery of the Penalties inflicted upon Perſons who deſtroy the Game*, by enlarging the Time within which Suits and Actions are to be brought by Force of the ſaid Act.

8 Geo. 1. c. 19. § 2.

13 *R.* 2. *ſt.* 1. *c.* 13. 3 & 4 *W.* & *M. c.* 10. 9 *Ann. c.* 25.

'WHEREAS by an Act of Parliament made in the eighth Year of the Reign of his late Majeſty King *George*, intituled, *An Act for the better Recovery of the Penalties inflicted upon Perſons who deſtroy the Game*, it is provided, That all Suits and Actions to be brought by Force of the ſaid Act, ſhall be brought before the End of the next Term after the Offence committed: And whereas the Time allowed by the ſaid Act for the bringing of ſuch Suits and Actions has been found very inconvenient, and in many Caſes is not ſufficient for the commencing of Proſecutions againſt Offenders, whereby the Intent of the ſaid Act hath been in ſome Degree defeated;' Be it therefore enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Suits and Actions to be brought by Virtue of the ſaid Act, for the Recovery of any pecuniary Penalty or Sum of Money for Offences, which

Suits for pecuniary Penalties for Offences committed after

which after the twenty-fifth Day of *March* one thousand seven hundred and fifty-three shall be committed against any Law now in Being for the better Preservation of the Game, shall and may be brought before the End of the second Term after the Offence committed; any Thing in the said Act contained to the contrary notwithstanding. 25 March 1753 against the Game Laws, may be brought before the End of the second Term. *Farther Provisions relating hereto*, 28 *Geo.* 2. *c.* 12. 2 *Geo.* 3. *c.* 19 & 29.

CAP. III.

An Act for continuing the Duties upon Salt, and upon Red and White Herrings, for the Purposes therein mentioned.

'MOST Gracious Sovereign; Whereas by an Act made in the eighteenth Year of your Majesty's Reign, (intituled, *An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of six Years; and for declaring that the Duties on Salt, which arise and are payable in that Part of* Great Britain, *called* Scotland, *shall be subject to the same Charges thereon, as the same Duties were liable to by the Act of the fifth Year of the Reign of his late Majesty King* George *the First*) it was enacted, That from and after the Determination of the Term of seven Years, mentioned in an Act of the fourteenth Year of your Majesty's Reign, (intituled, *An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of seven Years; and for allowing Rock Salt to be used in making Salt from Sea Water at the Salt Works at* Neath *in the County of* Glamorgan) the several and respective Rates and Duties upon Salt, and upon Red and White Herrings, which by the said Act of the fourteenth Year of your Majesty's Reign were continued, should be further continued for and during the Space of six Years; and that the same should be managed, raised, levied, collected, secured, and paid in such Manner and Form, and by and under such Powers, Authorities, Penalties, Forfeitures, Provisions, Restrictions and Regulations for managing, raising, levying, collecting, securing and paying the same, and with such Allowances for prompt Payment, and for Waste of Salt carried Coastwise, or to *Ireland*, and for Fish, Beef and Pork exported to Parts beyond the Seas, and with such Drawbacks or Debentures on Account of Duties paid or secured to be paid for Salt exported to Parts beyond the Seas, as were particularly mentioned in the Acts recited in the said Act of the eighteenth Year of your Majesty's Reign; and that the said Acts therein recited, and every Article, Rule, Clause, Matter and Thing therein contained, or thereby referred unto, and then being in Force, and not otherwise altered by that Act, should be and continue in full Force and Effect, for and during the said further Term of six Years, as fully and amply to all Intents and Purposes as if the same had been particularly recited, expressed and enacted, in the Body of that Act; with a Proviso therein contained, That the Duties on Salt, arising and payable in that Part of *Great Britain* called *Scotland*, should be subject to the same or the like Charges thereon, in the same Manner as the same Duties were liable or subject to by an Act made in the fifth Year of his late Majesty King *George* the First, (intituled, *An Act for settling certain yearly Funds payable out of the Revenue of* Scotland, *to satisfy publick Debts in* Scotland, *and other Uses mentioned in the Treaty of Union; and to discharge the Equivalents claimed on Behalf of* Scotland *in the Terms of the same Treaty; and for obviating all future Disputes, Charges and Expences concerning those Equivalents:*) And whereas it was by the said Act made in the eighteenth Year of your Majesty's Reign further enacted, That the Money which should from Time to Time arise at the Receipt of the Exchequer, of or for the Rates or Duties by the said Act continued, should from Time to Time, as the same should arise at the said Receipt (after all the Orders of Loan made forth by and in pursuance of the said Act made in the fourteenth Year of your Majesty's Reign, together with all the Interest due thereupon, should be fully satisfied and discharged, or Money sufficient should be reserved for that Purpose) be issued and applied at the said Receipt for or towards the paying off and discharging all and every the principal Sums contained in the Orders of Loan by the said Act of the eighteenth Year of your Majesty's Reign, directed to be made forth, and for satisfying the Interest thereof, in such Course, Manner and Form, as are in the said Act prescribed and appointed for that Purpose, until all the principal and Interest payable upon such Orders should be fully satisfied, or sufficient Money should be reserved in the Exchequer for the full Payment and Satisfaction of the same, as in the said Act is directed, and for no other Use, Intent or Purpose whatsoever; and by the said Act it was provided, That in case there should be any Surplus or Remainder of the Monies arising by the said Rates and Duties thereby continued, after all the Orders by the said Act of the eighteenth Year of your Majesty's Reign directed to be made forth, and the Interest thereof should be fully satisfied and discharged, or Money sufficient should be reserved for that Purpose, such Surplus or Remainder of the said Rates and Duties should from Time to Time be reserved for the Disposition of Parliament, and should not be issued but by Authority of Parliament, and as should be directed by any future Act or Acts of Parliament in that Behalf, as by the said Act, Relation being thereunto had, may more fully appear: And whereas all the Orders of Loan made forth in pursuance of the said Act of the fourteenth Year of your Majesty's Reign, together with all the Interest due thereupon, have been fully satisfied and discharged: And whereas the principal Sum of one million hath, in pursuance of the said Act of the eighteenth Year of your Majesty's Reign, been advanced and paid on the Credit of the said Rates and Duties; and Orders of Loan have been made forth to the several Contributors, for the Repayment thereof, with Interest after the Rate of three Pounds ten Shillings *per Centum per Annum*: And whereas Part of the said Orders of Loan so made forth in pursuance of the last mentioned Act, together with all the Interest due thereupon, hath been already discharged and satisfied, and the Residue thereof may, according to the Course in the said Act prescribed, be paid off and discharged before the Expiration of the Term of six Years, for which the said Rates and Duties were by the said Act of the

18 Geo. 2. c. 5.

14 Geo. 2. c. 22.

5 Geo. 1. c. 20.

'eighteenth Year of your Majesty's Reign further granted and continued:' Now we your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, gratefully acknowledging your Majesty's tender Care of the Welfare of your People, in recommending to us from your Throne, the Continuance of our Attention to the Reduction of the national Debt, the Improvement of the publick Revenue, and augmenting the Sinking Fund, and being desirous to make further Provision for those Purposes; To the end that the Nation may thereby acquire additional Credit, Power and Security, have unanimously resolved to give and grant to your Majesty, your Heirs and Successors for ever, the said Rates and Duties upon Salt, and upon Red and White Herrings, by the said last mentioned Act of the eighteenth Year of your Majesty's Reign, continued for the Term of six Years, subject nevertheless to be redeemed by Parliament: And do therefore most humbly beseech your Majesty that it may be enacted; and Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of the Term of six Years, for which the said Rates and Duties were continued by the said Act of the eighteenth Year of his Majesty's Reign, the several and respective Rates and Duties upon Salt, and upon Red and White Herrings, so by the said last mentioned Act continued, shall be and are hereby granted and made payable unto his Majesty, his Heirs and Successors for ever, subject nevertheless to Redemption by Parliament; and that the same shall be managed, raised, levied, collected, secured and paid, in such Manner and Form, and by and under such Powers, Authorities, Penalties, Forfeitures, Provisions, Restrictions and Regulations, for managing, raising, levying, collecting, securing and paying the same, and with such Allowances for prompt Payment, and for Waste on Salt carried Coastwise, or to *Ireland*, and for Fish, Beef and Pork exported to Parts beyond the Seas, and with such other Allowances, and with such Drawbacks or Debentures, on account of Duties paid or secured to be paid, for Salt exported to Parts beyond the Seas, as are particularly mentioned in the Acts recited in the said Act of the eighteenth Year of his Majesty's Reign, or in any other Act now in Force, relating to the said several Rates and Duties; and that so much of the said Act, and of the Acts therein recited, and of every other Act as is now in Force, and as relates to the managing, raising, levying, collecting, securing and paying of the said Rates and Duties, or the said Allowances, Drawbacks and Debentures, shall be and remain in full Force and Effect for ever, as fully and amply to all Intents and Purposes as if the same were particularly recited, expressed and enacted in the Body of this Act.

The Duties upon Salt, and Red and White Herrings made perpetual;

subject to the Rules, &c. of 18 Geo. 2. c. 5.

II. Provided nevertheless, and be it enacted and declared, That the Duties on Salt arising and payable in that Part of *Great Britain* called *Scotland*, are and shall be subject to the same or the like Charges thereon, in the same Manner as the same Duties were liable or subject to by an Act made in the fifth Year of the Reign of his late Majesty King *George* the First, (intituled, *An Act for settling certain yearly Funds payable out of the Revenue of* Scotland, *to satisfy publick Debts in* Scotland, *and other Uses mentioned in the Treaty of Union; and to discharge the Equivalents claimed on Behalf of* Scotland, *in the Terms of the same Treaty; and for obviating all future Disputes, Charges and Expences concerning those Equivalents)* any Thing in this Act contained to the contrary notwithstanding.

Duties on Salt in Scotland subject to the Charges by 5 Geo. 1. c. 20.

III. And be it further enacted by the Authority aforesaid, That after all the Orders of Loan made forth in pursuance of the said Act of the eighteenth Year of his present Majesty's Reign, together with all Interest due thereupon, shall be fully discharged and satisfied, or Money sufficient shall be reserved for that Purpose, all the Monies which shall from Time to Time arise at the Receipt of the Exchequer, as well of or for the said Rates and Duties by the said Act of the eighteenth Year of his present Majesty's Reign, continued, as of or for the Rates and Duties by this Act granted and made perpetual, shall be carried to and made Part of the Fund commonly called the *Sinking Fund*, and shall and may be issued and applied in such Manner, and to such Uses and Purposes as other Rates, Duties, Revenues and Incomes, composing the said Fund, are or shall be directed by Authority of Parliament to be issued and applied, and for no other Use, Intent or Purpose whatsoever.

After Payment of Principal and Interest of the Loan on 18 Geo. 2. c. 5. these Duties to be carried to the Sinking Fund. *See further* 26 *Geo.* 2. *c.* 32. *and* 2 *Geo.* 3. *c.* 24.

CAP. IV.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty-three. EXP. At 2 s. in the Pound.

CAP. V.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. VI.

An Act to oblige Ships more effectually to perform their Quarentine; and for the better preventing the Plague being brought from foreign Parts into *Great Britain* or *Ireland*, or the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*.

9 *Ann. c.* 22. 7 *Geo.* 1. *st.* 1. *c.* 3. 8 *Geo.* 1. *c.* 8, 10 & 18. 1 *Geo.* 2. *c.* 13. 6. *Geo.* 2. *c.* 34.

'WHEREAS it is necessary that some Provision be made by Parliament, for obliging Ships and Persons coming from Places infected with or frequently subject to the Plague, to perform Quarentine in such Manner as hath been or shall be ordered by his Majesty, his Heirs or Successors; and for punishing Offenders therein in a more expeditious Manner than can be done by the ordinary Methods of Law;'

Be

Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That all Ships and Vessels arriving, and all Persons, Goods and Merchandizes whatsoever, coming or imported into any Port or Place within *Great Britain* or *Ireland*, or the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, from any Place from whence his Majesty, his Heirs or Successors, by and with the Advice of his or their Privy Council shall judge it probable that the Infection may be brought, shall be obliged to make their Quarentine in such Place and Places, for such Time and in such Manner, as hath been or shall, from Time to Time, be directed by his Majesty, his Heirs or Successors, by his or their Order or Orders made in his or their Privy Council, and notified by Proclamation, or published in the *London Gazette*; and that until such Ships, Vessels, Persons, Goods and Merchandizes shall have respectively performed, and be discharged from such Quarentine, no such Person, Goods or Merchandizes, or any of them, shall come or be brought on Shore, or go or be put on Board any other Ship or Vessel, in any Place within his Majesty's Dominions, unless in such Manner, and in such Cases, and by such Licence as shall be directed or permitted by such Order or Orders made by his Majesty, his Heirs or Successors, in Council as aforesaid; and that all such Ships and Vessels, and the Persons or Goods coming or imported in, or going or being put on Board the same, and all Ships, Vessels, Boats and Persons receiving any Goods or Persons out of the same, shall be subject to such Orders, Rules and Directions concerning Quarentine, and the Prevention of Infection, as have been or shall be made by his Majesty, his Heirs and Successors in Council, and notified by Proclamation, or published in the *London Gazette* as aforesaid.

All Vessels, Persons and Goods coming from Places from whence the Plague may be brought, subject to perform Quarentine in such Places as shall be appointed;

II. And it is hereby further enacted by the Authority aforesaid, That if the Plague shall appear on Board any Ship, being to the Northward of Cape *Finisterre*, the Master, Commander or other Person having Charge thereof shall immediately proceed to the Harbour of *New Grimsby* in the Islands of *Scilly*, where being arrived, he shall make known his Case to some Officer of the Customs there, who shall immediately acquaint some Custom-house Officer of some near Port of *England* thereof; and the said Custom-house Officer shall with all possible Speed send up the Intelligence thereof to one of his Majesty's Principal Secretaries of State, that such Measures may be taken for the Comfort and Support of the Crew of such Ship so infected, and such Precautions used to prevent the spreading of the Infection, as the Case shall require; and the said Ships shall remain at the said Islands of *Scilly*, till his Majesty's Pleasure be known; nor shall any of her Crew go on Shore; but in case the said Master, Commander, or other Person having Charge of the said Ship so infected, shall not be able to make the said Islands of *Scilly*, or shall be forced by Stress of Weather or otherwise to go up either of the Channels, he shall not presume to enter with such Ship into any Port, but shall remain in some open Road, till he receives Orders from his Majesty, or his Privy Council, and shall take Care to prevent any of his Ship's Company from going out of his Ship, and to avoid all Intercourse with other Ships or Persons; and the said Master or any other Person on Board such Ship as aforesaid, who shall be disobedient therein, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy; and every such Offence so made Felony, shall and may be enquired of, heard and determined in the County where the Offence shall be committed, or else in the County where the Offender shall be apprehended.

Vessels infected, being to the Northward of Cape Finisterre, to proceed to the Harbour of New Grimsby, and give Notice of their Case; to be transmitted to the Secretary's Office, &c.

Vessels not able to make Scilly, to remain in some Road 'till Orders arrive.

Penalty of Disobedience, Death.

III. And to the end that it may be better known whether any Ship or Vessel be actually infected with the Plague, or whether such Ship or Vessel, or the Mariners or Cargo coming and imported in the same, are liable to any Orders touching Quarentine; Be it further enacted by the Authority aforesaid, That when any Country or Place is or shall be infected with the Plague; or when any Order or Orders is, are or shall be made by his Majesty, his Heirs or Successors, concerning Quarentine, and the Prevention of Infection as aforesaid; as often as any Ship or Vessel shall attempt to enter into any Port or Place in *Great Britain* or *Ireland*, or of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, the principal Officer of his Majesty's Customs in such Port or Place, or such Person as shall be authorized to see Quarentine duly performed, shall go off, or cause some other Person to be by him appointed for that Purpose to go off to such Ship or Vessel; and such Officer, or other Person authorized to see Quarentine performed as aforesaid, or the Person so by him appointed for that Purpose, shall, at a convenient Distance from such Ship or Vessel, demand of the Commander, Master or other Person having Charge of such Ship or Vessel; and such Commander, Master or other Person having Charge of such Ship or Vessel, shall, upon such Demand, give a true Account of the following Particulars; that is to say, The Name of such Ship or Vessel; the Name of the Commander or Person having Charge thereof; at what Place or Places the Cargo was taken on Board; what Place or Places the Ship or Vessel touched at in her Voyage; whether such Places, or any, and which of them were infected with the Plague; how long such Ship or Vessel had been in her Passage; how many Persons were on Board when the said Ship or Vessel set sail; whether any and what Persons, during that Voyage on Board such Ship or Vessel, had been or shall be then infected with the Plague; how many died in the Voyage, and of what Distemper; what Ships or Vessels he, or any of his Ship's Company, with his Privity went on Board, or had any of their Company come on Board his Ship or Vessel in the Voyage; and to what Place such Ships or Vessels belonged; and also the true Contents of his Lading; to the best of his Knowledge: And in case it shall appear upon such Examination or otherwise, that any Person then on Board such Ship or Vessel shall at the Time of such Examination be actually infected with the Plague, or that such Ship is obliged to perform Quarentine, in such Case it shall and may be lawful to and for the Officers of any of his Majesty's Ships of War, or any of his Majesty's Forts or Garrisons, and all other his Majesty's Officers whom it may concern, upon Notice thereof given to them, or any of them respectively, and to and for any other Person or Persons whom they shall call to their Aid and Assistance, and they are hereby required to oblige such Ship or Vessel to go and repair to such Place as hath been

When any Place shall be infected, or Orders made, Officers to go off to the Vessel, and interrogate the Master concerning the Ship's Cargo and Voyage, Health, &c.

If the Infection shall be on board, &c. the Vessel to be obliged to perform Quarentine;

If the Vessel shall come from any Place infected, or have the Infection on board, the Master concealing the same, guilty of Felony; and not making a true Discovery in other Particulars, to forfeit 200 l.

been or shall be appointed for Performance of Quarentine, and to use all necessary Means for that Purpose, be it by firing of Guns upon such Ship or Vessel, or any other Kind of Force or Violence whatsoever; and in Case any such Ship or Vessel shall come from any Place visited with the Plague, or have any Person on Board actually infected, and the Commander, Master or other Person having Charge of such Ship or Vessel, shall conceal the same, such Commander, Master or other Person having Charge of such Ship or Vessel, shall be adjudged guilty of Felony, and shall suffer Death as in cases of Felony, without Benefit of Clergy; and in case such Commander, Master or other Person having Charge of such Ship or Vessel, shall upon such Demand made as aforesaid, not make a true Discovery in any other of the Particulars aforesaid, such Commander, Master or other Person having Charge of such Ship or Vessel, for every such Offence shall forfeit the Sum of two hundred Pounds; one Moiety thereof to the King, his Heirs and Successors, and the other Moiety to him or them who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, *Edinburgh*, *Dublin*, or in the proper Courts of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, respectively.

Master of a Vessel performing Quarentine, to deliver to the Officer the Bill of Health, and Manifest, of the British Consul; with the Log-book and Journal, under Penalty of 500 l.

IV. And be it further enacted by the Authority aforesaid, That every Master, Commander, or other Person having Charge of any Ship or Vessel which shall be ordered to perform Quarentine as aforesaid, shall, after his Arrival at the Place appointed for the Performance of his Quarentine, deliver on Demand to the chief Officer appointed to see Quarentine duly performed there, such Bill of Health, and Manifest, as he shall have received from any *British* Consul during his Voyage, together with his Log-book and Journal, under Penalty of forfeiting five hundred Pounds; one Moiety thereof to the King, his Heirs and Successors, the other Moiety to him or them who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, *Edinburgh*, *Dublin*, or in the proper Courts of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, respectively.

Master, &c. quitting the Vessel before Quarentine performed, unless by Licence, or not going to the Place appointed, to forfeit 500 l.

V. And be it further enacted by the Authority aforesaid, That if any Commander, Master, or other Person, having Charge of any Ship or Vessel liable to perform Quarentine, having Notice thereof, shall himself quit, or shall knowingly permit or suffer any Seaman or Passenger coming in such Ship or Vessel, to quit such Ship or Vessel, by going on Shore, or by going on Board any other Ship, Boat or Vessel, before such Quarentine shall be fully performed, unless in such Cases, and by such proper Licence as shall be directed or permitted by such Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection as aforesaid; or in case any Commander, Master, or other Person, having Charge of such Ship or Vessel, shall not, within convenient Time after due Notice given for that Purpose by the proper Officer, cause such Ship or Vessel, and the Lading thereof, to be conveyed into the Place or Places appointed for such Ship, Vessel and Lading to perform Quarentine respectively; then, and in every such Case, every such Commander, Master or other Person having Charge of such Ship or Vessel, for every such Offence shall forfeit five hundred Pounds; one Moiety thereof to the King, his Heirs and Successors, and the other Moiety to him or them who will sue for the same; and also if any Person shall so quit such Ship, or Vessel by going on Shore, or by going on Board any other Ship or Vessel, contrary to the true Meaning of this Act, it shall and may be lawful for all Persons whatsoever, by any kind of Force and Violence, to compel such Person to return on Board such Ship or Vessel; and every such Person so quitting such Ship or Vessel shall for every such Offence suffer Imprisonment for the Space of six Months, and shall also forfeit the Sum of two hundred Pounds; one Moiety to the King, his Heirs and Successors, the other Moiety to him or them that will sue for the same; the same respective Penalties and Forfeitures to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, *Edinburgh*, *Dublin*, or in the proper Courts of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, respectively.

and Persons quitting the Vessel to be obliged by Force to return, and to suffer Imprisonment, and forfeit 200 l.

Lazarets may be erected on common or private Grounds, making Satisfaction to the Proprietors.

VI. And be it further enacted by the Authority aforesaid, That whenever his Majesty, his Heirs and Successors, by and with the Advice and Consent of Parliament, shall direct Houses or Lazarets to be provided for the receiving and entertaining of Persons obliged to perform Quarentine, or for the depositing, opening and airing of Goods and Merchandizes liable to perform Quarentine as aforesaid, it shall and may be lawful to erect the same either in any waste Grounds or Commons, or where such waste Grounds or Commons are not sufficient, in the several Grounds of any Person or Persons whatsoever, not being a House, Park, Garden, Orchard, Yard or planted Walk, or Avenue to a House, paying such Rate, Rent, or Consideration for the same to the Persons interested therein respectively, according to their several Interests in the same, as shall be agreed on between the Persons so interested, their Guardians or Trustees, and any two Persons to be appointed for that Purpose by his Majesty, his Heirs or Successors, under his or their Sign Manual; and in case of any Difference concerning such Rate, Rent or Consideration between the Persons so interested, their Guardians or Trustees, and such Persons so to be appointed by his Majesty, his Heirs or Successors as aforesaid, then and in such Cases the said Persons so to be appointed by his Majesty, his Heirs and Successors, may and are hereby authorized, thirty clear Days before any General Quarter Session of the Peace to be holden for the respective Counties or Divisions where such Grounds shall respectively lie as aforesaid, to give or cause to be given, to the Occupier or Occupiers of such several Grounds, or to be left at their last Places of Abode respectively, a Notice in Writing, describing the Quantity of Ground so directed by his Majesty, his Heirs, and Successors, by and with the Advice and Consent of Parliament, for the Purposes aforesaid, and purporting that the Rent or Consideration of such Ground will be adjusted and settled by a Jury at the said Sessions; and the Justices at their said Sessions, upon Proof to them made that such Notices have been given, shall and are hereby authorized and required to charge the Jury which shall attend at the said Sessions, or some other Jury of twelve honest and sub-

In case of Difference, the same to be settled by a Jury at the Quarter Sessions,

substantial Men (to be then and there impanelled and returned by the Sheriff of the County, without Fee or Reward) and cause to be sworn, well and truly on their Oaths to assess the Value of the Ground comprized in the said Notices, and the Rent or Consideration to be given for the same to the respective Owner or Owners thereof, according to their respective Interests therein; which Oath the said Justices are hereby required to administer to the said Jury, and to which said Jury the said Persons to be appointed by his Majesty, his Heirs and Successors, and the Parties interested in such Ground shall have their lawful Challenges; and the said Jury being so sworn and charged as aforesaid, after proper Evidence on Oath given to them, shall by their Verdict assess the Rent or Consideration to be given for such Ground to the respective Owner or Owners thereof, according to their respective Interests therein; which Verdict of the said Jury, and Judgment of the said Justices thereupon, shall be conclusive and finally bind all Parties; and that from and after such Verdict and Judgment, his Majesty, his Heirs and Successors, shall and may hold and enjoy such Ground for and during all such Time and Term as his Majesty, his Heirs and Successors, shall judge necessary for the Purposes aforesaid, paying for the same such Rate, Rent, or other Consideration, as shall be agreed upon, or assessed and adjudged as aforesaid.

Officers to oblige all Persons to comply with Orders.

VII. And be it further enacted by the Authority aforesaid, That the proper Officers authorized to put in Execution such Orders made or to be made as aforesaid, shall, and they are hereby impowered and required to cause and compel all Persons obliged to perform Quarentine as aforesaid, and all Goods and Merchandizes comprized within any such Orders made or to be made as aforesaid, respectively to repair, or be conveyed to some of the said Houses or Lazarets, or to such other Places as shall be provided for the Reception of such Persons, Goods or Merchandizes, or for the opening and airing of such Goods or Merchandizes, according to such Order or Orders made or to be made as aforesaid.

Persons refusing to perform Quarentine, &c.

VIII. And be it further enacted, That if any Person obliged to perform Quarentine as aforesaid, shall wilfully refuse or neglect to repair, within convenient Time after due Notice for that Purpose given to him, her or them, by the proper Officer, to the House, Lazaret, or other Place, duly appointed for him, her or them, or having been placed in such House or Lazaret, or other Place, shall escape or attempt to escape out of the same before Quarentine fully performed; it shall and may be lawful to and for the Watchmen, and other Persons appointed to see Quarentine performed, by such Force as the Case shall require, to compel every such Person so refusing or neglecting as aforesaid, and every such Person so escaping or attempting to escape as aforesaid, to repair or return into such House, Lazaret, or other Place so appointed for him or her as aforesaid; and every such Person so refusing or neglecting to repair, within convenient Time after such Notice as aforesaid, into such House, Lazaret, or other Place appointed for him or her as aforesaid; and also every Person actually escaping as aforesaid, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Officers may compel them by Force.

Persons escaping, &c. guilty of Felony.

Officers to enforce Obedience.

'IX. And whereas Disobedience or refractory Behaviour in Persons under Quarentine may be attended 'with great Danger and Inconvenience;' Be it further enacted by the Authority aforesaid, That all Persons liable to perform Quarentine, whether in Ships, Lazarets, or elsewhere, shall be subject, during the said Quarentine, to such Orders as they shall receive from the proper Officers authorized to see it duly performed; and the said Officers are hereby impowered and required to enforce all necessary Obedience to their said Orders; and may, in case of Necessity, call in others to their Assistance; and all Persons so called are hereby required to assist accordingly.

Sound Persons entering a Lazaret, &c. where the Infection is, to be obliged to continue there, and perform Quarentine;

and if he escape, to be guilty of Felony.

X. And be it further enacted, That if any Person not infected with the Plague, nor liable to perform Quarentine, shall enter any House, Lazaret, or other Place so appointed as aforesaid, whilst any Person or Persons infected with the Plague, or being under Quarentine, shall be therein; and shall return, or attempt to return from thence, unless in such Cases, and by such Licence, as shall be directed or permitted by such Order or Orders made or to be made as aforesaid; it shall and may be lawful to and for the Watchmen, or other Persons appointed to guard or secure such House, Lazaret, or other Place so appointed as aforesaid, by such Force as the Case shall require, to compel such Person so returning or attempting to return, to repair into such House, Lazaret, or other Place so appointed as aforesaid, there to continue and perform Quarentine: And in case such Person shall actually escape out of such House, Lazaret, or other Place where he or she shall be so placed for Performance of Quarentine, before he or she shall have fully performed the same, he or she shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Officer neglecting Duty, to forfeit his Office, and 100l.

XI. And it is hereby further enacted, That if any Officer or Officers of his Majesty's Customs, or any other Officer or Officers, Person or Persons whatsoever, to whom it doth or shall appertain, to execute any Order or Orders made or to be made concerning Quarentine, or the Prevention of Infection, and notified as aforesaid, or to see the same put in Execution, shall be guilty of any wilful Breach or Neglect of his or their Duty in that Behalf, every such Officer and Person so offending shall forfeit his Office or Employment in the Customs, or any other Office or Employment, and shall become from thenceforth incapable to hold or enjoy the same, or to take a new Grant thereof, and forfeit the Sum of one hundred Pounds; one Moiety thereof to the King, his Heirs and Successors, and the other Moiety to him or them who shall or will sue for the same by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, *Edinburgh*, *Dublin*, or in the proper Courts of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, respectively; and if any such Officer or Person shall embezzle, or shall knowingly and willingly damage any Goods performing Quarentine under his Direction, he shall be liable to pay treble Damages, and full Costs of Suit.

and if he embezzle any Goods, to pay treble Damages.]

'XII. And whereas certain Species of Goods and Merchandizes are more especially liable to retain Infection, and may be brought from Places infected into other Countries, and from thence imported into his Majesty's Dominions in Ships not obliged to perform Quarentine:' Be it enacted by the Authority

'aforesaid,

Goods specified to be liable to Quarentine.

aforesaid, That all such Goods and Merchandizes as are or shall be particularly specified for that Purpose, in any Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection as aforesaid, which shall be imported into any of his Majesty's Dominions, from any foreign Country or Place, in any Ship or Vessel whatsoever, shall be subject and liable to such Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection as aforesaid.

On Proof that the Vessel hath performed Quarentine,

that the same is free from Infection; and a Certificate from the Officer, &c.

XIII. And it is hereby further enacted, That after Quarentine shall have been duly performed by any Ship or Vessel, Person or Persons, obliged to perform Quarentine, according to such Order or Orders made as aforesaid, and this Act, and upon Proof to be made by the Oaths of the Master, or other Person having Charge of such Ship or Vessel, and of two of the Persons belonging to such Ship or Vessel, or upon Proof to be made by the Oaths of two or more credible Witnesses, before the Customer, Comptroller or Collector of the Port where such Quarentine shall be performed, or the next Port thereunto, or before any of their Deputies, or any Justice of the Peace living near to such Port, or where such Quarentine shall have been performed within any of the said Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, before any two Jurats or Magistrates of any of the said Isles respectively, (which Persons are hereby authorized and required to administer such Oath) that such Ship or Vessel, and all and every such Person and Persons respectively, have duly performed Quarentine as aforesaid; and that the Ship or Vessel, and all and every such Person and Persons, are free from Infection; and after producing a Certificate to that Purpose, signed by the chief Officer who superintended the Quarentine of the said Ship; then and in the said respective Cases such Customer, Comptroller or Collector, or any of their Deputies, together with the said Justice of the Peace, or such Jurats or Magistrates as aforesaid respectively, are hereby required to give a Certificate thereof; and thereupon such Ship or Vessel, and all and every such Person and Persons so having performed Quarentine, shall be liable to no further Restraint or Detention upon the same Account, for which such Ship or Vessel, Person or Persons, shall have performed Quarentine as aforesaid.

the Ship and Men to be discharged.

No Fee to be taken.

XIV. And it is hereby further enacted, That the Officer before whom such Oath shall be made, and by whom such Certificate shall be given, shall for such respective Oath and Certificate demand or take no Fee or Reward whatsoever.

Orders to be complied with for the airing of Goods; and on Certificate and Proof,

the Goods to be discharged.

XV. Provided nevertheless, and it is hereby enacted, That all Goods, Wares and Merchandizes, liable to Quarentine as aforesaid, shall be opened and aired in such Place or Places, and for such Time, and in such Manner, as shall be directed by his Majesty, his Heirs or Successors, by such Order or Orders to be made as aforesaid; and after such Orders shall have been duly complied with, and a Certificate thereof given by the chief Officer appointed to superintend the Quarentine and Airing of such Goods, Wares and Merchandizes, and Proof shall be made thereof, by the Oaths of two or more credible Witnesses, before the Customer, Comptroller or Collector of the Port, lying next to such Place or Places where such Goods, Wares or Merchandizes, shall have been opened and aired as aforesaid, or any of their Deputies, or any Justice of the Peace living near the same, or before any two Jurats or Magistrates of the said Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man* respectively, (who are hereby authorized and required to administer such Oath) upon Certificate and Return of such Proof by such Customer, Comptroller or Collector, or any of their Deputies, or such two Jurats or Magistrates as aforesaid, (who are hereby respectively required to make such Certificate and Return to the Commissioners appointed for the Management of the Customs of *Great Britain* or *Ireland*, or to the Governor or Commander in Chief, being upon the Place, in the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man* respectively) such Goods, Wares and Merchandizes, shall be forthwith discharged from any Restraint or Detention upon the same Account, by Order of the said Commissioners, or any two of them, or of the said Governor or Commander in Chief of any of the said Isles as aforesaid respectively; for every of which Oath, Certificate and Order, no Fee or Reward whatsoever shall be demanded or taken.

Officer demanding a Fee for such Oath or Certificate, to forfeit 100 l.

XVI. Provided always, and be it enacted, That if any Officer or other Person shall demand or take any Fee or Reward whatsoever for any such Oath, Order or Certificate, to be administered or made in pursuance of this Act, every Person so offending shall forfeit the Sum of one hundred Pounds, one Moiety thereof to his Majesty, his Heirs and Successors, and the other Moiety to him or them who shall sue for the same, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, *Edinburgh*, *Dublin*, or in the proper Courts of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man* respectively, in which Case treble Costs shall be allowed to either Party as in other Cases.

Superintendant of the Quarentine, or Watchman, acting contrary to their Duty,

or Officer giving a false Certificate, to suffer Death.

XVII. And be it further enacted by the Authority aforesaid, That if any Officer or other Person appointed to see Quarentine duly performed, or any Person placed or appointed as a Watchman upon any House, Lazaret, Ship or other Place, for Performance of Quarentine, in pursuance of this Act, shall desert from their Duty when employed on the said Business of Quarentine, or shall knowingly and willingly permit or suffer any Person, Ship, Goods or Merchandizes, to depart or be conveyed out of such House, Lazaret, Ship or other Place respectively appointed for Performance of Quarentine, unless in such Cases, and by such Licence, as are or shall be directed or permitted by some Order or Orders made or to be made as aforesaid; or if any Person directed as aforesaid to give a Certificate of a Ship's having duly performed her Quarentine or Airing, shall knowingly give a false Certificate; then and in every of the said Cases, every such Officer and Person so offending shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Persons concealing or clandestinely conveying Letters or Goods from any

XVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall knowingly or wilfully conceal from the Officers of Quarentine, or shall clandestinely convey any Letters, Goods, Wares or Merchandizes from any Ship under Quarentine, or liable to perform Quarentine, by any such Order to be made as aforesaid, or from any Lazaret or other Place where Goods shall be performing Quarentine,

rentine, every such Person so offending shall suffer Death, as in Cases of Felony, without Benefit of Clergy. Ship under Quarentine, or from any Lazaret, to suffer Death.

'XIX. And whereas it is notorious, that notwithstanding the many good Laws made to prevent the 'clandestine Importation of customable and prohibited Goods and Merchandizes, a pernicious Trade of 'that Kind is still carried on, for the most part in open Boats or Vessels of small Burthen, which pri- 'vately and in the Night put into Creeks and secret Places on the Coast, thereby escaping the Observation 'of the Officers of the Customs, which Practices may prove highly detrimental to the Safety of these 'Kingdoms during a Time of Infection;' For Prevention thereof, Be it enacted by the Authority aforesaid, That when any Part of *Great Britain*, *Ireland*, or the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, or *France*, *Spain*, *Portugal* or the *Low Countries*, shall be infected with the Plague, it shall and may be lawful to and for his Majesty, his Heirs and Successors, by his or their Proclamation to prohibit and restrain all small Boats and Vessels, under the Burthen of twenty Tons, from sailing or passing out of any Port or Place of *Great Britain* or *Ireland*, or the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* and *Man*, or any of them, until Security be first given by the Master of every such Boat or Vessel respectively, to the Satisfaction of the principal Officer of the Customs, or the Chief Magistrate of the Port or Place from whence such Boat or Vessel shall sail, by Bond taken to the King, his Heirs or Successors, with sufficient Sureties, in the Penalty of three hundred Pounds, with Condition that if such Boat or Vessel shall not go to, or touch at any Country, Port or Place to be mentioned for that Purpose in such Proclamation; and if the Master or other Person having charge of such Boat or Vessel, and all and every Mariner and Mariners, Passenger and Passengers going in such Boat or Vessel shall, during the Time aforesaid, not go on board any other Ship or Vessel at Sea, and if such Master or other Person having charge of such Boat or Vessel shall not permit or suffer any Person or Persons to come on board such Boat or Vessel at Sea from any other Ship or Vessel, and shall not, during the Time aforesaid, receive any Goods and Merchandizes whatsoever out of any other Ship or Vessel, then such Bond shall be void, or to such Effect; for the making of which Bond no Fee or Reward whatsoever shall be taken; and in case any Boat or Vessel for which such Security shall be required by such Proclamation, shall set sail or pass out of any Port or Place of *Great Britain* or *Ireland*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark* and *Man*, or any of them respectively, before such Security be given as aforesaid, every such Boat or Vessel so sailing or passing out of any Port or Place, contrary to the true Intent and Meaning of this Act, together with her Tackle, Apparel and Furniture, shall be forfeited to the King, his Heirs and Successors, and shall and may be seized, sued for, and recovered in his Majesty's Court of Exchequer at *Westminster*, *Edinburgh* or *Dublin*, or in the proper Courts of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man* respectively, to the Use of his Majesty, his Heirs and Successors; and the Master of, and every Mariner sailing in any such Boat or Vessel, being thereof lawfully convicted upon his or their Appearance or Default, upon the Oath or Oaths of one or more credible Witness or Witnesses, by one or more Justice or Justices of the Peace where such Offender shall be found (which Oath such Justice or Justices of the Peace are hereby impowered and required to administer) shall forfeit the Sum of twenty Pounds; one Moiety thereof to the Informer, the other Moiety to the Poor of the Parish where such Offender shall be found; the same to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal or the Hands and Seals of such Justice or Justices before whom such Offender shall be convicted as aforesaid; and for want of sufficient Distress, every such Offender shall by such Justice or Justices be committed to Prison, there to remain without Bail or Mainprize for the Space of three Months; and in case any such Offender shall be found in any of the said Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, and shall be lawfully convicted of such Offence in any Action or Suit to be founded on this Act, in the proper Court of any of the said Isles where he shall be so found, such Offender shall forfeit the Sum of twenty Pounds; one Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish or Place where such Offender shall be found; and in default of paying such Penalty shall suffer Imprisonment without Bail or Mainprize for the Space of three Months.

During the Infection in the Places herein mentioned, small Vessels to give Security not to touch at any Country which shall be mentioned in a Proclamation.

Vessels sailing without such Security to be forfeited;

and the Master and Crew to forfeit 20 l.

XX. And, to the end that all Persons may know how to demean themselves in the Premisses, Be it further enacted by the Authority aforesaid, That when and as often as his Majesty, his Heirs or Successors, shall make any Order or Orders concerning Quarentine, and the Prevention of Infection, and notify the same by Proclamation, or cause the same to be published in the *London Gazette*, as aforesaid; such Proclamation, or Order or Orders in Council, as aforesaid, shall be publickly read upon the next *Sunday* on which Divine Service shall be performed after the Receipt of the same, and the first *Sunday* in every Month afterwards (during the Time such Orders shall continue in Force) immediately after the Prayers, in all Parish Churches, and other Places set apart for Divine Worship, within such Counties and Places as shall be specified for that Purpose in such Proclamation or Orders respectively. Orders concerning Quarentine to be read in Churches, &c.

XXI. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this present Act, the Defendant or Defendants in such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of the said Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall have been given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as the Defendant or Defendants hath or have in other Cases by Law. General Issue. Treble Costs.

XXII. Provided always, and it is hereby enacted, That no Attainder of Felony, by virtue of this Act, shall extend to work any Corruption of Blood or Forfeiture of any Goods, Chattels, Lands, Tenements or Hereditaments. Limitation of Attainder of Felony on this Act.

Commencement of this Act.

XXIII. And it is hereby further enacted by the Authority aforesaid, That this Act, and the several Clauses and Provisions therein contained, shall commence and take Effect from and after the first Day of *March* one thousand seven hundred and fifty-four.

For Performance of Quarentine see farther 27 Geo. 2. c. 18. 29 Geo. 2. c. 8. 33 Geo. 2. c. 16.

CAP. VII.

An Act for the more easy and speedy Recovery of small Debts within the Borough of *Boston*, and *Skirbeck Quarter*, and the Parishes of *Boston* and *Skirbeck*, in the County of *Lincoln*. P R.

CAP. VIII.

An Act for opening the Port of *Exeter* for the Importation of Wool, and Woollen Yarn from *Ireland*.

Refer to 13 & 14 Car. 2. c. 18 & 19. 1 W. & M. stat. 1 c. 32. 7 & 8 W. 3. c. 28. 9 & 10 W. 3. c. 40. 10 & 11 W. 3. c. 10. 3 Geo. 1. c. 21. 4 Geo. 1. c. 11. 5 Geo. 1. c. 11. 12 Geo. 1. c. 34. 13 Geo. 1. c. 23. 5 Geo. 2. c. 21. 12 Geo. 2. c. 21. 15 Geo. 2. c. 27. 25 Geo. 2. c. 14 & 19.

'WHEREAS the opening of the Port of *Exeter* for the Importation of Wool, and Woollen Yarn from *Ireland*, will be of great Utility and Advantage to the Woollen Manufactures in the City of *Exeter*, and also in the Neighbourhood thereof, by rendering the Conveyance of those Materials more easy, cheap and expeditious, and may also be a Means of increasing the Importation of Wool, and Woollen Yarn from *Ireland*, into this Kingdom:' May it therefore please your most Excellent Majesty, That it may be enacted; and Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June* one thousand seven hundred and fifty-three, it shall and may be lawful for any Person or Persons to import into the Port of *Exeter* any Wool, or Woollen or Bay-Yarn, Wool-fells, Shortlings, Mortlings, Wool-flocks, and Worsted Yarn, from *Ireland*; any Act or Acts of Parliament to the contrary in any wise notwithstanding.

Wool, &c. may be imported from Ireland into the Port of Exeter;

Under the Regulations

II. Provided always, and be it enacted by the Authority aforesaid, That all such Importations of Wool, and Woollen or Bay-Yarn, Wool-fells, Shortlings, Mortlings, Wool-flocks, and Worsted Yarn, from *Ireland*, into the said Port of *Exeter*, shall be made from such Ports only, and under the same Restrictions and Regulations in all Respects, as Wool or Woollen-Yarn is now by Law permitted to be imported into the several Ports of *Biddeford*, *Barnstaple*, *Minehead*, *Bridgwater*, *Bristol*, *Milford Haven*, *Chester*, *Liverpoole*, *Lancaster*, and *Great Yarmouth*, or any of them, and in the same Manner, to all Intents and Purposes, as if the said Port of *Exeter* had been particularly named for the Importation of the said Goods, in an Act made in the tenth and eleventh Years of the Reign of the late King *William* the Third, (intituled, *An Act to prevent the Exportation of Wool out of the Kingdoms of* Ireland *and* England *into foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of* England) or in any other Act or Acts of Parliament whatsoever.

by 10 & 11 Will. 3. c. 10.

Concerning Wool, &c. see farther 26 Geo. 2. c. 11. 29 Geo. 2. c. 33. 30 Geo. 2. c. 12.

CAP. IX.

An Act to explain, amend, and render more effectual an Act made in the twenty-third Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of the* British *White Herring Fishery*; and for regulating the said Fishery according to the Calendar now in Use, and for other Purposes therein mentioned.

23 Geo. 2. c. 24. For former Provisions relating hereto refer to 13 Ed. 1. c. 43. 31 Ed. 3. stat. 2. c. 1, 2 & 3. 31 Ed. 3. stat. 3. c. 1 & 2. 35 Ed. 3. 13 R. 2. c. 19. 17 R. 2. c. 9. 2 H. 6. c. 15. 14 H. 6. c. 6. 22 Ed. 4. c. 2. 11 H. 7. c. 23. 31 H. 8. c. 2. 2 & 3 Ed. 6. c. 6. 1 El. c. 17. 5 El. c. 5. 39 El. c. 10. 43 El. c. 9. 1 Jac. 1. c. 23. 3 Jac.

'WHEREAS by an Act made in the twenty-third Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of the* British *White Herring Fishery*, after impowering his Majesty, his Heirs and Successors, by Letters Patent, under the Great Seal of *Great Britain*, to incorporate sundry Persons in the said Act named, and such other Bodies and Persons, as in the said Act are mentioned, to be one Body Politick and Corporate, by the Name of *The Society of the free British Fishery*, for the Purpose of carrying on and improving the *British* White Herring Fisheries; it is, amongst other Things, enacted, That for an Encouragement to such Persons as shall become Subscribers to the Stock for carrying on the said Fisheries, that the Sum of three Pounds by the Year for each hundred Pounds, which shall be actually employed in the said Fishery, and proportionably for any greater or lesser Sum, shall be paid to the Proprietors of the said Stock, for and during the Space of fourteen Years from the Date of their Charter, out of the Customs, by the Receiver General of his Majesty's Customs, by equal Half-yearly Payments, provided that the said Society shall employ the Sum of one hundred thousand Pounds, at least, in the said Fisheries, within the Space of eighteen Months after the Date of such Subscription; and it is by the said Act further provided and enacted, That such Sums as shall *bona fide* be contracted to be paid within six Months, shall be deemed employed within the Sense and Meaning of the said Act, in case so much Money of the said Company as shall be sufficient to answer the said Contracts respectively, shall at the Time of making the same, be in the Bank of *England*: And whereas,

'pursuant

'pursuant to the Powers by the said Act given to his said Majesty, a Society by the Name of *The Society of the Free* British *Fishery*, hath been incorporated by Charter, bearing Date the eleventh Day of *October* one thousand seven hundred and fifty, and a very considerable Sum of Money hath been subscribed and paid in towards carrying on the Purposes of the said Act and Charter: And whereas the said Society, in the carrying on the said Fishery, did actually expend within the Term of eighteen Months, after the Date of such Subscription, or *bona fide* contract to be paid within the Term of six Months, allowed after the Expiration of such eighteen Months, the Sum of one hundred thousand Pounds, and upwards, and actually had in the Bank of *England*, before the Expiration of the said eighteen Months, Money sufficient to answer all such Contracts; but in regard the said Society had not in the Bank of *England*, at the respective Times of making such Contracts, Money sufficient to answer the said Contracts respectively, a Doubt hath arisen whether the said Society are, by the Words of the said Act, intitled to the Interest of three Pounds *per Centum* allowed by the said Act, for such Sum so by them expended or employed in the said Fishery: And whereas, amongst other Qualifications by the said Act made necessary for obtaining a Licence and Authority for the said Society's Busses or Vessels to proceed on the said Fishery, Oath is to be made by such Persons, as in the said Act mentioned, that it is their firm Purpose and determined Resolution, that such Busses or Vessels shall proceed either to *Brassey's Sound* in *Shetland*, and be at the Rendezvous of the said Fishery there, on or before the eleventh Day of *June*, and shall not shoot or wet their Nets before the thirteenth Day of the said Month of *June*, and shall continue fishing as in the said Act directed, to the first Day of *October*, or shall proceed to *Campbell Town* in *Argyleshire*, and be at the Rendezvous of the said Fisheries on or before the first Day of *September*, and shall continue fishing to the thirty-first Day of *December*, unless they shall have sooner compleated their Loading of Fish; which said several nominal Days by the late Alteration made by Law, in the Supputation of Time, in these Kingdoms, will, for the Time to come, fall eleven Days earlier in the Year, than was intended by the said Act: And whereas Doubts have arisen whether the Busses or Vessels employed by the said Society in the said Fisheries, are by the said Act obliged to have on board at their Return into Port from the said Fishery, the same Number of Hands as they are by the said Act required to have on board at the Rendezvous of such Vessels; and also whether such Vessels are at Liberty to put into Port between the Intervals of the two Fisheries, which are called the *Shetland* and the *Yarmouth* Fisheries, in order to change their Nets, and otherwise to prepare for the second Fishery: And whereas it is further enacted by the said recited Act, That every Buss or Vessel of the Burthen of seventy Tons, and designed for the said Fishery, shall, on her proceeding to Sea, have on board one Fleet of fifty Nets, each Net to be thirty Yards full upon the Rope, and seven Fathoms deep, and so in proportion for any Vessels of a greater or lesser Tonnage, and be provided with one other Fleet of fifty like Nets, on board a Jagger or Tender to attend the said Fishery, or left on Shore in a proper Place for the use of such Buss or Vessel; which Nets have been found by Experience to be much too deep for the *Yarmouth* Fishery;' Therefore for the putting an end to such Doubts, and for the further and better regulating the said Fisheries, Be it enacted and declared; and it is hereby enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Society are, to all Intents and Purposes, intitled to have and receive the Interest of three Pounds by the Year for each hundred Pounds employed in the said Fishery, and proportionably for any greater or lesser Sum, for such Time and Term of Years, and payable in such Manner, as the same Society would have been intitled thereto, in case so much Money of the said Society as would have been sufficient to answer their said Contracts respectively, had, at the Time of making the same, been in the Bank of *England*; any Thing in the said Act contained to the contrary thereof in any wise notwithstanding.

1. c. 12. 13 & 14 Car. 2. c. 28. 15 Car. 2. c. 7 & 16. 18 Car. 2. c. 2. 30 Car. 2. c. 9. 32 Car. 2. c. 2. 10 & 11 W. 3. c. 24 & 25. 4 Ann. c. 15. 9 Ann. c. 26. 1 Geo. 1. c. 18.

The Society intitled to 3 l. per Cent. Interest on the Sums employed by them.

II. And be it further enacted by the Authority aforesaid, That from henceforth the Oath and Oaths by the said Act required to be taken, with respect to the said several nominal Days thereby appointed, for the Rendezvous of the said Society's Busses or Vessels, and for the Commencement and Duration of the said Fisheries, shall be varied and made conformable to the Calendar now in Use in these Kingdoms; that is to say, That the Oath to be made in order to the procuring a Licence to proceed on the said Fishery, shall import that it is the firm Purpose and determined Resolution of the Persons making such Oath, that the Buss or Vessel applying for Licence and Authority to proceed on the said Fishery, shall proceed manned, furnished and accoutred, in such Manner as by the said recited Act is required, and not otherwise altered by this present Act, either to *Brassey's Sound* in *Shetland*, and be at the Rendezvous of the said Fishery there, on or before the twenty-second Day of *June*, and shall not shoot or wet their Nets before the twenty-fourth Day of the said Month of *June*, and shall continue fishing as in the said Act is mentioned, and not otherwise altered by this present Act, unless prevented by Loss of Masts or other unavoidable Accidents, to the twelfth Day of *October*, or shall proceed to *Campbell* Town in *Argyleshire*, and be at the Rendezvous of the said Fisheries on or before the twelfth Day of *September*, and shall continue fishing, not being prevented as aforesaid, to the eleventh Day of *January*, unless they shall have sooner compleated their Loading of Fish; and that the Oath by the said Act required to be made by the respective Masters of the said Busses or Vessels at their Return into Port for their Discharge, with respect to their having conformed to the several Days appointed by the said Act for the Rendezvous of such Busses or Vessels, and for the Commencement and Duration of the said Fisheries, may and shall from henceforth be varied and made conformable to the Alterations made by this present Act in respect of such several nominal Days.

The Oaths with respect to the Days appointed for the Rendezvous, &c. for the Society's Vessels, to be made conformable to the Calendar now in Use.

The Society not intitled to the Bounty of 30 s. per Ton, where the Vessel returns with fewer Hands than she is required to have on board.

III. And be it further enacted, and it is further enacted and declared by the Authority aforesaid, That the said Society shall not be intitled to have and receive the Bounty of thirty Shillings *per* Ton by the said Act given or allowed to Vessels employed in the said Fisheries, in respect of such Vessels as shall return into Port at the End of the said Fishery with a less Number of Hands than such Vessel is required by the said Act to have on board at the Rendezvous of the said Society's Vessels, unless it shall be made appear that such Number hath been reduced by Death, or that such Reduction is occasioned by Sickness or Desertion, without any Default, Fraud or Collusion on the Part of the said Society; and also that it shall and may be lawful for the said Busses or Vessels, between the Intervals of the said *Shetland* and *Yarmouth* Fisheries, to put into any Port of *Great Britain* or *Ireland* for the Purpose of changing Nets, and otherwise preparing for such *Yarmouth* Fishery; any Thing in the said Act contained to the contrary thereof in any wise notwithstanding.

Between the Intervals of the Fisheries the Vessels may put into Port.

Second Fleet of Nets may be of any Depth not under 5 Fathoms.

IV. And it is further enacted and declared by the Authority aforesaid, That it shall and may be lawful for the said second Fleet of Nets by the said Act required to be on board a Jagger or Tender, or to be left on Shore for the Use of the said Fishery as aforesaid, to be of any Depth not under five Fathoms; and that the Certificate and Oath by the said recited Act required to be made and taken, touching the Depth of the fishing Nets to be used in the said Fishery, may and shall be varied and made conformable to the Alterations by this present Act permitted to be made in respect to the Depth of such second Fleet of Nets; any Thing in the said Act contained to the contrary thereof in any wise notwithstanding.

5 Geo. 1. c. 18.

'V. And whereas by an Act made in the fifth Year of the Reign of his late Majesty King *George* the 'First, (intituled, *An Act for recovering the Credit of the* British *Fishery in foreign Parts, and for better securing the Duties on Salt)* after directing that all Foreign or *British* Salt to be used in the Curing of Fish for 'Exportation shall, on being landed, and during the Intervals of the fishing Seasons, be lodged in a Warehouse under the Lock and Key of an Officer for the Duties on Salt, as well as of the Proprietor of such 'Salt, it is enacted, That such Officer shall, on such Proprietor's complying with certain Conditions in 'the said Act mentioned, deliver into the sole Custody of such Proprietor, or his Agent, all the said Salt 'for the Curing of Fish taken during the said fishing Season; and that at the End of every fishing Season 'such Officer shall take a particular Account of the Quantities of Foreign and *British* Salt respectively 'remaining in Hand, which is to be immediately locked up in such joint Custody as aforesaid; and the 'Proprietors of such Salt, or their Agents, using such Salt as aforesaid, are by the said Act directed, as 'soon as possible after the End of every Fishing Season, to deliver an Account in Writing into the Office 'for the Duty on Salt in the said Act mentioned, containing the Quantity of Fish exported, or entered 'and shipped to be exported, on which the said Salt taken away after its Delivery into the sole Custody of 'such Proprietors, or their Agents, hath been used or consumed, together with Certificates by the proper 'Officers of the several Ports where the said Fish were shipped for Exportation, verifying the said Account; 'and by the said Act a Penalty of twenty Shillings is laid on such Proprietors of Salt, or their Agents, 'for every Bushel of Salt so taken out, which shall not be accounted for in the Manner therein before, or 'otherwise, as in the said Act mentioned, or which shall not be returned, or found remaining at the End 'of every fishing Season in the Cellars or Warehouses, as in the said Act mentioned: And by another Act

Geo. 1. c. 4.

'made in the eighth Year of the Reign of his said late Majesty, (intituled, *An Act for taking off the Duty 'upon all Salt used in the Curing Red Herrings, and laying a proportionable Duty upon all Red Herrings consumed 'at home only; and for ascertaining the Customs and Excise payable for the Sugar-houses in* Scotland; *and for 'making an Allowance for Salt lost in any Harbour or River of this Realm; and for the better securing the Duties 'on Salt delivered in* Scotland) a Penalty of ten Shillings *per* Bushel is laid upon all Persons who shall have 'received into their sole Custody any Quantity of Foreign or *British* Salt, Duty free, for curing of Fish 'for foreign Markets, that shall not deliver to the proper Officers yearly, within three Months after the 'Expiration of each respective Year, such Accounts of the Salt received as aforesaid, and of the Fish 'cured therewith and exported, as the said Act of the fifth of his said late Majesty directs, together with

3 Geo. 2. c. 12.

'such Certificate as aforesaid, verifying the said Account: And by another Act made in the eighth Year 'of the Reign of his present Majesty, (intituled, *An Act for granting and continuing the Duties upon Salt, 'and upon Red and White Herrings, for the further Term of four Years; and for giving further Time for the 'Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices)* after reciting 'the said two several Acts of the fifth and eighth Years of the Reign of his said late Majesty, it is amongst 'other Things enacted, That after the twenty-fourth Day of *June* one thousand seven hundred and thirty-'five, no foreign Salt shall be delivered over from such joint Custody into such sole Custody as aforesaid, 'for curing Fish for Exportation, except such Proprietor, or his Agent, do give Security as in the said 'Act directed, to account for such foreign Salt in the Terms of, and according to the true Intent and 'Meaning of the said Acts of the fifth and eighth Years of the Reign of his said late Majesty, or to answer 'the several Penalties in the said Acts directed to be recovered from the Proprietors offending against the 'said Acts, or either of them: And whereas the Society of the free *British* Fishery have used great Quan-'tities of foreign Salt in the curing of White Herrings, great Part of which hath been exported, or sent to, 'and sold at foreign Markets; and the said Society, as Proprietors of such Salt, or their Agents, have, 'from Time to Time, on delivering over such Salt from such joint Custody as aforesaid, into the sole 'Custody of such Agents, given such Security as by the said Act of the eighth Year of his present Majesty 'is directed, touching the accounting for such foreign Salt; but in regard that a considerable Part of such 'Fish hath been shipped off immediately from Sea, from on board the respective Vessels employed in 'taking and curing the same, without being first brought into Port, in order to secure a better Sale at 'foreign Markets, before the Arrival of the like Commodities from other Nations, the said Society, or

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'their Agents, have not been able fully to comply with the Directions of the said Acts, touching the 'accounting for such Part of the said Salt, as hath been employed in the curing of such Part of the said 'Fish, as hath been so sent away to foreign Markets immediately from Sea, there being no Provision in 'the present Laws how, and in what Manner, and by whom, the shipping of such Fish immediately from 'Sea for foreign Markets shall be verified, whereby the said Society, or their Agents, who have given such 'Security as aforesaid, are or will become liable to be sued on their several Securities aforesaid, for the 'several Penalties inflicted by the said Acts of the fifth and eighth Years of his said late Majesty; and the 'said Society will, in the further Prosecution of the said Fishery, be exposed to the same Difficulty, unless 'some Remedy be provided in Respect thereof:' Be it therefore enacted and declared, and it is hereby enacted and declared by the Authority aforesaid, That the Quantity of such White Herrings as have already been sent, or which hereafter shall be sent, by the said Society, or their Agents, to foreign Markets immediately from Sea, without being first brought into Port, shall be ascertained and made appear by the Oath of the Society's Superintendant of the said Fishery, to be made before one or more of his Majesty's Justices of the Peace, or an Officer for the Duties on Salt, who are hereby impowered and required to administer the same; and a Certificate or Certificates under the Hands of the Secretary and Accomptant of the said Society, purporting, that it appears by Letters or Accounts from the Correspondents or Agents of the said Society, to whom such Fish mentioned in such Affidavit were consigned, that such Fish have come to the Hands of such Correspondents or Agents, or otherwise that such Fish have been lost at Sea.

The Quantity of White Herrings sent to foreign Markets, without being first brought into Port, to be ascertained by the Oath of the Society's Superintendant, and the Certificate of their Secretary and Accomptant.

VI. And it is hereby further enacted and declared by the Authority aforesaid, That such Affidavit and Certificates shall be admitted and taken to all Intents and Purposes, as Evidence to verify the Quantity of such Fish so already sent, or hereafter to be sent away from Sea immediately as aforesaid; any Thing in the said recited Acts, or either of them, contained to the contrary thereof in any wise notwithstanding.

Such Affidavit and Certificate to be admitted.

'VII. And whereas the Place appointed by the said Act for the Rendezvous of the Vessels employed in 'the said Fisheries, on the first Day of *September*, has been in many Cases very inconvenient;' Be it therefore enacted by the Authority aforesaid, That all Vessels built and fitted out in the Manner required by the said Act, which shall rendezvous at *Kirkwall* in the *Orkney* Islands on or before the twelfth Day of *September*, and shall continue to be employed in fishing among the Shoals of Herrings, as they move, to the eleventh Day of *January*, unless the Loading of such Vessels be sooner compleated, shall (in case all the other Regulations and Conditions prescribed by the said Act be observed and performed with respect to such Vessels) be intitled to the Bounties granted by the said Act, in the same Manner as if such Vessels had rendezvoused at *Campbell* Town, in like Manner, and at the Time required by the said Act.

Vessels which shall rendezvous at Kirkwall, intitled to the Bounties.

VIII. Provided always, That no Fishing Vessel employed in the White Herring Fishery, shall be obliged to carry to the latter Fishing more than one Fleet of Nets; any Thing in the said Act to the contrary in any wise notwithstanding.

No Vessel obliged to carry to the latter Fishing more than one Fleet of Nets.

Concerning Fishery see farther 28 *Geo.* 2. *c.* 14. 29 *Geo.* 2. *c.* 23 & 39. 30 *Geo.* 2. *c.* 21 & 30. 33 *Geo.* 2. *c.* 27. & 2 *Geo.* 3. *c.* 15.

CAP. X.

An Act for enlarging the Time and continuing the Duties granted by several Acts of Parliament for Repairs of the Piers of *Bridlington*, alias *Burlington*, in the County of *York*; and for making the said Acts more effectual. P. R.

'WHEREAS by an Act of Parliament made and passed in the eighth and ninth Years of the Reign 8 & 9 W. 3. 'of his late Majesty King *William* the Third, intituled, *An Act for the Repair of the Piers of* Bridlington, *alias* Burlington, *in the East Riding of the County of* York, it was amongst other Things enacted, 'That from and after the first Day of *May* one thousand six hundred and ninety-seven, and before and until 'the first Day of *May* one thousand seven hundred and four, the Duties therein mentioned should be 'paid for the rebuilding, repairing and amending the said Piers; to wit, one Farthing for every Chaldron of Coals, that during the said Term should be laden on board any Ship, Hoy, Bark or other 'Vessel, at or in the Port of *Newcastle upon Tine*, or at *Sunderland*, *Blythe*, *Seaton-Sluice*, *Culler-Coats*, 'or any other Port, Harbour, Colliery, or Places that was or was reputed to be a Member of the Port of 'Newcastle; and to be paid to such Persons and in such Manner as by the said Act is directed; and by 1 Geo. 1. c. 49. 'another Act made and passed in the first Year of the Reign of his late Majesty King *George* the First, 'referring to the said former Act, all the Duties thereby granted and made payable, and every Clause, 'Matter and Thing therein contained were revived and enacted, and directed to be continued and paid for 'fourteen Years, from the twenty-fourth Day of *June* one thousand seven hundred and sixteen, until the 'twenty-fourth Day of *June* one thousand seven hundred and thirty: And whereas by one other Act made 5 Geo. 1. c. 10. 'in the fifth Year of the Reign of his said late Majesty King *George* the First, intituled, *An Act for enlarging 'the Time granted by two Acts of Parliament for Repairs of the Piers of* Bridlington, *alias* Burlington; *and for 'making the said Acts more effectual*; it is thereby (amongst other Things) enacted, That the said Act passed 'in the eighth and ninth Years of the Reign of his said late Majesty King *William* the Third, with all the 'Powers thereby given, for charging, raising, levying, collecting and disposing of any Sum or Sums of 'Money, for or towards repairing or rebuilding the said Piers of *Bridlington*, alias *Burlington*, should from 'and after the twenty-fourth Day of *June* one thousand seven hundred and thirty, continue and be in full 'Force, for and during the Term of twenty-five Years; and that from and after the twenty-fourth Day 'of *June* one thousand seven hundred and nineteen, for the Term of thirty-six Years, the several additional

'Rates and Duties therein mentioned, (over and besides the Duty and Duties granted and continued as 'aforesaid, or payable before the passing of the same Act) should be raised, levied, collected and paid, for 'repairing and lengthening the said Piers as and in Manner therein expressed: And whereas by another Act
7 Geo. 1. c. 16. 'made and passed in the seventh Year of the Reign of his said late Majesty King *George* the First, intituled, 'An Act for the better preserving and keeping in Repair the Piers of the Town and Port of Whitby in the County 'of York; and for explaining and making more effectual the several Acts passed for lengthening and repairing the 'Piers of Bridlington, *alias* Burlington, in the said County; it is amongst other Things enacted, That the 'Collector and Collectors, or any of them, appointed for the collecting and receiving of the said Duties 'by the said Act of the fifth Year of the Reign of his said late Majesty King *George* the First, imposed and 'made payable at the said Port of *Bridlington*, alias *Burlington*, were thereby impowered to go on board 'any Ship or Vessel within the said Port of *Bridlington*, alias *Burlington*; and take Account of, and demand 'and receive the said Duties, and for Nonpayment to distrain for the same in Manner therein mentioned; 'and that the Trustees appointed for putting in Execution the said recited Acts, or any five or more of 'them, are thereby impowered to appoint such Person as they shall think fit, with such annual Salary out 'of the said Duty as they shall think fit, not exceeding ten Pounds a Year, for the better governing and 'managing the Port or Harbour of *Bridlington*, otherwise *Burlington*, in such Manner as in the said Act is 'mentioned and directed: And whereas, although the Money arising from the Duties granted by virtue of 'the said recited Acts, and also other considerable Sums of Money, raised by a Tax upon the Lands within 'the Manor of *Bridlington* aforesaid, have from Time to Time been laid out and applied in the repairing, 'rebuilding and enlarging the said Piers of *Bridlington*, alias *Burlington* aforesaid, yet the same has not been 'sufficient to support, maintain and keep the same in good Order and Repair; and by means of several 'violent Storms, the same is become in a decaying and ruinous Condition, and in imminent Danger of 'being lost and destroyed, and there is now a considerable Debt due and owing upon the Credit of the said 'Acts; and as the Terms for which the said Duties were granted by the former Acts, will expire on the 'twenty-fourth Day of *June* one thousand seven hundred and fifty-five, and it is impossible that the said 'Piers can be effectually repaired and maintained, unless the said Duties be continued for a further Term 'of Years by Authority of Parliament:' To the End therefore that the said Piers, and the Port and Har-'bour of *Bridlington* aforesaid, which has been of great Service to Navigation, and of great Use and Benefit to the Publick, may be maintained, supported and preserved: May it please your Majesty that it may be enacted, *&c.*

"The Acts 8 & 9 *W.* 3. *c.* 29. and 5 & 7 *Geo.* 1. continued for 35 Years, from 24 *June* 1755, *&c.* New "Trustees to be elected in the Room of such as shall die, or refuse to act. Trustees impowered to set up "a Crane on the Key of the Harbour, and to remove any Soil, *&c.* to make the Passage to the Harbour "commodious. Vessels belonging to *Great Yarmouth* excepted from the Duties.

CAP. XI.

An Act for permitting the Exportation of Wool, and Woollen or Bay Yarn, from any Port in *Ireland* to any Port in *Great Britain*.

Refer to Chapter 8.

'WHEREAS the permitting of Wool, and Woollen or Bay Yarn, to be exported only from cer-'tain Ports in *Ireland* to certain Ports in *England*, is not of so great and extensive Advantage to the 'Trade of this Kingdom, as it would be if all the Ports in *Great Britain* and *Ireland* were opened for that 'Purpose;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *June* in the Year of our Lord one thousand seven hundred and fifty-three, it shall and may be lawful for any Person or Persons to export from any Port in *Ireland* any Wool, or Woollen or Bay Yarn, Wool-Fells, Shortlings, Mortlings, Wool-Flocks and Worsted Yarn, to any Port in *Great Britain*; any Act or Acts of Parliament to the contrary notwithstanding.

Wool, and Woollen or Bay Yarn, may be exported from any Port in Ireland into any Port of Great Britain:

II. Provided always, and be it enacted by the Authority aforesaid, That all such Exportations and Importations of Wool, and Woollen or Bay Yarn, Wool-Fells, Shortlings, Mortlings, Wool-Flocks and Worsted Yarn, from any Port in *Ireland* into any Port in *Great Britain*, shall be made under the same Restrictions and Regulations, and in the same Manner in all Respects, as Wool or Woollen Yarn is now by Law permitted to be exported from *Dublin*, *Waterford*, *Youghall*, *Kinsale*, *Cork*, *Drogheda*, *New Ross*, *Newry*, *Wexford*, *Wicklow*, *Sligoe*, *Limerick*, *Gallway* and *Dundalk*, and imported into the several Ports of *Biddeford*, *Barnstaple*, *Minehead*, *Bridgewater*, *Bristol*, *Milford Haven*, *Chester*, *Liverpool*, *Lancaster* and *Great Yarmouth*, or any of them.

under the Restrictions enacted.

Concerning Wool, &c. see farther 29 *Geo.* 2. *c.* 33. 30 *Geo.* 2. *c.* 12.

CAP.

CAP. XII.

An Act to prevent Wines imported into any of the Out-ports of this Kingdom, being afterwards brought into the Port of *London*, or Parts adjacent, without paying the *London* Duty.

'WHEREAS the Duties payable by Law on Wines imported from foreign Parts into any of the Out-ports of this Kingdom, are less than the Duties payable on Wine imported into the Port of *London*: And whereas such Wines as are landed in any of the Out-ports, for which Duties are paid there, and which are afterwards brought to the Port of *London* by Certificate, are by Law liable to the Payment of so much more Subsidy as is short of the Duty due in the Port of *London*: And whereas great Quantities of Wine have of late been brought into *London* and Places thereunto adjacent, by Land Carriage, without Payment of the Difference of the said respective Duties; and in many Cases Wine is so brought into *London* without Payment of any Duties, to the great Prejudice of the publick Revenue, and the Detriment of the fair Merchants of this Kingdom;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-three, no Wine of any Sort exceeding the Quantity of ten Gallons, which at any Time shall have been imported from foreign Parts into any Out-port of this Kingdom, shall be brought, removed or carried from such Out-port, or from any other Port or Place whatsoever, either by Land or by Water, into the Port of *London*, or the Members thereof, or to any Place whatsoever within the Distance of twenty Miles from the *Royal Exchange* of *London*, before the Owner or Proprietor of such Wine shall have paid unto the Collector, or other proper Officer of the Customs nearest to the Place from which such Wine is intended to be removed, the Duties payable in any of the Out-ports, and also the Difference of the respective Duties payable there and in the Port of *London*, on the Importation of such Wine; and if any Quantity of Wine exceeding in Bottles three Dozen, or in a Cask or Casks exceeding ten Gallons, shall at one and the same Time, and in one and the same Carriage, be brought, removed or carried, either by Land or by Water, into the Port of *London* or the Members thereof, or to any Place whatsoever within twenty Miles of the said *Royal Exchange*, without a Certificate from such Collector, or other proper Officer of his Majesty's Customs, expressing the Quality and Quantity of such Wine, and certifying, that as well the Duties payable upon the first Importation of such Wine at any of the Out-ports, as the Difference between the said Duties, and those which are due in the Port of *London*, on the Importation of such Wine, have been duly paid and satisfied, or that the same was Wine sold for Salvage, or that the same has been compounded for or condemned, such Wine shall be forfeited and lost, together with the Casks and Vessels containing the same, and shall and may be seized by any Officer or Officers of the Customs, and prosecuted in such Manner as any uncustomed Wines may be seized and prosecuted.

6 *Ed.* 1. *c.* 15. 4 *Ed.* 3. *c.* 12. 38 *Ed.* 3. *st.* 1. *c.* 11. 28 *H.* 8. *c.* 14. 7 *Ed.* 6. *c.* 5. 5 *El.* *c.* 5. 12 *Car.* 2. *c.* 25. 18 *Car.* 2. *c.* 5. 1 *Jac.* 2. *c.* 3. 6 *Geo.* 1. *c.* 12.

No Wine exceeding 10 Gallons, imported into the Out-ports, to be brought to London, or within 20 Miles of the Royal Exchange, without paying the London Duty.

Wine, exceeding in Bottles 3 Dozen, or in Casks 10 Gallons, brought in the same Carriage to London, or within 20 Miles of the Exchange, without a Certificate, &c. to be forfeited, &c.

II. Provided always, and be it enacted by the Authority aforesaid, That if after the Removal of any such Wines, and after Payment of the Duties payable thereon in any of the Out-ports, and also of the Difference of the respective Duties payable there on the Importation of such Wines, and before the same shall be brought into the Port of *London*, or the Members thereof, or to any Place whatsoever within the Distance of twenty Miles from the *Royal Exchange* of *London*, such Wine shall happen to be staved, or to be lost, or perish, the Commissioners of his Majesty's Customs, or any three of them, shall (Proof being made upon Oath to their Satisfaction, that such Wines have been so staved, or have been lost or perished as aforesaid) cause Repayment to be made to the Owner or Proprietor of such Wine, of so much Money as the Difference of the Duties payable for such Wines in any out-port, and in the Port of *London*, shall amount to; such Repayment to be made out of any of the Duties or Customs payable on Wines imported.

If after Payment of the Duties, the Wines shall be staved or perished before they be brought into the Port of London, &c. Repayment to be made of the Difference. *See farther concerning Wines*, 30 *Geo.* 2. *c.* 19. 32 *Geo.* 2. *c.* 19.

CAP. XIII.

An Act for the more effectually preventing the fraudulent Removal of Tobacco by Land or Water, and for the Ease of the fair Trader in Tobacco; and for ascertaining the Rates payable for the Portage of certain Letters, and for amending and for explaining the Laws relating to the Sale of Spirituous Liquors by Retail.

'WHEREAS the several Provisions for preventing the fraudulent Removal of Tobacco, by Land or Water, contained in an Act made in the twenty-fourth Year of his present Majesty's Reign, intituled, *An Act for the more effectual securing the Duties upon Tobacco*, have Commencement from the twenty-ninth Day of *September* one thousand seven hundred and fifty-one; notwithstanding which Provisions, such Tobacco as was imported before that Time, hath been or may be removed by Land or Water, otherwise than by the said Act is directed, inasmuch as the same having been imported before that Time, cannot be subject to the Regulations prescribed by the said Act: And whereas the Continuance of this Liberty may encourage the Importers or Possessors of uncustomed Tobacco, to pretend that the same was imported before the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, and under that Pretence, Tobacco imported since that Time, and Tobacco Stalks stripped, and Snuff manu-

24 Geo. 2. c. 41. *For former Provisions concerning Tobacco, refer to* 12 *Car.* 2. *c.* 34. 15 *Car.* 2. *c.* 7, 22. & 23 *Car.* 2 *c.* 26. 1 *Jac.* 2. *c.* 4. 7 & 8 *W.* 3. *c.* 10. 10 & 11 *W.* 3. *c.* 21. 2 *Ann.* *c.* 9. 6 *Ann.* *c.* 22. 8 *Ann.* *c.* 19. 12

Ann. st. 2. *c.* 8. 1 *Geo.* 1. *st.* 2. *c.* 46. 5 *Geo.* 1. *c.* 11. §. 19. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 21. 12 *Geo.* 1. *c.* 28. 21 *Geo.* 2. *c.* 2.

manufactured therefrom, may be removed otherwise than by the said Act is directed, to the great Prejudice both of the publick Revenue and of the fair Trader: And whereas it may reasonably be supposed, that all such Tobacco as was imported, and was Stock in Hand before that Time, hath been or might have been since disposed of:' Now, for preventing Frauds equally injurious to the publick Revenue and the fair Trader; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June* one thousand seven hundred and fifty-three, no Tobacco imported into *Great Britain* before the said twenty-ninth Day of *September* one thousand seven hundred and fifty-one, and no Tobacco Stalks stripped, or Snuff manufactured from Tobacco so imported, shall be permitted to be removed by Land or Water; upon pain that all such Tobacco, Tobacco Stalks or Snuff, so removed, shall be forfeited, and shall and may be seized and prosecuted, and after Condemnation burnt and destroyed by such Persons, and in such Manner and Form, and with such Rewards for seizing the same, as by the said Act is directed in relation to any Tobacco, Tobacco Stalks or Snuff, on the Removal whereof Certificates are by the said Act required.

No Tobacco imported before 29 Sept. 1751, nor Tobacco Stalks stripped, or Snuff, to be removed by Land or Water, on Penalty of Forfeiture, &c.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Officer of the Customs or Excise to seize and prosecute any Tobacco, Tobacco Stalks or Snuff which shall be removed from one Place to another in greater Quantities than by the said Act are allowed, and shall not be attended with such Certificates as by the said Act are required; and the Proof that such Tobacco, Tobacco Stalks or Snuff had before been removed from the Port of Importation with a proper Certificate, and that the Duties payable thereon had been paid or secured, shall be upon the Claimer or Claimers of the Tobacco, Tobacco Stalks and Snuff so seized, and not upon the Officer or Officers so seizing and prosecuting the same.

Tobacco, &c. removed in greater Quantities than the Act allows, without a Certificate, may be seized, &c. Proof that it had been removed with a Certificate, &c. to lie on the Claimer.

Proviso for the Exportation of Tobacco imported before 29 Sept. 1751.

III. Provided always, That nothing in this or in the said Act contained, shall extend to prohibit the Exportation to Parts beyond the Seas of any Tobacco which hath been imported before the twenty-ninth Day of *September* one thousand seven hundred and fifty-one, and shall be exported at any Time before the twenty-ninth Day of *September* one thousand seven hundred and fifty-four, from any Port where the same shall be on the first Day of *June* one thousand seven hundred and fifty-three.

The Inn from whence any Tobacco may be carried, to be inserted instead of the Carrier's Name on the Back of the Certificate.

IV. Provided also, That if on the Back of any Certificate to be granted by virtue of the said Act for removing or carrying any Tobacco, Tobacco Stalks or Snuff by Land, the Inn from whence the same shall be carried shall be described, such Certificate shall be as effectual to all Intents and Purposes as if the Name of the Person by whom the same shall be carried or conveyed were inserted thereon; any Thing in the said Act to the contrary thereof in any wise notwithstanding.

Certificate for removing Tobacco not necessary to contain the Importer's Name.

V. Provided also, That every Certificate to be granted by virtue of the said Act, for removing or conveying Tobacco, Tobacco Stalks or Snuff, to be carried by Land or by Water from one Port or Place to another, shall be and be deemed a proper Certificate for that Purpose, although in such Certificate the Name or Names of the Person or Persons by whom the said Tobacco was imported, or by whom the Duties payable thereon were paid or secured, be not inserted therein, so as every other Requisite directed by the said Act, in case of such Removal, be observed, and the Name or Names of the Importer or Importers of such Tobacco be retained and expressed in the Bill or Bills from which such Certificates are, in the accustomed Manner, prepared; such Bill or Bills to be delivered to the Collector, or other chief Officer or Officers of the Port where the said Tobacco shall have been imported; any Thing in the said Act to the contrary thereof in any wise notwithstanding.

Second Purchaser of an Hogshead of unmanufactured Tobacco intitled to a Certificate on the Removal, &c.

VI. Provided also, That the second Purchaser of any entire Hogshead of unmanufactured Tobacco shall and may be intitled to the Benefit of a Certificate, on the Removal of any such Tobacco, or of any Stalks stripped, or any Snuff or manufactured Tobacco made therefrom, by Land or by Water, in like manner as Certificates by the said Act are directed to be granted to the first Purchaser from the Importer; and that in all such Certificates so to be granted to such second Purchaser of any entire Hogshead or Hogsheads of such Tobacco, the Name of the Importer or Importers, Seller or Sellers thereof, may be omitted, provided that the Seller to such second Purchaser shall have delivered to the Collector, or other chief Officer of the Port where such Tobacco shall have been imported, such and the like Account as the Importer or Importers thereof are by the said Act required to give.

9 Ann. c. 10. 6 *Geo.* 1. *c.* 21. §. 51. 4 *Geo.* 2. *c.* 33. 22 *Geo.* 2. *c.* 25.

'VII. And whereas by an Act made in the ninth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for establishing a General Post Office for all her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War, and other her Majesty's Occasions*; the Post Master General and his Deputy and Deputies is and are authorized to demand, have, receive and take for the Portage and Conveyance of every single Letter or Piece of Paper sent to and from the General Post Office in *London*, to and from any Parts or Places in *Great Britain*, or the Kingdom of *Ireland*, certain Rates in the said Act mentioned: And whereas one or more Writ or Writs or other Proceedings at Law are frequently sent inclosed in a Letter, or wrote upon one and the same Piece of Paper with a Letter;' Be it declared and enacted by the Authority aforesaid, That every such Writ and every such Proceeding at Law shall be rated, taxed and paid for as a several and distinct Letter, according to the Rates mentioned in the said Act.

Every Writ, &c. to pay as a distinct Letter.

'VIII.

'VIII. And whereas Patterns of Cloth, Silk, Stuff, and small Samples of other Sorts of Goods, and 'other Things, not being Paper, are frequently sent inclosed in a single Letter or Piece of Paper;' Be it declared and enacted by the Authority aforesaid, That for every single Letter or Cover containing one or more Paper or Papers with Patterns, or containing one or more Pattern or Patterns of Cloth, Silk or Stuff, or one or more Sample or Samples of any other Sort of Goods, or one or more Piece or Pieces of any other Sort of Thing inclosed therein or affixed thereto, though not Paper, if the same together do not weigh an Ounce Weight, the Rates payable by the said Act for a double Letter shall be paid, and no more.

Letters inclosing several Patterns not exceeding 1 Ounce Weight, to pay only as a double Letter.

'IX. And whereas by an Act made in the sixteenth Year of his present Majesty's Reign, intituled, *An 'Act for repealing certain Duties on Spirituous Liquors, and on Licences for retailing the same, and for laying 'other Duties on Spirituous Liquors, and on Licences to retail the said Liquors*; it is enacted, That no Licence 'shall be granted to any Person or Persons whatsoever for selling by Retail any Spirituous Liquors or 'Strong Waters whatsoever, except to such Persons only who shall keep Taverns, Victualling-houses, 'Inns, Coffee-houses, or Ale-houses, and that if any such Licences shall be granted to any other Persons, 'the same are thereby declared void to all Intents and Purposes; and it is thereby also enacted, That if any 'Person or Persons shall presume or offer to retail any of the said Spirituous Liquors without taking out 'such Licence as is therein mentioned, and renewing the same yearly, in manner therein mentioned, he, 'she or they, shall respectively forfeit and lose the Sum of ten Pounds for each Offence; and in case such 'Person or Persons shall refuse or neglect to pay the said Sum of ten Pounds, the same being lawfully 'demanded, it shall and may be lawful for any one or more Justice or Justices of the Peace of any County, 'Riding, Division, City or Liberty, upon Information upon Oath being made before him or them of such 'Refusal or Neglect, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such 'Person or Persons to the House of Correction for the County, Riding, Division, City or Liberty, wherein 'such Person or Persons shall reside, there to remain and to be kept to hard Labour for the Space of two 'Months, to be reckoned from the Day of the said Commitment; and the Person or Persons shall not be 'discharged until he, she or they, shall have paid the said Sum of ten Pounds, or until the full Expiration 'of the said two Months; and that nothing in the said Act shall extend or be construed to enable any 'Person or Persons to sell any Spirituous Liquors or Strong Waters by Retail, unless such Person or Persons 'be first licensed to sell Ale by two or more of his Majesty's Justices of the Peace for the County, Riding, 'Division, City or Liberty wherein such Person or Persons shall sell the said Liquors, under the Hands 'and Seals of the said Justices: And whereas by one other Act made in the seventeenth Year of his Ma- 17 Geo. 2. c. 17. 'jesty's Reign, (intituled, *An Act for granting to his Majesty the Surplus or Remainder of the Monies arisen or 'to arise by the Duties on Spirituous Liquors, granted by an Act of the last Session of Parliament, and for ex- 'plaining and amending the said Act in relation to the Retailers of such Liquors, and for establishing an Agree- 'ment with the United Company of Merchants of* England *trading to the* East Indies) it is enacted, That in 'case where a Licence shall have been granted for retailing Spirituous Liquors to any Person who shall at 'the Time of granting such Licence keep a Tavern, Victualling-house, Inn, Coffee-house or Alehouse, 'if such Person so licensed shall afterwards during the Time of continuing such Licence exercise the Trade 'of a Distiller, Grocer or Chandler, or keep a Brandy Shop or Shops for Sale of Spirituous Liquors, the 'Licence granted in every such Case shall be void; and such Persons retailing Spirituous Liquors after- 'wards shall forfeit ten Pounds for every such Offence, notwithstanding such Licence so obtained; and 'that no Licence for retailing Spirituous Liquors shall authorize any Person to whom the same may be 'granted to sell such Spirituous Liquors in any other Place except in such Houses or Places thereunto 'belonging wherein he, she or they shall inhabit and dwell at the Time of granting such Licence, which 'Penalties by virtue of the said Act made in the seventeenth Year of his present Majesty's Reign may be 'mitigated by such Ways, Means and Methods, as any Penalty or Forfeiture may be mitigated by any 'Law or Laws of Excise: And whereas in and by a Clause in an Act of Parliament made in the twenty- 24 Geo. 2. c. 40. 'fourth Year of his present Majesty's Reign, (intituled, *An Act for granting to his Majesty an additional 'Duty upon Spirituous Liquors, and upon Licences for retailing the same; and for repealing the Act of the twen- 'tieth Year of his present Majesty's Reign*, intituled, *An Act for granting a Duty to his Majesty to be paid by 'Distillers, upon Licences to be taken out by them for retailing Spirituous Liquors, and for the more effectually 'restraining the retailing of distilled Spirituous Liquors; and for allowing a Drawback upon the Exportation of* British *made Spirits; and that the Parish of Saint* Mary le Bon *in the County of* Middlesex *shall be under the 'Inspection of the Head Office of Excise*) reciting, That it may be doubted whether the said Penalty of ten 'Pounds can be recovered within the Limits of the Head Office of Excise in *London* before a Justice or 'Justices of the Peace; it is thereby declared and enacted, That the said Penalty may be recovered, and 'any Person retailing Spirituous Liquors without a Licence within the Limits of the said Head Office, 'may be convicted before any Justice of the Peace for the City, County or Liberty, where the Offence 'shall be committed, as well as before the Commissioners of Excise; and that such Penalty shall not in any 'Case, either by the said Commissioners or Justice of the Peace, be mitigated or reduced below the Sum 'of five Pounds: And whereas, notwithstanding the last recited Clause, it may be doubted whether the 'Justices of the Peace acting in the several Places which are not within the Limits of or under the imme- 'diate Care, Inspection and Management of the said Head Office of Excise, may not mitigate or reduce 'the said Penalties of ten Pounds below the Sum of five Pounds:' Now to obviate such Doubt, be it enacted and declared by the Authority aforesaid, That the said Penalties of ten Pounds shall not in any Case be mitigated or reduced below the Sum of five Pounds, either by the Commissioners of Excise, or the Justices of Peace, whether such Justices act within or without the Limits of the said Head Office of Excise.

The Penalties of 10l. inflicted by the recited Acts, not to be mitigated below 5l.

'X. And whereas by one other Clause in the said Act of Parliament, made in the twenty-fourth Year 24 Geo. 2. c. 40. 'of his present Majesty's Reign, it is enacted, That no Licence for the selling by Retail of Spirituous

'Liquors,

'Liquors, shall be granted within the Limits of the Head Office of Excise in *London*, but to such as shall 'occupy a Tenement or Tenements of the yearly Value of ten Pounds or upwards, and for which they 'shall accordingly be rated, and pay in the Parish Rates; and that no Licence shall be of any Avail to 'any Person not so qualified, or for any longer Time than the Person so licensed shall be qualified as afore-'said, but shall be absolutely void: And whereas it is the true Intent and Meaning of the said Clause, that 'no Licence for retailing Spirituous Liquors be granted within the Limits of the Head Office of Excise in '*London*, to any Person but to such as are sufficient and of Ability to occupy a Tenement or Tenements 'of the yearly Value of ten Pounds or upwards; and such Rate and Payment to the Church and Poor, is 'intended only as an additional Proof of such Sufficiency: And whereas within the Limits of the Head 'Office of Excise in *London*, there are several Persons who keep Taverns, Victualling-houses, Inns, Coffee-'houses or Ale-houses, for which they pay considerably more than ten Pounds a Year, but such Persons 'are not rated, and do not pay accordingly to the Church and Poor for the same, such Taverns, Victual-'ling-houses, Inns, Coffee-houses and Ale-houses, being situate in Places where Occupiers of Houses or 'Tenements are not rated or rateable to the Church and Poor;' Be it enacted by the Authority aforesaid,

Commissioners, &c. within the Limits of their Head Office may grant Licences to Persons renting Houses of 12 l. per Annum, tho' not rated to the Poor.

That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-three, it shall and may be lawful to and for his Majesty's Commissioners of Excise, and their Officers respectively, within the Limits of the said Head Office of Excise in *London*, to grant and deliver Licences for the retailing of Spirituous Liquors, pursuant to the Directions of the said several Acts of Parliament made in the sixteenth and twenty-fourth Years of his present Majesty's Reign, or either of them, to any Person or Persons within the Limits of the said Head Office of Excise in *London*, applying for such Licence or Licences, who shall at the Time of his, her or their Application for the same, in any Tenement situate in any Place where the Occupiers of Houses or Tenements are not rated or rateable to the Church and Poor, keep a Tavern, Victualling-house, Inn, Coffee-house or Ale-house, for which he, she or they respectively shall, to the Satisfaction of the said Commissioners of Excise, make it appear that he, she or they, do really and *bona fide* pay the full yearly Rent or Sum of twelve Pounds or upwards, without any Deduction or Abatement whatsoever, although the Person or Persons so applying for such Licence or Licences be not actually rated, and do not pay to the Church and Poor for the same accordingly.

Persons so licensed, to be subject to the Laws in Force, &c.

XI. Provided always, and it is hereby enacted and declared, That every Person to be licensed for the retailing of Spirituous Liquors, pursuant to this Act, shall be subject to all other Provisions of the several Laws now in Force, in any wise relating to the retailing of Spirituous Liquors, or to the licensing the Retailers thereof, and on Breach of the said Provisions, or any of them, shall be subject and liable to the like Penalties, Forfeitures and Punishments, in the same Manner as other Retailers of Spirituous Liquors now are; and all and every Person and Persons authorized to put the said Laws in Execution against the Offenders acting contrary to them, or any of them, are hereby authorized and required to put the said Laws and each of them in Execution, against every Person to be licensed as aforesaid, who shall offend against the said Laws, or any of them.

24 Geo. 2. c. 40.

'XII. And whereas in and by one other Clause in the said Act of Parliament made in the twenty-fourth 'Year of his Majesty's Reign, it is enacted, That from and after the first Day of *July* one thousand seven 'hundred and fifty-one, no Person whatsoever, being a common Brewer of Ale or Beer, or Inn-keeper, 'Distiller, or other Seller of or Dealer in any Kind of Spirituous Liquors, or who is or are or shall be 'interested in any of the said Trades or Businesses, shall during such Time as he or they shall be such 'common Brewer, Inn-keeper, Distiller, or other Seller of or Dealer in Spirituous Liquors, or interested 'in any of the said Trades or Businesses, be capable or have any Power to act, or shall be directly or in-'directly concerned in acting as a Justice of the Peace, in any Matter or Thing whatsoever which shall 'any ways concern the Execution of the Powers or Authorities given or granted by any Act or Acts of 'Parliament in any wise relating to Distillers or Makers of Low Wines, Spirits or Strong Waters for Sale, 'or to the Duty or Duties imposed upon Low Wines, Spirits or Strong Waters, or any other Kind of 'Spirituous Liquors whatsoever, or to the granting Licences to the Retailers of Spirituous Liquors: And 'whereas notwithstanding the last recited Clause, it is doubted whether common Brewers of Ale or Beer, 'or Inn-keepers, Distillers, or other Sellers of or Dealers in any Kind of Spirituous Liquors, or who are 'or shall be interested in any of the said Trades or Businesses, being Justices of the Peace, may not grant 'Licences to the Retailers of Beer or Ale, which Licence is one of the necessary Requisites to intitle such 'Retailers to apply for a Licence to retail Spirituous Liquors: And whereas it is reasonable that such Per-'sons, and also Victuallers and Malsters, being Justices of the Peace, should be restrained from granting 'Licences to retail Beer and Ale;' Be it declared and enacted by the Authority aforesaid, That from and

Justices being Brewers, Inn-keepers, Distillers, Victuallers or Malsters, &c. prohibited from granting Licences for selling Ale, &c. or Spirituous Liquors.

after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-three, no Justice of the Peace, being a common Brewer of Ale or Beer, Inn-keeper or Distiller, or other Seller of or Dealer in Ale or any Kind of Spirituous Liquors, or interested in any of the said Trades or Businesses, or being a Victualler or Malster, shall during such Time as he shall be such common Brewer, Inn-keeper, Distiller, Victualler or Malster, or other Seller of or Dealer in Ale or Spirituous Liquors, or interested in any of the said Trades or Businesses, be capable or have any Power to grant any Licence or Licences to any Person or Persons whatsoever, for selling Ale, Beer, or any other Liquors by Retail; and in case any such Justice or Justices shall, contrary to the true Intent and Meaning hereof, presume to grant any such Licence, the same shall be and is hereby declared to be null and void to all Intents and Purposes whatsoever.

Concerning Spirituous Liquors *see farther* 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

CAP.

CAP. XIV.

An Act for the settling and ascertaining the Fees to be taken by Clerks to Justices of the Peace.

'WHEREAS some Doubts have arisen touching the Fees due to Clerks of Justices of the Peace: 'And whereas it would tend to the due Execution of the Laws, and to the Ease of the Subject, 'that the Fees to be taken by the said Clerks should be ascertained;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Justices of the Peace throughout that Part of *Great Britain* called *England*, at their respective General Quarter-Sessions of the Peace, to be held next after the twenty-fourth Day of *June* one thousand seven hundred and fifty-three, shall, and they are hereby required to make and settle a Table of the Fees which shall be taken by Clerks to Justices of the Peace within the County, City, or other Division, for which such respective General Quarter-Sessions shall be held; and such respective Tables of Fees, being approved by the Justices of the Peace at the next succeeding General Quarter-Sessions of the Peace for such County, City, or other Division, with such Alterations as such Justices of the Peace so assembled shall think proper, shall be laid before the Judges at the next Assizes, or at the Great Sessions for the Principality of *Wales*, and Counties Palatine of *Chester*, *Lancaster* and *Durham*, for the respective County, City, or other Division; and the said Judges are hereby authorized and required to ratify and confirm such respective Tables of Fees, in such Manner and Form as the same shall be made, settled and approved of by the said Justices, or with such Alterations, Additions or Abatements, as to such Judges shall appear to be just and reasonable; and it shall and may be lawful for the said Justices of Peace, in their respective Quarter-Sessions assembled, from Time to Time to make any other Table of Fees to be taken, instead of the Fees contained in the Table which shall have been ratified and confirmed by the Judges of Assize; and after the same shall have been approved by the Justices of the Peace at the next succeeding General Quarter-Sessions, in Manner as aforesaid, to lay such new Table of Fees before the Judges at the next Assizes, or at the Great Sessions for the Principality of *Wales* and Counties Palatine of *Chester*, *Lancaster* and *Durham*, who are hereby impowered and authorized to approve and ratify the same in Manner as aforesaid, if they think fit; but no Table of Fees to be made and settled by the said respective Justices of Peace, shall be of any Validity or Effect whatsoever until the same shall be ratified and confirmed by the said Judges.

Justices to settle a Table of Fees to be taken by their Clerks;

to be ratified by the Judges of Assize.

Justices may make new Tables of Fees;

to be ratified in the same Manner.

By 27 Geo. c. 16. The Table in Middlesex is to be ratified by Chief Justices, &c.

II. And be it further enacted by the Authority aforesaid, That if at any Time after the Space of three Calendar Months from the Time that such Table of Fees shall be made and ratified as aforesaid, any Clerk or Clerks to any Justice or Justices of the Peace, or any Person or Persons acting as such, shall, under Pretence of any Matter or Thing done, transacted or performed by such Justice or Justices in the Execution of his or their Office or Offices, or done, transacted or performed by such Person or Persons as Clerk or Clerks to such Justice or Justices, demand or receive any other or greater Fee than shall have been ascertained, ratified and confirmed in Manner as aforesaid, such Person shall for every such Offence forfeit and pay twenty Pounds to any Person who shall sue for the same by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Privilege, Protection, Wager of Law, or more than one Imparlance shall be granted or allowed.

Penalty of 20 l. on Clerks taking other Fees.

III. And be it further enacted by the Authority aforesaid, That all the Tables of Fees which shall be made and settled, and ratified and confirmed from Time to Time as aforesaid, shall be deposited with the Clerk of the Peace for the respective County, City, or other Division; and each of the said Clerks of the Peace shall cause true and exact written or printed Copies of the said Tables to be placed and to be kept constantly in a conspicuous Part of the Room or Place where the General or Quarter Sessions shall be held; under pain of forfeiting the Sum of ten Pounds for each Offence, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Privilege, Protection, Wager of Law, or more than one Imparlance shall be granted or allowed.

Tables of the Fees to be deposited with the Clerks of the Peace,

and Copies thereof to be placed in the Room where the Sessions are held, under Penalty of 10 l.

IV. Provided always, and be it further enacted by the Authority aforesaid, That all Suits and Actions which shall be brought or commenced by virtue of this Act, shall be brought before the End of three Months after the Offence committed, and not otherwise.

Limitations of Actions.

Concerning Justices of Peace see c. 27. And further 27 Geo. 2. c. 16 & 20. 1 Geo. 3. c. 15.

CAP. XV.

An Act for allowing Interest upon certain Debentures for the Bounty granted on the Exportation of Corn.

'WHEREAS by an Act made in the first Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the encouraging the Exportation of Corn*, it is enacted, That when Malt or Barley, *Winchester* Measure, shall be at twenty-four Shillings *per* Quarter, or under, Rye at thirty-two 'Shillings

1 W. & M. st. 1. c. 12.

Shillings *per* Quarter, or under, Wheat at forty-eight Shillings *per* Quarter, or under, in any Port of *England* or *Wales*, every Merchant, or other Person, who shall put on Shipboard, in such Manner as by the said Act is directed, any Sorts of the Corn aforesaid, with Intent to export the same to Parts beyond the Seas, and shall bring a Certificate in Writing under his Hand, containing the Quantity and Quality of the Corn so shipped, to the Farmers, Commissioners, Collectors, or other Persons appointed to collect the Duties and Rates arising by Customs within any such Port, shall, upon such Proof of the said Certificate, and upon giving such Bond as by the said Act is required, have and receive from such Farmers, Commissioners, Collectors, or other Persons, in any Port respectively where the same Corn shall be so shipped, for every Quarter of Barley or Malt, ground or unground, two Shillings and six Pence; for every Quarter of Rye, ground or unground, three Shillings and six Pence; for every Quarter of Wheat, ground or unground, five Shillings; of which Sums every such Commissioner, Farmer, or other Person, is thereby authorized and required, upon Demand by such Exporter, to make present Payment accordingly: And whereas by a Clause in an Act made in the same Session of Parliament, intituled, *An Act for an additional Duty of Excise upon Beer, Ale, and other Liquors*; the Benefit and Advantage by the said first-mentioned Act given to the Exporters of Corn from any Port in *England* or *Wales*, is also granted in like manner to the Exporters of Corn from the Town and Port of *Berwick upon Tweed*: And whereas by an Act made in the fifth Year of the Reign of Queen *Anne*, intituled, *An Act for Ease of her Majesty's Subjects in relation to the Duties upon Salt; and for making the like Allowances upon the Exportation of White Herrings, Flesh, Oatmeal, and Grain called Beer*, alias *Bigg, as are to be made upon the Exportation of the like from* Scotland; it is, amongst other Things, enacted, That for all Oatmeal or Grain called Beer, *alias* Bigg, which shall be exported from any Port of *England*, *Wales*, or the Town of *Berwick upon Tweed*, to Parts beyond the Seas, by any Merchant or other Person or Persons whatsoever, there shall be the like *Premium* given upon the Exportation thereof as is to be given (by the Articles of Union) upon the Exportation of Oatmeal or Beer from *Scotland*; by which Articles of Union it is provided, That seeing by the Laws of *England* there are Rewards granted upon the Exportation of certain Kinds of Grain, wherein Oats grinded or ungrinded are not expressed, from and after the Union, when Oats shall be sold at fifteen Shillings Sterling *per* Quarter, or under, there shall be paid two Shillings and six Pence Sterling for every Quarter of the Oatmeal exported in the Terms of the Law, whereby and so long as Rewards are granted for Exportation of other Grain, and that the Beer of *Scotland* have the same Rewards as Barley: And whereas by another Clause in the said Act made in the fifth Year of the Reign of Queen *Anne*, it is enacted, That every Merchant, or other Person, exporting Malt made of Wheat, shall have and receive for every Quarter of Malt made of Wheat, or Wheat Malt, ground or unground, five Shillings, to be paid by the respective Persons mentioned in the said Act made in the first Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the encouraging the Exportation of Corn:* And whereas by an Act made in the third Year of the Reign of his present Majesty, for better preventing Frauds in the malting of Corn for Exportation, it is enacted, That there shall be paid to the Malsters and Makers of Malt for Exportation, for every twenty Quarters of Barley, or other Corn or Grain, that shall be entered and made into Malt for Exportation, an Allowance of thirty Quarters after the same shall be dried and made into Malt, and no more, upon the Exportation thereof, according to the said Act made in the first Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the encouraging the Exportation of Corn*; and in such Cases where by the said Act they are intitled to the same; and so in proportion for a greater or lesser Quantity; payable in such Manner as by the said Act made in the third Year of his present Majesty's Reign is directed: And whereas by a Clause in an Act made in the twelfth and thirteenth Year of the Reign of King *William* the Third, intituled, *An Act for granting an Aid to his Majesty for defraying the Expence of his Navy, Guards and Garrisons for one Year, and for other necessary Occasions*; it is, amongst other Things, enacted, That if the Collector of the Customs of any Port wherein Corn shall be exported, shall not have sufficient in his Hands to satisfy and pay such Sum or Sums of Money which are or shall be due to any Exporter by virtue of the said Act made in the first Year of the Reign of King *William* and Queen *Mary*, arising out of the Customs and Duties out of which it ought to be paid, upon Demand, according to the Intent of the said Act, that then such Collector shall give to the Person demanding such Sum or Sums of Money, without Fee or Reward, a Certificate under his Hand of what is due to such Person for the Corn exported from such Port, certifying to the Commissioners of the Customs at *London*, that he hath not Monies in his Hands sufficient to pay the same; which Certificate being annexed to the Debenture for the Corn so exported, and being produced to his Majesty's Commissioners of the Customs at *London*, they the said Commissioners are thereby authorized and required, on Demand by the Person that shall bring the same, to cause the Monies thereby due to be paid in three Months by the General Receiver or Cashier of the Customs, out of such Monies as shall be in his Hand, arising out of such Customs or Duties in the said Port of *London* as are chargeable with the Payment of any Money for the Exportation of Corn, according to the said Act, without Fee or Reward, as in and by the said several Acts above recited or mentioned, Relation being thereunto respectively had, may more fully appear: And whereas by reason of the great Quantity of Corn which of late hath been exported, the Revenue applicable to the Payment of the Bounty on the Exportation thereof (being charged also with other Payments) hath not been sufficient to satisfy and pay all such Monies due for Corn exported, as by virtue of the said Act made in the twelfth and thirteenth Year of the Reign of King *William* the Third, are in Manner therein mentioned, payable by the said General Receiver or Cashier of the Customs; and divers Debentures for such Monies so payable do and may for that Reason remain unsatisfied:' Now, for making a reasonable Com-

5 Ann. c. 29.

5 Ann. c. 29.

10 & 11 W. 3. c. 10. §. 93.

pensation for such Delay of Payment, and to the End that the Owners and Tillers of Land, and the Nation in general, may continue to enjoy the Benefit designed by the said Bounty on the Exportation of Corn, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if at any Time from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-three, any Debenture for the Bounty on Corn exported, so payable by the said General Receiver or Cashier of the Customs, shall remain unsatisfied more than six Months next following the Day when the same shall or may have been produced to the Commissioners of the Customs at *London*, according to the Directions of the said Act made in the twelfth and thirteenth Year of the Reign of King *William* the Third, then and in such Case, for the Forbearance of such Money as, after the Expiration of the said six Months, shall be due on such Debenture, Interest after the Rate of three Pounds *per Centum per Annum* shall be allowed to the Proprietor or Proprietors thereof, his, her or their Executors, Administrators or Assigns; such Interest to be computed from the End of the said six Months until the Money due on such Debenture, together with such Interest, shall be paid, or until Money sufficient shall be reserved in the Hands of the said General Receiver or Cashier of the Customs for that Purpose, and proper Notice shall be given thereof.

Debentures remaining unsatisfied for 6 Months to carry an Interest of 3 l. per Centum.

II. And to the End that proper Notice may be given that Money sufficient is reserved for that Purpose, and that the Persons to whom such Principal or Interest shall be due, may not avail themselves of their Neglect to demand the same; Be it further enacted by the Authority aforesaid, That when Money sufficient shall be reserved in the Hands of the said General Receiver or Cashier of the Customs, for Payment of the Principal and Interest due on any such Debentures, as after the Expiration of the said six Months shall remain unsatisfied, the said General Receiver or Cashier shall and may give Notice in Writing to be affixed on three or more Doors of some publick Place or Places in the Custom-house, *London*, and to be advertised in the *London Gazette*, That on a certain Day to be limited in the said Notice, and on the four Days next following such Day (so as six Days at the least intervene between the Date of such Notice, and the Day so limited, and so as *Sundays* and Holidays be not included in the Number of such four Days) he shall be ready to pay and discharge the Principal and Interest due on such Debentures; after the Expiration of which five Days, if Payment of such Principal and Interest shall not be demanded pursuant to the said Notice, all Interest on such Debentures shall cease and determine.

Notice to be given, when Money is in Hand to pay off the Debentures;

after which Time Interest to cease.

III. Provided always, That the Principal Monies due on such Debentures, together with such Interest as shall be due thereupon, before the Expiration of the Time limited in the said Notice, shall at any Time afterwards upon Demand be paid to the Proprietor or Proprietors of such Debentures, his, her or their Executors, Administrators or Assigns.

Principal to be paid notwithstanding.

IV. Provided also, and be it enacted by the Authority aforesaid, That if at any Time after the Day prefixed by Order of the said Commissioners of the Customs, for the Payment of any such Debentures so produced to them, and before the End of six Months next following the Day on which the same shall have been so produced to them, the said General Receiver or Cashier of the Customs shall have Money in his Hands sufficient to satisfy the same; and the like Notice shall by him be given in Manner before mentioned, that he is ready to make Payment thereof; and no Demand of such Payment shall be made within the Time limited in such Notice, then and in such Case, no Interest whatsoever shall be allowed on such Debentures; any Thing in this Act to the contrary thereof in any wise notwithstanding.

If there shall be at any Time thereafter Money in Hand sufficient to discharge the Debentures, and Notice be given thereof, the Interest thereon to cease, &c.

V. Provided nevertheless, and be it declared and enacted by the Authority aforesaid, That all Debentures for Corn exported, payable as is aforesaid by the General Receiver or Cashier of the Customs, according to the Intention of the said Act made in the twelfth and thirteenth Year of the Reign of King *William* the Third, together with the Interest thereof, payable by virtue of this Act, (if any such Interest shall be due) shall be paid by the said General Receiver or Cashier in Course, Respect being had to the Times when such Debentures shall have been produced to the Commissioners of the Customs, in Manner before-mentioned, without any other Preference of one before another.

Principal and Interest to be paid in Course.

VI. And be it further declared and enacted by the Authority aforesaid, That when any Certificate under the Hand of the Collector of the Customs of any Port, affixed to any Debenture for Corn exported from such Port, certifying to the Commissioners of the Customs at *London*, that he hath no Monies in his Hands sufficient to pay what is due for Corn so exported, shall be produced to the said Commissioners, they shall immediately in such Manner as hath been accustomed, cause an Indorsement to be made on the Back of the said Debenture, of the Day when the same was so produced; and shall as soon as conveniently may be, sign their Order to the said General Receiver or Cashier for Payment thereof, and of such Interest as shall grow due thereon by virtue of this Act, if the Principal shall not be paid before the Time when the Interest allowed by this Act is directed to commence.

Day of Presentment to be indorsed on Certificate, and an Order for the Payment and Interest to be signed.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said General Receiver or Cashier of the Customs, and he is hereby authorized and required, when he shall make Payment of the Principal Money due on any such Debenture, to pay also without Fee or Reward, the Interest which shall be due thereon, by virtue of this Act, out of such Monies as shall be in his Hands, arising out of such Customs or Duties, as are chargeable with the Payment of any Money for the Exportation of Corn; and the Monies so paid by him, in Obedience to this Act, shall be accepted of in his Account, as so much Money paid to his Majesty, his Heirs or Successors, and he shall be discharged therefrom accordingly.

Payment to be made without Fee.

VIII. And be it further declared and enacted by the Authority aforesaid, That every Person to whom any Money shall be payable for Corn exported by virtue of any such Debenture, and his or her Executors,

Debentures assignable.

tors, Administrators or Assigns, by proper Words of Assignment to be indorsed upon such Debenture, may assign and transfer his or her Right and Interest therein, to any other; which Indorsement shall entitle such Assignee or Assignees, his, her or their Executors, Administrators or Assigns, to the Benefit thereof, and Payment thereon; and such Assignee or Assignees may in like Manner assign again, and so *toties quoties*, at any Time before Payment thereof shall be made by the said General Receiver or Cashier of the Customs as aforesaid.

'IX. And whereas by the sixth Article of the Treaty of Union, it is provided that all Parts of the 'united Kingdom for ever, from and after the Union, shall have the same Allowances, Encouragements 'and Drawbacks, and be under the same Prohibitions, Restrictions and Regulations of Trade, and liable 'to the same Customs and Duties on Import and Export; and that the Allowances, Encouragements and 'Drawbacks, Prohibitions, Restrictions and Regulations of Trade, and the Customs and Duties on Im-'port and Export settled in *England*, when the Union commences, shall from and after the Union, take 'place throughout the whole united Kingdom;' Be it therefore enacted by the Authority aforesaid, That

Where there is not Money in Hand to pay the Bounty on Corn exported from Scotland, a Certificate to be granted;

if at any Time, from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-three, the Collector of the Customs at any Port in that Part of *Great Britain* called *Scotland*, from which Corn shall be exported, shall not have sufficient in his Hand to satisfy and pay such Sum or Sums of Money, which are or shall be due to any Exporter, by virtue of the Laws now in Being, arising out of the Customs and Duties, out of which it ought to be paid, that then such Collector shall give to the Person demanding such Sum or Sums of Money, without Fee or Reward, a Certificate under his Hand, of what is due to such Person for the Corn exported from such Port, certifying to the Commissioners of the Customs at *Edinburgh*, that he hath not Monies in his Hand sufficient to pay the same; which Certificate being annexed to the Debenture for the Corn so exported, and being produced to the Commissioners of the Customs at *Edinburgh*, they the said Commissioners are hereby authorized and required, on Demand by the Person that shall bring the same, to cause the Monies thereby due, to be paid in three Months, by the General Receiver or Cashier of the Customs in *Scotland*, out of such Monies as shall be in his Hand, arising out of such Customs or Duties as are chargeable with the Payment of any Money for the Exportation of Corn, without Fee or Reward.

and the Debenture to be paid by the Receiver General in three Months,

Debentures remaining unsatisfied for 6 Months to carry 3 l. per Cent. Interest.

X. And be it further enacted by the Authority aforesaid, That if at any Time from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-three, any Debenture for the Bounty on Corn exported, so payable by the said General Receiver or Cashier of the Customs in *Scotland*, shall remain unsatisfied more than six Months next following the Day when the same shall or may have been produced to the Commissioners of the Customs at *Edinburgh* as aforesaid, then and in such Case for the Forbearance or Delay of Payment of such Money, as after the Expiration of the said six Months shall be due on such Debenture, Interest after the Rate of three Pounds *per Centum per Annum* shall be allowed to the Proprietor or Proprietors thereof, his, her or their Executors, Administrators or Assigns; such Interest to be computed from the End of the said six Months, until the Money due on such Debenture, together with such Interest shall be paid, or until Money sufficient shall be reserved in the Hand of the said General Receiver or Cashier of the Customs in *Scotland* for that Purpose; and like Notice shall be given thereof in Writing, to be affixed on one or more Doors of some publick Place or Places in the Custom-house at *Edinburgh*, and to be advertised in the *Edinburgh Currant*, that the said General Receiver or Cashier is ready to pay and discharge the Principal and Interest due on such Debentures; after the Expiration of which Time limited in such Notice, if Payment of such Principal and Interest shall not be demanded, pursuant to the said Notice, all Interest on such Debentures shall cease and determine.

Notice to be given when the same are ready to be discharged, and Interest to cease,

If there shall be at any Time thereafter Money in Hand sufficient to pay off the Debentures, and Notice be given, the Interest to cease.

XI. Provided also, That if at any Time after the Day prefixed by the Order of the said Commissioners of the Customs at *Edinburgh*, for the Payment of any such Debenture so produced to them, and before the End of six Months next following the Day on which the same shall have been so produced to them, the said General Receiver or Cashier of the Customs in *Scotland* shall have Money in his Hand sufficient to satisfy the same, and the like Notice shall by him be given in Manner before-mentioned, that he is ready to make Payment thereof, and no Demand of such Payment shall be made within the Time limited for such Notice, then and in such Case no Interest whatsoever shall be allowed on such Debentures.

Debentures in Scotland to be paid by the General Receiver, and without undue Preference.

XII. Provided also, That all Debentures for Corn exported, payable as aforesaid by the General Receiver or Cashier of the Customs in *Scotland*, together with the Interest thereof, by virtue of this Act (if any such Interest shall be due) shall be paid by the said General Receiver or Cashier in Course, Respect being had to the Times when such Debentures shall have been produced to the Commissioners of the Customs at *Edinburgh* as aforesaid, without any other Preference of one before another, according to the Indorsement to be made on the Back of the said Debenture of the Day when the same was so produced; and every such Debenture shall be payable to the Person therein named, or to his or her Executors, Administrators or Assigns, by one or more Indorsements as aforesaid.

See further 30 *Geo.* 2. *c.* 1 & 7. 31 *Geo.* 2. *c.* 1 & 25. 32 *Geo.* 2. *c.* 2 & 8.

CAP.

CAP. XVI.

An Act for reducing the Number of Directors of the Corporation of the Governor and Company of Merchants of *Great-Britain* trading to the *South-Seas* and other Parts of *America*; and for encouraging the Fishery; and for regulating the Election of the Governors and Directors of the said Company.

For former Provisions concerning this Company refer to 9 Ann. c. 21. 10 Ann. c. 19, 26 & 30. 12 Ann. stat. 2. c. 9. 1 Geo. 1. c. 21. 3 Geo. 1. c. 9. 5 Geo. 1. c. 19. 6 Geo. 1. c. 4 & 11. 7 Geo. 1. c. 5. 7 Geo. 1. stat. 2. 8 Geo. 1. c. 20, 21 & 22. 9 Geo. 1. c. 6. 1 Geo. 2. c. 8. 3 Geo. 2. c. 16 & 20. 4 Geo. 2. c. 5. 5 Geo. 2. c. 17. 6 Geo. 2. c. 25 & 28. 7 Geo. 2. c. 17. 9 Geo. 2. c. 34. 10 Geo. 2. c. 17. 20 Geo. 2. c. 3. 24 Geo. 2. c. 2 & 11.

'WHEREAS in and by the Charter of Incorporation granted in pursuance of an Act of the ninth 'Year of her late Majesty Queen *Anne* to the Governor and Company of Merchants of *Great Bri-* 'tain trading to the *South-Seas* and other Parts of *America*, and for encouraging the Fishery, bearing Date 'the eighth Day of *September* in the Year of our Lord one thousand seven hundred and eleven, it is amongst 'other Things directed, That for the good Government of the said Company, there should be for ever a 'Court of Directors, to consist of one Governor, one Sub-Governor and one Deputy Governor, and thirty 'Directors, and that the Majority of the said Court of Directors, whereof the Governor, Sub-Governor 'or Deputy-Governor, (except as in the said Charter is excepted) to be always one, should be deemed a 'Court of Directors; and that from and after the Election, by the said Charter directed to be made be- 'tween the twenty-fifth Day of *December* and the sixth Day of *February* one thousand seven hundred and 'seventeen, of and for such Governors and Directors, such Election should from thenceforth be made every 'third Year between the twenty-fifth Day of *December* and the sixth Day of *February*, for ever: And 'whereas the said Company, at a General Court holden on the first Day of *February* one thousand seven 'hundred and fifty-three, came to a Resolution that proper Application should be made to Parliament in 'the Name of the said Company, that from and after the Expiration of the three Years for which the 'present Governors and Directors are chosen, the Court of Directors of the said Company might consist 'of one Governor, one Sub-Governor, one Deputy-Governor, and eighteen Directors only, and that the 'Majority of such Court of Directors, whereof the Governor, Sub-Governor or Deputy-Governor (ex- 'cept as in the said Company's Charter is excepted) to be always one, might from thenceforth be deemed 'a Court of Directors; and that from thenceforth also the Election of Governors and Directors might be 'annually, between the twenty-fifth Day of *December* and the sixth Day of *February*; and that the first 'Election of Governors and eighteen Directors might be between the twenty-fifth Day of *December* one 'thousand seven hundred and fifty-three, and the sixth Day of *February* then next following: And whereas 'the said Governor and Company, by their Petition under their Common Seal, have prayed that they 'may be enabled, by Authority of Parliament, to carry the aforesaid Resolution of their General Court 'into Execution;' May it therefore please your most Excellent Majesty, upon the humble Petition and Request of the said Governor and Company, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of the three Years for which the present Governors and Directors are chosen, the Court of Directors of the said Company do and shall consist of one Governor, one Sub-Governor, one Deputy-Governor, and twenty-one Directors only; and that the Majority of such Court of Directors, whereof the Governor, Sub-Governor or Deputy-Governor (except as in the Charter of the said Company is excepted) to be always one, shall from thenceforth be deemed and be a Court of Directors.

The Number of which the Court of Directors is to consist.

II. Provided always, and be it further enacted by the Authority aforesaid, That at the next General Election of Directors, twenty-one Directors and no more, who were at the last preceding General Election of Directors chosen into the Office of Directors, may be again appointed or chosen into the Office of Directors; and that at and in every subsequent Election no more than fifteen who were at the last preceding General Election of Directors chosen into the Office of Director, shall be again appointed or chosen into the Office of Director; any By-law of the said Governor and Company to the contrary thereof in any wise notwithstanding.

At the next General Election 21 of the former Directors may be re-chosen, and in every subsequent one, no more than 15 of those in the preceding Election.

III. Provided always, and be it further enacted by the Authority aforesaid, That the Salaries of the Governors and Directors of the said Governor and Company shall continue and be the same as they now are; any By-law of the said Governor and Company to the contrary thereof in any wise notwithstanding.

Salaries of the Governors and Directors to continue as now.

CAP. XVII.

An Act for the more effectual levying of the Duties upon Windows or Lights in that Part of *Great Britain* called *Scotland*.

'WHEREAS an Act of Parliament was made in the twentieth Year of the Reign of his pre- 'sent Majesty, intituled, *An Act for repealing the several Rates and Duties upon Houses, Windows* 'and Lights; and for granting unto his Majesty other Rates and Duties upon Houses, Windows and Lights; and 'for other Uses and Purposes in the said Act expressed:* And whereas another Act of Parliament was made in 'the twenty-first Year of the Reign of his present Majesty, intituled, *An Act for explaining, amending and*

20 Geo. 2. c. 3.

21 Geo. 2. c. 1.

'*further*

'*farther enforcing the Execution of the said Act of the twentieth of his present Majesty*; by which several 'Amendments and Alterations of the aforesaid Act were made: And whereas those Acts have not proved 'effectual for raising and levying the Duties upon Windows or Lights in that Part of *Great Britain* called '*Scotland*, and it is therefore necessary that some further Provisions be made for that Purpose;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Duties and Rates by the said Act imposed upon Windows or Lights in that Part of this Kingdom called *Scotland* shall, from and after the fifteenth Day of *May* in this present Year one thousand seven hundred and fifty-three, be raised, levied and collected in Manner herein after-mentioned; that is to say, The Commissioners of the Land-Tax who have been appointed for levying the Land-Tax for the Year one thousand seven hundred and fifty-three, and such Commissioners as shall be appointed for levying the Land-Tax for the Year one thousand seven hundred and fifty-four, and so in Time coming for all Years thereafter, shall upon the first Day of their Meeting, or at any subsequent Meeting, before the second Day of *August* yearly, nominate and appoint one or more Assessors for surveying and numbering the Windows or Lights of all Houses subject to the said Duty within the several Parishes belonging to or lying within the several Counties or Boroughs wherein the said Commissioners for the said Tax shall be named and commissioned to act; and the Clerk to the said Commissioners of every Shire or Borough respectively, shall give Notice to the Assessors so to be named, of their being named Assessors for the Purpose aforesaid, and that by a Note in Writing subscribed by the Clerk to be delivered to them personally, or left at their Dwelling-houses within the Space of ten Days after their being nominated or appointed as aforesaid; and the said Assessors shall, upon such Day as the Commissioners shall appoint for that Purpose, which Day shall be within one Calendar Month after their Appointment, personally appear before the Commissioners of Supply, or any Quorum of them, at their ordinary Place of Meeting, and shall be there instructed by the Commissioners as to what is their Duty, and what they are to execute, as to the Way and Manner of surveying and numbering of the Windows or Lights subject to the Duty.

The Commissioners of the Land-Tax to nominate Assessors for surveying the Windows.

Notice of such Nomination to be given to the Assessors,

who are to appear before the Commissioners, and receive their Instructions.

II. And be it further enacted, That the said Assessors shall, at the Time of their surveying and numbering the said Windows and Lights, leave a Note in Writing with the Occupier of the House, or at the House itself, of the Survey he hath made, bearing the Number of the Windows or Lights, and the Amount of the Duty with which the said Occupier is to be charged.

Assessors to leave a Note of the Survey and Charge at each House.

III. And be it enacted, That the said Assessors shall report the Survey by them made, and the Number of Windows or Lights in each House, and Duty with which the Occupier of every such House is charged, to the Commissioners of Supply, upon such Day as the Commissioners shall appoint at the Time they give their Instructions; which Day shall be within twenty Days after the Day of giving the Instructions to the said Assessors.

Assessors to report their Survey and Charge to the Commissioners of Supply.

IV. And be it further enacted, That a Note of these Assessments shall forthwith be lodged by the Clerk of the Commissioners in the Hands of the Collector of the Cess or Land-Tax for the said County; and that the Collector of the Cess or Land-Tax for the Time being for each County and Burgh within *Scotland*, shall be and is hereby appointed, impowered and required to be Collector of the Duty imposed upon Windows or Lights; and the Cautioners or Sureties for every such Collector of the Cess or Land-Tax shall be farther *ipso facto* bound by virtue of this Act for the due and faithful Performance by such Collector, of all Parts of the Duty of the Office hereby committed to him, in respect of the Duties on Windows or Lights, and that under the Penalty of one hundred Pounds Sterling; and that every such Collector of the Cess shall likewise be intitled to have an Allowance from the Receiver General of the Sum of three Pence *per* Pound of the Money arising from the said Window-Tax.

Note of the Assessment to be lodged with the Collector of the Land-Tax, who is to collect the Window-Tax.

Sureties bound in 100*l.* for his due Performance of his Office.

3 *d.* per Pound allowed him.

'V. And whereas by occasion of the Death of Persons chosen to be Collectors of the Cess or Land-'Tax in the several Shires or Boroughs in that Part of *Great Britain* called *Scotland*, or by other Acci-'dents, it may happen that there shall be a Vacancy of that Office, and by consequence no Collector of 'the said Duty on Windows or Lights;' Be it therefore enacted by the Authority aforesaid, That as often as it shall happen that there is a Vacancy in the Office of Collector of the Cess or Land-Tax in any Shire or Borough in *Scotland*, it shall and may be lawful for the Barons of the Court of Exchequer in *Scotland*, or any two or more of them, upon the Application of the Receiver General or Surveyor General of the Duties on Windows or Lights, or either of them, to nominate and appoint a Person to officiate as Collector of the Duty on Windows or Lights within such County or Borough, during the Vacancy of the Office of Collector of the Cess or Land-Tax within such County or Borough; and the Person or Persons so to be appointed by the said Barons shall have all and every the Powers and Duties concerning the raising, collecting and paying over the said Duty on Windows or Lights, that the Collector of the Cess or Land-Tax, and of the said Duty, would have had by virtue of this Act; and shall also be intitled to receive from such Shire or Borough, for and during the Time of his Service, the like Salary or Allowance as was given to the last Collector of the Land-Tax for such Shire or Borough; and that over and above the Allowance of three Pence in the Pound of the Duties on Windows or Lights that shall be collected by him during the Time of his acting in such Office.

Vacancy of Collector to be filled up by the Barons of the Exchequer.

VI. And be it enacted, That the Occupiers of each House, the Windows or Lights whereof are to be charged with the said Duty, shall, by themselves, or others for their Behoof, pay in the Duty with which they are charged, on or before the twenty-ninth Day of *September*, yearly, for the Half Year betwixt *Whitsunday* and *Martinmas* Day; and on or before the twenty-fifth Day of *March*, yearly, for the Half Year betwixt *Martinmas* and *Whitsunday*, to the Collector of the Cess personally, or at his Office by him held for receiving the Land-Tax, unless such Occupier shall enter an Appeal against the Assessment made; in which Case such Appeal shall be discussed before Payment in manner herein after directed, and shall

Occupiers to pay the Duty Half-yearly.

Provision in case of Appeal.

shall be made only within ten Days after discussing or dismissing such Appeal, in the manner herein after provided; and that every such Occupier shall, in case of his not paying in the Duties with which he is charged, to the Collector of the Cess, upon the Day upon which he is hereby appointed to pay the same, or within three Days thereafter, forfeit treble the Value and Extent of the Duty with which he stands charged.

On Nonpayment to forfeit treble Value.

VII. And be it further enacted, That the Duties by the said Acts imposed, and likewise all Penalties, triple Values, and Forfeitures incurred by virtue of this Act, shall be recovered at the Suit of the respective Collectors, by distraining or poynding, according to the Forms of the Laws of *Scotland*, upon Warrants to be granted and subscribed by any two of the Commissioners of Supply, or by the Sheriff, or Depute Sheriff, of the County from whom such Warrant shall be required, and they are hereby respectively required to grant the same under the Penalty of ten Pounds Sterling, *toties quoties*, upon Certificate made to them, or either of them, by the Collector of the Cess, that such Penalties or Forfeitures are incurred, and such Duties resting, and not duly paid, which Warrants shall be executed by the Constables or Sheriff Officers of the County; and the Goods or Effects so poynded or distrained shall be valued and appraised by any two Persons, to be appointed by the Sheriff Officer or Constable to value and appraise such Goods, which two Persons shall be obliged to value the same, under the Penalty of forty Shillings Sterling, for each Neglect or Refusal; and which Valuation shall be made upon the Ground, or at the House where the same were poynded and distrained, and may and shall be sold and disposed of at the Value, by the Officer or Constable who does poynd or distrain the same; and the Value to be applied in the first Place, to the Satisfaction and Payment of the Duty, triple Value or Penalty, owing by the Person whose Goods are so poynded; and in the second Place, to the Payment for the Trouble of the Officer or Constable so poynding, at the Rate of two Shillings *per* Pound of the Duty, triple Value or Penalty, for which the Goods shall be poynded or distrained, unless the Owner from whom the same were poynded or distrained shall redeem the same by Payment of the appraised Value within the Space of four Days after the Poynding and Valuation, to the Officer who poynded the same; and in case any Surplus shall remain of the Price or Value after Payment of the Duty due or Penalty incurred, and after Payment of what is allowed to be retained by the Officer or Constable in manner herein directed, such Surplus shall be returned to the Owner from whom the Goods were distrained; and in case no Purchaser or Buyer do appear at the said Sale, that the said Goods or Effects so poynded or distrained shall be consigned and lodged in the Hands of the Sheriff Depute of the County, or his Substitute, and if not redeemed by the Owner within the Space of four Days after the Consignment in the Hands of the said Sheriff, that the same shall be rouped, sold and disposed of by Order of the Sheriff, in such Manner and at such Time and Place, as he shall appoint, he always being liable to the Payment of the Duty, triple Value, or if the Penalty or Penalties incurred, to the Collector of the Cess, and to the Officer or Constable who shall have poynded the same, for their Trouble and Expence as above stated, in case the Value of the Goods so sold shall amount to the Extent of the Duty and Penalties incurred, and to the Fees due to the Officer or Constable; and shall be in the third Place intitled to one Shilling *per* Pound of the Value of the Goods so disposed of, for his own Pains and Trouble, after Preference and Allowance of the Duty or Penalties, and of what is appointed to be paid to the Officer or Constable for their Pains; and that there shall likewise be allowed to the Officer or Constable so poynding, the Expence of preserving or maintaining the Goods or Cattle so poynded, during the four Days allowed to the Owner to redeem them, and the Expence of the Sale; and in like manner the Expence shall be allowed to the Sheriff for preserving and maintaining the Goods or Cattle distrained, during the four Days that the Owner is allowed to redeem, after Consignment in his Hands, as also the Expence of the Sale.

Duties and Forfeitures how to be recovered.

Appraisement and Sale of Goods distrained.

If there shall be no Purchaser, the Distress to be lodged with the Sheriff Depute, and to be sold by him, if not redeemed within 4 Days;

1 s. per Pound allowed for his Trouble, &c.

VIII. And be it further enacted, That the Officer or Constable who shall dispose of such Goods or Cattle so poynded, distrained and sold, shall be bound to pay in the Sums arising from the Sale, in so far as extends to the Duties or Penalties for which the same were poynded, to the Collector of the Cess or Land-Tax, within ten Days after Receipt of the Price, allowing always what is above allowed for his own Pains and Expence; and that in like Manner, if the Goods or Cattle distrained shall be disposed of by the Sheriff, as before directed, he shall, within four Days after Receipt of the Price, be obliged to pay in the same to the Collector of the Cess, after Deduction of what is appointed to be paid to the Officer or Constable who made the Poynding; and after Deduction of what is above allowed to be retained by him for his own Pains and Expence; and shall remain liable to the Collector of the Cess until Payment, and subject to be poynded and distrained therefore in the same Manner as is above provided with regard to any Person liable to Duties or Penalties in virtue of this Act.

The Duties and Penalties to be paid out of the Sale to the Collector of the Land-Tax.

IX. And be it enacted, That every such Collector of the Cess or Land-Tax, and Duties on Windows or Lights, shall pay over to the Receiver General at *Edinburgh*, all such Monies as he shall have received in respect of the Duties or Penalties aforesaid, in Manner, and upon the Days of Payment following: that is to say, The Duties or Penalties arising Half-yearly betwixt *Whitsunday* and *Martinmas*, on or before the twenty-fifth Day of *December* in such Year; and the Duties and Penalties arising between *Martinmas* and *Whitsunday*, on or before the twenty-fourth Day of *June* immediately following.

Collector to pay over the same to the Receiver General Half-yearly.

X. And be it further enacted, That it shall be in the Power of the Persons liable and assessed for the Duties aforesaid, in case they shall conceive themselves to be injured by the Assessment and Charge made upon them by the Surveyor or Assessor; or to the Surveyor or Collector, if he shall judge the Crown to be leased by the Assessment or Charge made, to appeal to the Commissioners of Supply.

Persons aggrieved by Assessment; or Collector may appeal to the Commissioners of Supply.

XI. Provided always, That every Occupier of a House who shall conceive himself to be aggrieved by the Assessment or Charge made upon him for his Windows or Lights, shall, within the Space of fifteen Days after the Note in Writing of his Charge being delivered to him, or left at his House by the Assessor or

Occupier to give a Note of his Grievance to the Collector within 15 Days after.

The Charge delivered to him.

or Surveyor, by himself, or some other Person acting on his Behalf, deliver, or cause to be delivered, to the Collector of the Cess at his Office, a Note in Writing of the Wrong or Grievance of which such Person complains, and whereof he shall be minded to seek Redress by Appeal; and such Collector is hereby required to make an Entry in a Book to be kept by him for that Purpose, of all such Notices given to him, from Time to Time, and to lay the same before the said Commissioners at their first Meeting; and every such Collector is farther hereby required, upon Demand made for that Purpose by the Assessors or Surveyors, to give them Inspection and Leave to take a Copy of all such Notices of Appeals, that they may attend the Meeting of the said Commissioners, prepared to answer the same in Support of their Charge.

Collector to make Entry of such Notices,

and give a Copy to the Surveyors.

Appellant not prosecuting, the Charge to stand good.

XII. And be it further enacted, That in case the Party giving such Notice of an Appeal or Complaint shall neglect to insist therein before the said Commissioners at their next General Meeting for discussing of Appeals, to be held Half-yearly in Manner herein after-mentioned; then and in that Case such Complaint or Appeal shall be held to be fallen from, and the Charge or Assessment therein referred to shall stand in full Force.

Commissioners to hold General Meetings for Appeals.

Surveyor or Appellant dissatisfied with their Determination, may take the Benefit of the Provision in the Act of 21 Geo. 2. c. 10.

XIII. And be it enacted, That the Commissioners shall hold a General Meeting for discussing of Appeals upon the first *Tuesday* of *August* yearly, and another upon the first *Tuesday* of *March* yearly, and upon such other Days as the said Commissioners shall from Time to Time appoint for that Purpose: And in case either the Surveyor, or the Person so appealing or complaining, shall be and declare themselves dissatisfied with the Determination made by the said Commissioners upon such Appeal, it shall and may be lawful to and for either of them so dissatisfied respectively, to proceed and take the Benefit of the Provision made in such Case in the said Act of the twenty-first Year of his Majesty's Reign.

Surveyors to supervise the Assessments,

and where any shall be under-rated, to give Notice to the Occupier and Collector, &c.

Commissioners neglecting to appoint Assessors, or Assessors neglecting their Duty,

Surveyors to make out a Certificate of the Duties, and leave a Note of the Charge at the Occupier's House,

and to deliver the Certificates to the Collectors, who are to levy and pay over the Duties.

Where the Charge shall be controverted, Distress not to be made till the Appeal determined. *See further* 31 *Geo.* 2. *c.* 22. 32 *Geo.* 2. *c.* 33. *and* 2 *Geo.* 3. *c.* 8.

XIV. And be it further enacted, That in case the Assessors to be appointed from Time to Time by the said Commissioners, shall perform the Duty committed to them by making their Assessments, and bringing in their Certificates, as by the said former Acts is directed, then and in that Case the Surveyors and Inspectors appointed or to be appointed in the Manner directed by the said Act of the twentieth of his Majesty, shall proceed according to the Powers thereby given them, to examine and supervise such Assessments; and as often as they shall find any Person Occupier of a House to have been under-rated, give Notice in Writing of such Neglect or Failure to the Occupier of such House, and also to the Collector hereby appointed; and such additional Charge may and shall be paid, recovered, or the Justice thereof tried and discussed in the Manner, and according to the Rules herein mentioned; and in case at any Time the said Commissioners shall neglect to appoint Assessors, or in case the Assessors by them appointed shall fail or neglect to make the Inspection, and bring in the Certificates required of them, that then and in such Case it shall and may be lawful to and for the said Surveyor or Surveyors to make a Certificate in Writing under their respective Hands of every Dwelling-house inhabited, or charged by the said Acts of the twentieth and twenty-first Years of his Majesty's Reign, within the Limits of those Parishes or Places in which they severally act, and of the Number of Windows or Lights in each House, with the Names of the several Occupiers of each respective Dwelling-house, and of the Sums of Money which they ought to pay by virtue of the said Acts, and to deliver or leave a Note in Writing with the Occupier of every House that shall have been by them respectively surveyed, or at the House itself, of such Survey, bearing the Number of the Windows or Lights, and the Extent of the Duty with which the Occupier of such House is charged, and shall also deliver such Certificates as aforesaid to the respective Collectors of the Rates and Duties upon Windows or Lights hereby appointed; whereupon the respective Occupiers shall, in the Manner, at the Times, and under the Penalties above-mentioned, pay or deliver their respective Duties to such Collector; and in case of the Failure or Neglect of them to make such Payments as aforesaid, such Collector shall, according to the Certificates delivered to him by the Surveyor, call for, recover and bring in the respective Duties and Penalties due and incurred by the Persons so proving deficient; and being recovered pay over the same to the Receiver General at *Edinburgh*, at the Times and in the Manner above directed.

XV. Provided always, That in case the Occupier of any House conceiving himself to be aggrieved by such Survey, shall enter and give Notice of his Complaint or Appeal as aforesaid, then and in that Case the Collector shall not proceed to recover by Distress such Part of the Charge as shall be complained of, or controverted by such Appellant, until the final Discussion of the Appeal, either by its being fallen from or prosecuted to a final Decision, in Manner above-mentioned.

CAP. XVIII.

An Act for enlarging and regulating the Trade into the *Levant* Seas.

See 32 *Geo.* 2. *c.* 34.

'WHEREAS King *James* the First, by his Letters Patent bearing Date the fourteenth Day of *December* in the third Year of his Reign, did grant to several Persons therein named, and to their Sons, and such others as should then after be admitted or made free, that they should be one Fellowship, and one Body Corporate and Politick, by the Name of *The Governor and Company of Merchants of* England *trading into the* Levant *Seas*, and by the same Name should have perpetual Succession; and did direct, That all Persons, Subjects of this Realm, being mere Merchants, which then were, or after the Date of the said Letters Patent should happen to be, under the Age of twenty-six Years, or not out of his or their Apprenticeships, should be admitted into the Freedom of the said Company, if he or they

'they should demand the same within one Year next after he or they should attain the Age of twenty-six 'Years, or within one Year after the End of his or their Apprenticeships, and should offer and pay to the 'said Governor and Company for his or their Admittance the Sum of twenty-five Pounds; and did further 'direct, That all Persons, Subjects of this Realm of *England*, being mere Merchants, above the Age of 'twenty-six Years, should be admitted into the Freedom of the said Company, upon paying a Fine of 'fifty Pounds; and did also direct, That all and every the Sons of such as were or should be free of the 'said Company and also all their Apprentices employed in that Trade for the Space of three Years or 'upwards, within the Limits of the said Letters Patent, should after the End of their Apprenticeships be 'admitted to the Freedom of the said Company, on Payment of the Sum of twenty Shillings only: And 'whereas King *Charles* the Second, by his Letters Patent bearing Date the second Day of *April* in the 'thirteenth Year of his Reign, did ratify and confirm the said Letters Patent of King *James* the First; and 'did further direct, That no Person residing within twenty Miles of the City of *London* should be admitted 'into the Freedom of the said Company, or have any Benefit of the Privileges thereof, unless he be made 'free of the said City: And whereas the Trade into the *Levant* Seas has very much decreased, and the 'taking of less Fines for the Admission of Persons into the Freedom of the said Company, and the not re-'straining of the Freedom thereof to mere Merchants, and to such Persons as residing within twenty Miles 'of the City of *London* are free of the said City, and the securing to all Persons admitted into the said Com-'pany, the Liberty of exporting at all Times hereafter all Sorts of Goods and Merchandize (not prohibited 'by Law to be exported) to any Port or Place within the Limits of the said Letters Patent, from what Parts 'of *Great Britain*, and at what Time, and in what Quantity, and on board what Ships (navigated ac-'cording to Law) they shall respectively think proper, and also of importing in the like manner from 'any Port or Place within the Limits of the said Letters Patent, Raw Silk, or any other Goods or Com-'modities purchased within the said Limits, (not prohibited by Law to be imported) are the most probable 'Means of recovering and extending the said Trade for the Benefit of this Nation;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-four, every Subject of *Great Britain* desiring Admission into the said Company of Merchants of *England*, trading into the *Levant* Seas, commonly called or known by the Name of *The Turky Company*, shall, upon Request for that Purpose made by himself, or any other Person in his Behalf, to the Governor or Deputy Governor of the said Company for the Time being, be admitted into the said Company within the Space of thirty Days after such Request shall be made, and shall have, use and enjoy all the Liberties, Privileges, Jurisdictions, Franchises, Powers and Authorities granted to the said Company by the said Letters Patent, as largely, fully and amply to all Intents, Constructions and Purposes, as any Member of the said Company could, can or may have, use and enjoy the same, by virtue of the said Letters Patent, such Subject paying or tendering, or causing to be paid or tendered, for such his Admission, for the Use of the said Company, the Sum of twenty Pounds, and no more; any Thing in the said Letters Patent, or either of them, to the contrary in any wise notwithstanding.

Any Subject of Great Britain desiring Admission, and paying 20 l. to be made free of the Turky Company.

II. And be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-four, the following Oath in lieu of the Oath heretofore taken by Persons upon their Admissions to their Freedoms in the said Company, shall be taken by every Person upon his Admission to his Freedom, either before the Governor or Deputy Governor of the said Company, or before two of his Majesty's Justices of the Peace, (who are hereby respectively impowered and required to administer the said Oath) which Justices are hereby required to certify under their Hands and Seals, that the said Oath was taken by on the Day of before us, two of his Majesty's Justices of the Peace in and for

Oath to be taken on Admission.

'YOU swear to be good, faithful and true to our Sovereign Lord King *George*, his Heirs and Succes-'sors; you shall be obedient and assistant to the Governor, his Deputy and Assistants of the Com-'pany of Merchants of *England* trading into the *Levant* Seas, in all lawful Matters; you shall truly hold 'and keep to your Power (having no singular Regard to yourself, to the Hurt and Prejudice of the Com-'mon Weal of the said Company) all Statutes, Acts and Ordinances, which have been duly made, ac-'cording to the Grant of Privileges granted to the said Company, and consistent with an Act of Parlia-'ment made in the twenty-sixth Year of the Reign of his Majesty King *George* the Second, intituled, *An 'Act for enlarging and regulating the Trade into the* Levant *Seas*; the Secrets of the said Company you shall 'not disclose; and if you shall know any Person or Persons that intend any Hurt, Harm or Prejudice to 'our aforesaid Sovereign Lord the King's Majesty, his Heirs or Successors, or to the said Company, or 'the Privileges of the said Company, you shall give Knowledge thereof to the said Governor, Deputy or 'Assistants, or to some of them; and you shall not colour or free any Goods belonging to any one not 'free of the said Company.

So help you God.'

The Oath.

III. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-four, it shall and may be lawful to and for all and every Person and Persons, being free of the said Company as aforesaid, separately or jointly to export, or cause to be exported, from any Port or Place in *Great Britain*, to any Port or Place within the Limits of the said Letters Patent, in any *British* or Plantation built Ships (navigated according to Law) at any Time, and

Persons admitted may export Goods to any Port within the Limits of the Patent, paying

the Charges of the Company.

and to any Person or Persons whomsoever, being Freemen of the said Company, or Sons or Apprentices of Freemen, (such Freemen, Sons or Apprentices, being his Majesty's Christian Subjects) so long as such Person or Persons shall remain under, and submit to, the Protection and Direction of the *British* Ambassador and Consuls respectively for the Time being, any Goods, Wares or Merchandizes whatsoever, not prohibited by Law to be exported; and also to import, in like manner, from any Port or Place within the Limits of the said Letters Patent, Raw Silk, or any other Goods, Wares or Commodities, purchased within the said Limits, (not prohibited by Law to be imported) upon paying or securing the Customs, and other Duties payable for the same, to his Majesty, his Heirs and Successors, by virtue of any Law now in Force, or hereafter to be made; and upon paying such Impositions or Sums of Money as shall be assessed and charged upon all Goods, Wares or Merchandizes, to be exported or imported as aforesaid, or upon any Ships laden with the same, for defraying the necessary Expences of the said Company; any Thing in the said Letters Patent, or either of them, or any Ordinance, Constitution or By-law of the said Company, made or to be made, to the contrary in any wise notwithstanding.

Exportation of Gold and Silver subject to the By-laws of the Company.

IV. Provided always, That the Exportation of Gold or Silver, either in foreign Coin or Bullion, shall remain subject to the By-laws of the said Company made or to be made in that Behalf.

By-laws shall be confirmed at a subsequent general Court,

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Governor, or Deputy Governor and Company, in general Court assembled, to make such Rules, Ordinances or By-laws, for the good Government of the said Company, as the major Part of the Members present at such general Court shall think necessary; but no such Rule, Ordinance or By-law, shall be valid, or of any Force or Effect whatsoever, unless the same be confirmed at a subsequent general Court, to be held at least one Calendar Month after the general Court at which such Rule, Ordinance or By-law was made; and if any seven or more of the Freemen of the said Company shall think themselves aggrieved by any Rule, Ordinance or By-law, made or to be made, it shall be lawful for them to present an Appeal in Writing against the same to the Commissioners for Trade and Plantations, who are hereby impowered and required, with all convenient Speed, to hear such Appeal, and to approve or disapprove such Rule, Ordinance or By-law, and in such manner as to them, or the major Part of them present, shall appear fit and reasonable.

and if 7 Freemen shall think themselves aggrieved, they may appeal to the Commissioners for Trade, &c. but such Law to be in Force till the Appeal determined.

VI. Provided always, That such Rule, Ordinance or By-law, shall be and continue in Force till such Appeal be so heard, and such Rule, Ordinance or By-law, be disapproved as aforesaid; but in case such By law, Rule or Ordinance, shall be disapproved on the hearing of such Appeal as aforesaid, then such Rule, Ordinance or By-law, shall, from and after such Disapproval only, be deemed null and void to all Intents and Purposes whatsoever.

Limitation of the Time of Appeals.

VII. Provided also, That in case any such Appeal shall be brought against any future Rule, Ordinance or By law, to be made by the said Governor and Company, such Appeal shall be brought within twelve Calendar Months after such Rule, Ordinance or By-law, shall be so made and confirmed as aforesaid; and if any such Appeal shall be brought against any Rule, Ordinance or By-law of the said Company now in Force, such Appeal shall be brought within twelve Calendar Months after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-four.

Notice of Appeal to be given.

VIII. Provided also, That the Persons appealing against any such Rule, Ordinance or By-law, shall at the same Time give Notice in Writing of such Appeal, to the Governor, Deputy Governor, or Secretary of the said Company for the Time being.

By-laws to be of no greater Force than if no Appeal had been granted.

IX. Provided nevertheless, That no such Rule, Ordinance or By-law, shall be of any greater or other Force or Validity than the same would or ought to have been, if no such Appeal had been given by this Act.

Notice of a general Court for making By-laws to be published in the Gazette.

X. Provided always, and it is hereby further enacted, That whensoever any general Court of the said Company shall be appointed to be held for the making of any Rule, Ordinance or By-law, publick Notice thereof shall be given in the *London Gazette* at least twenty Days before the Time appointed for the holding of such general Court.

Rules for preventing Infection to be in Force.

XI. Provided always, and it is hereby enacted, That all Rules, Orders and Regulations made for preventing Infection, shall be, and remain in full Force and Virtue as if this Act had never passed.

Goods liable to retain the Infection, and coming without a clean Bill of Health, not to be landed, &c. unless the same have been aired in some foreign Lazarets.

XII. And be it further enacted by the Authority aforesaid, That no Goods or Merchandizes liable to retain the Infection of the Plague, and coming from the *Levant* without a clean Bill of Health, shall be landed in any Part of *Great Britain* or *Ireland*, or of the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, unless it shall appear to the Satisfaction of his Majesty, his Heirs or Successors, or of his or their Privy Council, that the said Goods or Merchandizes have been sufficiently opened and aired in the Lazarets of *Malta*, *Ancona*, *Venice*, *Messina*, *Leghorn*, *Genoa* and *Marseilles*, or one of them.

CAP.

CAP. XIX.

An Act for enforcing the Laws against Persons who shall steal or detain shipwrecked Goods; and for the Relief of Persons suffering Losses thereby.

Refer to 3 *Ed.* 1. *c.* 4. 4 *Ed.* 1. *st.* 2. 12 *Ann. st.* 2. *c.* 18.

'WHEREAS notwithstanding the good and salutary Laws now in Being against plundering and destroying Vessels in Distress, and against taking away shipwrecked, lost or stranded Goods, many wicked Enormities have been committed, to the Disgrace of the Nation, and to the grievous Damage of Merchants and Mariners of our own and other Countries:' For Remedy thereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons shall plunder, steal, take away or destroy any Goods or Merchandize, or other Effects, from or belonging to any Ship or Vessel of his Majesty's Subjects, or others, which shall be in Distress, or which shall be wrecked, lost, stranded or cast on Shore in any Part of his Majesty's Dominions, (whether any living Creature be on board such Vessel or not) or any of the Furniture, Tackle, Apparel, Provision, or Part of such Ship or Vessel; or shall beat or wound with Intent to kill or destroy, or shall otherwise wilfully obstruct the Escape of any Person endeavouring to save his or her Life from such Ship or Vessel, or the Wreck thereof; or if any Person or Persons shall put out any false Light or Lights with Intention to bring any Ship or Vessel into Danger; then such Person or Persons so offending shall be deemed guilty of Felony, and being lawfully convicted thereof, shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Persons convicted of plundering shipwrecked Goods, &c. or of obstructing the Escape of any Person from a Wreck, or of putting out false Lights, to suffer Death without Clergy.

II. Provided always, and be it enacted by the Authority aforesaid, That when Goods or Effects of small Value shall be stranded, lost or cast on Shore, and shall be stolen without Circumstances of Cruelty, Outrage or Violence; then and in such Cases it shall be lawful for any Person or Persons to prosecute for such Offence by way of Indictment for Petit Larceny; and the Offenders being thereof lawfully convicted, shall suffer such Punishment as the Laws in Cases of Petit Larceny do enjoin or require.

Where Goods of small Value shall be stolen without any Circumstances of Cruelty, the Offender may be indicted for Petit Larceny.

III. And be it further enacted by the Authority aforesaid, That it shall be lawful for any one or more of his Majesty's Justices of the Peace, upon Information made before him or them upon Oath (which Oath all Justices are hereby impowered to administer) of any Part of the Cargo or Effects whatsoever belonging to any Ship or Vessel lost or stranded upon or near the Coasts aforesaid, being unlawfully carried or conveyed away, or concealed in any House, Out-house, Barn or other Place, or of some reasonable Cause of Suspicion thereof, to issue his or their Warrant or Warrants for the searching of such House, Out-house, Barn or other Place, as in other Cases of stolen Goods: And if the same shall be found in such House, Out-house, Barn, or other Place or Places, or upon or in the Custody or Possession of any Person or Persons not legally authorized or intitled to keep and withhold the same; and the Owner or Occupier of such House, Out-house, Barn or other Place, or the Person or Persons upon whom, or in whose Custody or Possession the same shall be found, shall not immediately, upon Demand, deliver the same to the lawful Owner or Owners thereof, or to such other Person or Persons as shall be lawfully authorized to demand the same; or shall not give a good Account, to the Satisfaction of the said Justice or Justices, how he, she or they came by, or became possessed thereof; it shall and may be lawful to and for such Justice or Justices, upon Proof of such Refusal, and he and they is and are hereby required to commit the said Offender or Offenders to the Common Gaol for the Space of six Months, or until he, she or they shall have paid to such lawful Owner or Owners, or to the Person or Persons lawfully authorized to receive the same, treble the Value of the Goods or Things so by him, her or them unlawfully detained.

Justices upon Information of shipwrecked Goods being stolen, or concealed, to issue search Warrants; and the Persons in whose Custody the Goods shall be found, not giving a satisfactory Account, to be committed for six Months, or until Payment of treble Value.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall offer or expose to Sale any Goods or Effects whatsoever belonging to any Ship or Vessel lost, stranded or cast on Shore as aforesaid, and unlawfully taken away, or reasonably suspected so to have been; then and in every such Case it shall be lawful for the Person or Persons to whom the same shall be so offered for Sale, or any Officer of the Customs or Excise, or any Constable, Headborough or Tythingman, or other Peace Officer, to stop, take and seize the said Goods and Effects; and that he or they shall, with all convenient Speed, carry the same, or give Notice of such Seizure to some one or more of his Majesty's Justice or Justices of the Peace; and if the Person or Persons who shall have offered the said Goods or Effects to Sale, or some other Person or Persons on his, her or their Behalf, shall not appear before the said Justice within ten Days next after such Seizure, and make out, to the Satisfaction of the said Justice, the Property of the said Goods or Effects to be in him, her or them, or in the Person or Persons by whom he, she or they, was or were employed to sell the same; then the said Goods or Effects shall, by Order of the said Justice, be forthwith delivered over to or for the Use of the rightful Owner or Owners thereof, upon Payment of a reasonable Reward for such Seizure (to be ascertained by the said Justice) to the Person who seized the same; and such Justice shall and may commit the Person or Persons who shall so have offered or exposed the said Goods or Things to Sale as aforesaid to the common Gaol for the Space of six Months, or until he, she or they, shall have paid to such lawful Owner or Owners, or to the Person or Persons lawfully authorized to receive the same, treble the Value of the said Goods or Effects so by him, her or them unlawfully offered to Sale as aforesaid.

Goods offered to Sale, suspected to be shipwrecked, to be stopt, and Notice to be given to a Justice; and the Person offering the same not making out his Property, the Goods to be returned to the Owner, and the Offender to be committed for six Months, or till Payment of treble Value.

V. And be it further enacted by the Authority aforesaid, That in case any Person or Persons not employed by the Master, Mariners or Owners, or other Persons lawfully authorized, in the Salvage of any Ship or Vessel, or the Cargo or Provision thereof, shall, in the Absence of Persons so employed or authorized,

Persons who shall save and carry any Vessel or Goods into Port,

&c. for the Benefit of the Owners, and give Notice thereof;

or who shall discover where such Goods are concealed, intitled to the Reward;

and the Quantum in case of Disagreement is to be adjusted according to 12 Ann. st. 2. c. 18.

rized, save any such Ship, Vessel, Goods or Effects, and cause the same to be carried, for the Benefit of the Owners or Proprietors, into Port, or to any near adjoining Custom-house or other Place of safe Custody, immediately giving Notice thereof to some Justice of the Peace, Magistrate, or Custom-house or Excise Officer, or shall discover to any such Magistrate or Officer where any such Goods or Effects are wrongfully bought, sold or concealed; then such Person or Persons shall be intitled to a reasonable Reward for such Services, to be paid by the Masters or Owners of such Vessels or Goods, and to be adjusted in case of Disagreement about the *Quantum*, in like Manner as the Salvage is to be adjusted and paid by virtue of the Statute made in the twelfth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for the preserving all such Ships and Goods thereof which have happened to be forced on Shore, or stranded upon the Coasts of this Kingdom, or any other of her Majesty's Dominions*, or else in the Manner herein after prescribed, as the Case shall require.

Where any Vessel or Effects shall be stranded, publick Notice to be given for a Meeting of the Sheriff, Justices and Magistrates, &c. who are to aid in saving the Vessel and Goods, &c. and to adjust the Salvage;

4 s. a Day allowed for their Attendance.

VI. And be it further enacted by the Authority aforesaid, That for the better ascertaining the Salvage to be paid in pursuance of this present Act, and the Act before-mentioned, and for the more effectual putting the same Acts in Execution, the Justice of the Peace, Mayor, Bailiff, Collector of the Customs, or chief Constable, who shall be nearest to the Place where any Ship, Goods or Effects shall be stranded or cast away, shall forthwith give publick Notice for a Meeting to be held as soon as possible of the Sheriff or his Deputy, the Justices of the Peace, Mayors, or other chief Magistrates of Towns Corporate, Coroners and Commissioners of the Land-Tax, or any five or more of them, who are hereby required and impowered to give Aid in the Execution of this and the said former Act, and to employ proper Persons for the saving of Ships in Distress, and such Ships, Vessels and Effects, as shall be stranded or cast away; and also to examine Persons upon Oath touching or concerning the same, or the Salvage thereof, and to adjust the *Quantum* of such Salvage, and distribute the same among the Persons concerned in such Salvage, in case of Disagreement among the Parties, or the said Persons; and that every such Sheriff, Justice of the Peace, Mayor, Chief Magistrate, Coroner, Lord of a Manor, Under-Sheriff, or Commissioner of the Land-Tax, attending and acting at such Meeting, shall be paid four Shillings a Day for his Expences in such Attendance out of the Goods and Effects saved by their Care or Direction.

If the Salvage be not paid, the Officer of the Customs may raise the same by a Bill of Sale of the Vessel or Cargo; which may be redeemed, upon Paym nt of Principal and Interest.

VII. Provided always, and be it further enacted by the Authority aforesaid, That if the Charges and Rewards for Salvage, directed to be paid by the said Act of the twelfth Year of the Reign of her said late Majesty Queen *Anne*, and by this present Act, shall not be fully paid, or sufficient Security given for the same within forty Days next after the said Services performed, then and in such Case it shall be lawful for the Officer of the Customs concerned in such Salvage, to borrow or raise so much Money as shall be sufficient to satisfy and pay such Charges and Rewards, or any Part thereof then remaining unpaid, or not secured as aforesaid, by or upon one or more Bill or Bills of Sale, under his Hand and Seal, of the Ship or Vessel, or Cargo saved, or such Part thereof as shall be sufficient, redeemable nevertheless upon Payment of the principal Sum so borrowed, and Interest for the same after the Rate of four Pounds *per Centum per Annum*.

Where Oath shall be made of Plunder or Theft, or of breaking a Ship, contrary to 12 Ann. st. 2. c. 18. and the Examination shall be delivered to the Clerk of the Peace, he is to prosecute the Offender; and the Charges to be paid by the Treasurer of the County.

Clerk of the Peace neglecting to prosecute, forfeits 100 l.

VIII. And be it further enacted by the Authority aforesaid, That if Oath shall be made before any Magistrate, lawfully impowered to take the same, of any such Plunder or Theft, and the Examination in Writing thereupon taken shall be delivered to the Clerk of the Peace of the County, Riding or Division wherein such Fact shall be committed, or to his Deputy; or if Oath shall be made before any such Magistrate of the breaking any Ship, contrary to the aforesaid Act made in the twelfth Year of the Reign of her said late Majesty Queen *Anne*, and the Examination in Writing thereupon taken shall be delivered to such Clerk of the Peace, or his Deputy; then such Clerk of the Peace shall cause the Offender or Offenders in any of the said Cases to be forthwith prosecuted for the same, either in the County where the Fact shall be committed, or in any County next adjoining; in which adjoining County any Indictment may be laid by any other Prosecutor; and if the Fact be committed in *Wales*, then the Prosecution shall or may be carried on in the next adjoining *English* County; and the necessary Charges of such Prosecutions by the Clerk of the Peace shall be paid by the Treasurer of the County, Riding or Division where the Fact shall be committed, to such Amount as the Justices of the Peace in their General or Quarter Sessions shall order and ascertain the same; and if such Clerk of the Peace shall neglect or refuse to carry on such Prosecution in due Manner, he shall forfeit one hundred Pounds for every such Offence, to any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; in which Action no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed.

Officers for putting this and 12 Ann. st. 2. c. 18. in Execution.

IX. And be it further enacted by the Authority aforesaid, That the Commissioners of the Land-Tax, the Deputy-Sheriff, the Coroner, and the Officers of Excise in each County, Riding and Division, shall be proper Officers for putting in Execution this present Act, and the said Act made in the twelfth Year of the Reign of her late Majesty Queen *Anne*, together with those therein respectively named for that Purpose.

3 Geo. 2. c. 13.

'X. And whereas by an Act made in the third Year of the Reign of his late Majesty King *George* the 'First, (intituled, *An Act for the better regulating of Pilots for the conducting of Ships and Vessels from* Dover, 'Deal, *and the Isle of* Thanet, *up the Rivers of* Thames *and* Medway, it is enacted, That the Lord 'Warden of the Cinque Ports for the Time being shall nominate and appoint, by an Instrument under 'his Hand and Seal, three or more substantial Persons in each of the Cinque Ports, two ancient Towns 'and their Members, to adjust and determine, within the Space of twelve Hours, Differences which shall 'or may arise within the Jurisdiction of the Cinque Ports relating to the Salvage of Anchors and Cables

'from

'from which Vessels shall or may be forced by Extremity of Weather:' Now it is hereby enacted, That the Lord Warden of the Cinque Ports for the Time being, and the Lieutenant of *Dover Castle* for the Time being, and the Deputy Warden of the Cinque Ports for the Time being, and the Judge Official and Commissary of the Court of Admiralty of the Cinque Ports, two ancient Towns, and the Members thereof, for the Time being, and all and every of them, and all and every other Person and Persons appointed or to be appointed by the Lord Warden of the Cinque Ports for the Time being, pursuant to the said Act made in the third Year of his late Majesty's Reign, shall be the Persons to put in Execution, within the Liberty and Jurisdiction of the Cinque Ports, two ancient Towns and their Members, all the Powers and Authorities given and granted in and by this Act, and in and by the before-mentioned Act of Parliament made in the twelfth Year of her said late Majesty Queen *Anne*; and also in and by the said Act made in the fourth Year of the Reign of his late Majesty King *George* the First; and also shall and may execute, perform and do, within the Jurisdictions aforesaid, all the Acts, Matters and Things contained in this and the before-mentioned Statutes, in like and as full and ample Manner, to all Intents and Purposes, as any Justice or Justices of Peace, or any other Person or Persons, are by this and the said Acts appointed or authorized to do in any other Part of the Kingdom.

Officers for putting this and 12 Ann. in Execution within the Liberty of the Cinque Ports, &c.

XI. And be it further enacted by the Authority aforesaid, That if any Sheriff or his Deputy, Justice of the Peace, Mayor or other Magistrate, Coroner, Lord of a Manor, Commissioner of the Land-Tax, Chief Constable or Petty Constable, or other Peace Officer, or any Custom-house or Excise Officer, or other Person lawfully authorized, shall be assaulted, beaten and wounded, for or on account of the Exercise of his or their Duty, in or concerning the Salvage or Preservation of any Ship or Vessel in Distress, or of any Ship or Vessel, Goods or Effects, stranded, wrecked, or cast on Shore, or lying under Water, in any of his Majesty's Dominions, then any Person or Persons so assaulting, beating and wounding, shall upon Trial and Conviction, by Indictment at the Assizes, or General Gaol-Delivery, or at the General or Quarter Sessions for the County, Riding or Division, where such Offence shall be committed, be transported for seven Years to some of his Majesty's Colonies in *America*, and shall be subject to such subsequent Punishment, in case of Return before that Time, as other Persons under Sentence of Transportation are by the Law subjected unto.

Persons convicted of assaulting any Magistrate or Officer, &c. in the Salvage of any Vessel or Goods, to be transported for 7 Years.

XII. And be it further enacted by the Authority aforesaid, That it shall be lawful for any one or more of his Majesty's Justices of the Peace, in case of Need, and in the Absence of the High Sheriff, to take sufficient Power of the County, to repress all unjust Violence, and duly to enforce the Execution of this Act.

Justice in the Absence of the Sheriff may take a sufficient Force to repress Violence, &c.

XIII. And to prevent Confusion among Persons assembled to save any Ship, Vessel, Goods or Effects, as aforesaid, either for want of proper Orders, or by contradictory Orders; Be it further enacted, That all Persons so assembled shall conform in the first Place to the Orders of the Master or other Officers or Owners, or other Persons employed by them; and for want of their Presence or Directions, then in the next Place to the Orders of the Persons authorized by this Act, or the aforesaid Act of Queen *Anne*, in the like Manner, in the following Subordination, as any of the said Persons shall happen to be present; that is to say, in the first Place, to the Orders of any Officer or Officers of the Customs; then of any Officer or Officers of the Excise; then of the Sheriff or his Deputy; then of any Justice or Justices of the Peace; then of the Mayor or chief Magistrate of any Corporation; then of the Coroner; then of any Commissioners of the Land-Tax; then of any Chief Constable; then of any Petty Constable or other Peace Officers: And any Person whatsoever acting knowingly and wilfully contrary to such Orders, shall forfeit any Sum not exceeding five Pounds, to be levied by Warrant of one Justice of the Peace; and in case of Non-payment the Offender shall be committed to the House of Correction for any Time not exceeding three Months.

Persons impowered to give Orders, where any shall be assembled in case of a Shipwreck, &c.

Persons acting contrary to Orders forfeit 5 l.

XIV. Provided always, and it is hereby enacted, That neither this Act, nor any Thing herein contained, shall any way extend to deprive or prejudice his Royal Majesty, his Heirs or Successors, or any claiming under them, or any Patentee or Grantee of the Crown, or any Lord or Lords of any Manor or Manors, or other Person whomsoever, of or in relation to any Right which they or any of them have or may have or lawfully claim to any Wreck or Wrecks, or any Goods which are or shall be *flotsam*, *jetsam* or *lagan*, but that such respective Rights shall be enjoyed in as full, ample and beneficial a Manner, in every Respect, as if this Act had never been made.

Rights of the Crown, &c. reserved.

XV. And be it further enacted by the Authority aforesaid, That the Officer of the Customs who shall act in the preserving of any Ship or Vessel in Distress, or the Cargo thereof, shall, as soon as conveniently may be, cause or procure all Persons belonging to the said Ship or Vessel, and others who can give any Account thereof, or of the Cargo thereof, to be examined upon Oath before some Justice of the Peace, as to the Name or Description of the said Ship or Vessel, and the Names of the Master, Commander, or chief Officer and Owners thereof, and of the Owners of the said Cargo, and of the Ports or Places from or to which the said Ship or Vessel was bound, and the Occasion of the said Ship's Distress; which Examination the said Justices are hereby required to take down in Writing, and they shall deliver a true Copy thereof, together with a Copy of the said Account of the Goods, to the said Officer of the Customs, who shall forthwith transmit the same to the Secretary of the Admiralty for the Time being, who shall publish or cause to be published in the next *London Gazette*, so much thereof as shall or may be necessary for the Information of the Persons interested or concerned therein.

Examination on Oath to be taken of the Ship's Name, Cargo and Owners, &c.

and a Copy to be transmitted to the Secretary of the Admiralty, and published in the Gazette.

XVI. And be it further enacted by the Authority aforesaid, That the before-mentioned Act of Parliament made in the twelfth Year of her said late Majesty Queen *Anne*; and also an Act made in the fourth Year of the Reign of his late Majesty King *George* the First, for inforcing and making perpetual the before-mentioned Act, and for inflicting the Punishment of Death on such as shall wilfully burn or destroy Ships, shall

The Acts 12 Ann. st. 2. c. 18. and 4 Geo. 1 c. 12. to be in Force where not altered by this Act.

shall in all Things remain in full Force, save only so far as the same are altered or changed by this present Act.

Commencement of this Act.

XVII. And be it further enacted by the Authority aforesaid, That this Act shall take place from the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and fifty-three.

Not to extend to Scotland.

XVIII. Provided, That nothing in this Act contained shall extend or be construed to extend to that Part of *Great Britain* called *Scotland*.

CAP. XX.

An Act for encouraging and improving the Manufactory of Linen in the Highlands of *Scotland*.

15 Geo. 2. c. 29. 18 Geo. 2. c. 24. 18 Geo. 2. c. 25. 20 Geo. 2. c. 36. 22 Geo. 2. c. 42.

'WHEREAS by an Act made in the fifteenth and sixteenth Years of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty an additional Duty on foreign Cambricks; and for allowing thereout a Bounty upon a certain Species of* British *and* Irish *Linens exported*; it was, amongst other Things, enacted, That out of the additional Duty by the said Act imposed on foreign Cambricks, there should be given and paid in Manner, and upon the Conditions therein mentioned, a Bounty of one Penny for every Yard of *British* and *Irish* Linens made of Hemp or Flax of the Value of six Pence *per* Yard, and not exceeding the Value of twelve Pence *per* Yard; and of one Halfpenny for every Yard of such *British* and *Irish* Linens under the Value of six Pence *per* Yard, which from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-three, and within the Term of seven Years, to commence from the said twenty-fifth Day of *March*, or at any Time thereafter, before the End of the then next Session of Parliament, should be exported out of *Great Britain* to *Africa*, *America* or *Portugal*, or which should be exported to *Spain*, from and after the Time that it should be lawful to export such Linen to that Kingdom: And whereas by an Act made in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act for effectually preventing the Exportation of foreign Linens, under the Denomination of* British *or* Irish *Linens*, the Payment of the said Bounty is subject to certain Regulations in the said Act expressed: And whereas by another Act made in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act for allowing certain additional Bounties on the Exportation of* British *and* Irish *Linens*, additional Bounties were granted thereon, and the Payment thereof, and of the former Bounties, was made subject to certain other Regulations in the said Act expressed: And whereas by an Act made in the twentieth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thousand seven hundred and forty-seven; and also for enabling his Majesty to raise a further Sum of Money for the Uses and Purposes therein mentioned; and for the further appropriating the Supplies granted in this Session of Parliament; and for applying a certain Sum of Money for defraying the Charge of the Allowances to several Officers and Gentlemen of the two Troops of Horse Guards, and three Regiments of Horse, lately reduced, for the Year one thousand seven hundred and forty-seven; and for continuing the Bounties on the Exportation of* British *and* Irish *coarse Linens*; it was, amongst other Things, enacted, That the Bounties on the Exportation of *British* and *Irish* coarse Linens should continue to be paid under the Regulations of the Acts of the fifteenth, sixteenth, and eighteenth Years of his Majesty's Reign; and that the same should be paid out of such Part of the Old Subsidy as is applicable to the Payment of Incidents: And whereas by an Act made in the twenty-second Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty the Sum of one million out of the Sinking Fund, for the Service of the Year one thousand seven hundred and forty-nine; and for enabling his Majesty to raise a further Sum of one Million for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament; and for applying a certain Sum for defraying certain Charges and Allowances to the Officers and private Gentlemen of the reduced Troops of Horse Guards; and for continuing the Bounties on the Exportation of* British *and* Irish *Linens; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Receipts, Annuity Orders, or other Orders, lost, burnt, or otherwise destroyed*; it was, amongst other Things, enacted, That the Bounties on the Exportation of *British* and *Irish* coarse Linens should continue to be paid in like Manner, and under the like Regulations, as directed by the Acts of the fifteenth and sixteenth, and of the eighteenth Years of his Majesty's Reign, from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty, for and during the further Term of three Years, and from thence to the End of the then next Session of Parliament; and that the same should be paid out of such Part of the Old Subsidy as is applicable to the Payment of Incidents: And whereas the Manufacture of coarse Linens hath been increased and improved in *Great Britain* and *Ireland*, and it may reasonably be presumed that the Manufacture of such Linens may be carried on in Places where the same hath been established, and elsewhere, without the further Continuance of any such Bounty on the Exportation thereof: And whereas under the Directions of the Commissioners and Trustees for improving Fisheries and Manufactures in *Scotland*, some Progress hath been made in the Manufactures of Linens in the Highlands of *Scotland*; for the better civilizing and improving whereof, several Provisions have been made in this present Parliament, manifestly conducive to the Publick Tranquillity and Welfare: And whereas the Encouragement of the Manufacture of coarse Linens in those Parts of the said Highlands, wherein the Manufacture of Linens hath either not been already established, or hath not already been advanced to any considerable Degree of Perfection, will be a further Means of improving and civilizing the said Highlands; and the Success of any Provision for that Purpose, will tend to the general Good of the whole United Kingdom, and also of *Ireland*;' Be it enacted by the King's most

most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of the Term for which the Bounties on the Exportation of *British* and *Irish* coarse Linens by the said herein before recited Acts are granted, continued and made payable, the Sum of three thousand Pounds be paid yearly and every Year for the Space of nine Years, to the Cashier of the said Commissioners and Trustees for improving Fisheries and Manufactures in *Scotland*, to be charged and chargeable upon, and payable out of any the Customs, Duties, Excises, or other Revenues in *Scotland*, introduced by virtue of the Treaty of Union, or to which the Subjects of *Scotland* are or shall be liable; and to be applied by the said Commissioners and Trustees for encouraging and improving the Manufacture of Linens in the Highlands of *Scotland* only, and only in those Parts thereof, wherein the Manufacture of Linens have either not been already introduced, or if the same hath been introduced, have not yet arrived to any considerable Degree of Perfection.

After the Expiration of the Bounties on Exportation of British and Irish coarse Linens, the annual Sum of 3000 l. to be paid for nine Years, out of the Duties in Scotland, for encouraging, &c. the Manufactures of Linens in the Highlands.

II. Provided always, That no Part of the said annual Sum of three thousand Pounds shall be applied by the said Commissioners and Trustees, for any other Use or Purpose whatsoever, than for instructing and exciting the Inhabitants of that Part of *Scotland* to raise, prepare and spin Flax and Hemp to be used in the Manufacture of coarse Linen, and to weave Yarn there spun into such Linen, and for providing the said Inhabitants with fit Materials and Utensils for those Purposes, and for distributing Rewards and Prizes to the Growers, Preparers and Spinners of such Flax and Hemp, and to the Weavers and other Manufacturers of such Linen, in respect to the Quantity or Excellence of the Flax or Hemp so raised and prepared, and of the Yarn so spun, wove, or otherwise manufactured; and for such other like Uses, as by the said Commissioners and Trustees shall be thought proper for promoting the true Intent of this Act.

To what Uses the said Sum is to be applied.

III. Provided also, That no Part of the said annual Sum of three thousand Pounds shall be applied by the said Commissioners and Trustees for encouraging or improving within the Limits of the said Highlands, the Manufacture of Sail Cloth, or of any such Linens as under the Denomination of Sail Cloth are or may be intitled by Law to any Bounty on the Exportation thereof.

No Part to be applied in encouraging the Manufacture of Sail Cloth.

IV. And be it enacted by the Authority aforesaid, That the said annual Sum of three thousand Pounds shall be paid for the Purposes of this Act, at such Times, and by such Warrants and Orders, and in such Manner, as the annual Sum of two thousand Pounds, and the Surplussage of the Duty on Malt made in *Scotland*, are by an Act made in the thirteenth Year of the Reign of his late Majesty King *George* the First, (intituled, *An Act for encouraging and promoting Fisheries and other Manufactures and Improvements, in that Part of* Great Britain *called* Scotland) or by Letters Patent under the Great Seal, appointed by the Treaty of Union to be kept in *Scotland*, in place of the Great Seal thereof, directed to be paid.

How the said Sum is to be issued. 13 Geo. 1. c. 30.

V. And be it further enacted by the Authority aforesaid, That the said Commissioners and Trustees shall yearly and every Year, at the Feast of the Nativity of our Lord Christ, make up a faithful and exact Account of the Monies received and issued by their Orders, together with a faithful and true Report of their Proceedings in the Execution of the Trust hereby reposed in them, and shall within the Space of thirty Days lay the said Account and Report before his Majesty, his Heirs or Successors, and shall also, within the like Space of thirty Days, lay true Copies of the said Account and Report before the annual Committee of the Convention of the Royal Boroughs of *Scotland*, that they may peruse and examine the same, and lay before his Majesty, his Heirs and Successors, from Time to Time, such Observations as they shall make thereon.

Commissioners yearly to make up Accounts of the Monies, and report their Proceedings.

VI. And be it further enacted by the Authority aforesaid, That the said Commissioners and Trustees shall, at the Feast of the Nativity of our Lord Christ in the Year one thousand seven hundred and fifty-three, propose and lay before his Majesty, his Heirs and Successors, a Plan or Method for the Application and Distribution of the said Sum of three thousand Pounds hereby granted, according to the true Intent and Meaning of this Act; which Plan or Method being approved, altered or varied by his Majesty, his Heirs or Successors, by Writing under his or their Sign Manual, shall be in Force and put into Execution, until the same shall be altered or varied in like Manner and by like Authority.

At Christmas 1753, the Commissioners to lay a Plan for the Application of the said Sum before his Majesty;

VII. Provided, That it shall and may be lawful to and for the said Commissioners and Trustees, in any other Year, during the Continuance of this Act, at the said Feast to propose and lay before his Majesty, his Heirs and Successors, any other Plan or Method for the like Purpose; which Plan or Method being in like manner approved, altered or varied by his Majesty, his Heirs or Successors, shall be in Force and put into Execution, until the same shall be in like manner altered or varied by like Authority.

and in any other Year they may lay any other Plan for the like Purpose.

CAP.

CAP. XXI.

For former Laws concerning Silk, &c. refer to 19 *H.* 7. *c.* 21. 13 & 14 *Car.* 2. *c.* 13 & 15. 20 *Car.* 2. *c.* 6. 2 *W.* & *M. ſt.* 1 *c.* 9. 5 & 6 *W.* & *M. c.* 20. 6 & 7 *W.* 3. *c.* 18. 8 & 9 *W.* 3. *c.* 36. 9 & 10 *W.* 3. *c.* 30 & 43. 5 *Ann. c.* 20. 6 *Ann. c.* 19. 8 *Geo.* 1. *c.* 15. 9 *Geo.* 1. *c.* 8. 23 *Geo.* 2. *c.* 9 & 20.

An Act for encouraging the Silk Manufactures of this Kingdom, and for ſecuring the Duties payable upon the Importation of Velvets, wrought Silks, and Silks mixed with other Materials, not manufactured in *Great Britain*.

'WHEREAS the Payment of the Duties charged and made payable by divers Acts of Parliament, 'upon the Importation of Velvets, wrought Silks, and Silks mixed with other Materials not manu-'factured in *Great Britain*, is frequently evaded by the ſubtil and fraudulent Practices of evil-diſpoſed Per-'ſons, to the great Diſcouragement of the Silk Manufactures of this Kingdom, and the Loſs of his Ma-'jeſty's Revenue:' Therefore for preventing ſuch Frauds and Abuſes for the future, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Velvets, wrought Silks, and Silks mixed with any other Materials, (ſuch Velvets, wrought Silks, and Silks mixed with any other Materials, not being manufactured in *Great Britain*, and ſuch wrought Silks or Silks mixed as aforeſaid, not being prohibited to be worn therein) which ſhall be imported into this Kingdom after the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-three, ſhall, after the ſame have been entered at the Cuſtom-houſe, and before they are diſcharged by the Officers, and delivered into the Cuſtody of the Importer or his Agent, be marked or ſealed at each End of every Piece with ſuch Mark or Seal, and by ſuch Officer or Officers, as the reſpective Commiſſioners of the Cuſtoms in *Great Britain* ſhall direct and appoint for that Purpoſe.

Velvets, wrought Silks, &c. to be ſealed before Delivery from the Cuſtom-houſe at each End of the Piece.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* every Perſon intending to export any ſuch Velvets, wrought Silks or Silks mixed with any other Materials, as herein before are mentioned and deſcribed, which ſhall have been imported into this Kingdom after the ſaid twenty-ninth Day of *September*, ſhall, before ſuch Goods are ſhipped in order to be exported, give Notice to the proper Officer or Officers to be appointed for that Purpoſe by the reſpective Commiſſioners of the Cuſtoms in *Great Britain*, when and where he will pack up the ſaid Goods in order to be exported, and the ſaid Commiſſioners of the Cuſtoms are hereby impowered and required to cauſe ſuch Officer or Officers to take care that ſuch Seals, Stamps or Marks be taken off from every Piece ſo intended to be exported, without Fee or Reward; and no Perſon ſhall be intitled to the Drawback allowed upon the Exportation of ſuch Velvets, wrought Silks or Silks mixed as aforeſaid, unleſs he ſhall have given ſuch Notice as herein before is directed, and until ſuch Seals, Stamps or Marks ſhall be taken off by the proper Officer or Officers as aforeſaid.

Exporter of the ſaid Goods to give Notice to the Officer of the Cuſtoms, when the ſame will be packed up;

and the Seals are to be then taken off.

III. And be it further enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-four, in caſe any Velvets, wrought Silks or Silks mixed with any other Materials (ſuch Velvets, wrought Silks or Silks mixed with any other Materials, not being manufactured in *Great Britain*, and ſuch wrought Silk or Silks mixed as aforeſaid, not being prohibited to be worn therein) ſhall be found in any Shop, Warehouſe or other Place whatſoever upon Land within this Kingdom, not being marked or ſealed as herein before directed upon both Ends of every whole and intire Piece, or upon one End of every Remnant of ſuch Velvet, wrought Silk or Silk mixed as aforeſaid, the ſame ſhall be forfeited, and ſhall and may be ſeized by any Officer or Officers of the Cuſtoms, and ſecured in ſome or one of his Majeſty's Warehouſes; and ſuch Officer or Officers is and are hereby indemnified for ſo doing; and all ſuch Velvets, wrought Silks or Silks mixed as aforeſaid, ſo ſeized and ſecured, ſhall after Condemnation thereof in due Courſe of Law, be publickly ſold to the beſt Bidder; and one Moiety of the Produce ariſing by the Sale of ſuch Velvets, wrought Silks or Silks mixed as aforeſaid, ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Officer or Officers who ſhall ſeize and ſecure the ſame as aforeſaid; and the Perſon in whoſe Cuſtody or Poſſeſſion the Goods ſo ſeized and ſecured ſhall be found, ſhall alſo for every ſuch Offence forfeit the Sum of two hundred Pounds, to be recovered and divided in manner herein after directed.

Velvets and wrought Silks, &c. found without the Seals may be ſeized;

and be ſold. One Moiety to the Crown, and the other to the Seizor; and the Perſon in whoſe Cuſtody, &c. to forfeit 200 l.

IV. And be it further enacted by the Authority aforeſaid, That no Velvets, wrought Silks or Silks mixed with any other Materials as aforeſaid, which after the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-four, ſhall be ſeized and forfeited by virtue of this Act, or for any other Cauſe of Forfeiture, ſhall be conſumed or uſed in this Kingdom, but ſhall be exported again, and not ſold otherwiſe than on Condition to be exported, and ſhall not be delivered out of the Warehouſe wherein the ſame ſhall have been ſecured, until ſufficient Security be given that the ſame and every Part thereof ſhall be exported, and not landed again in any Part of *Great Britain*.

The Goods ſo ſeized not to be uſed in this Kingdom.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time forge or counterfeit any Stamp, Mark or Seal, to reſemble any Stamp, Mark or Seal which ſhall be provided or uſed in purſuance of this Act, or ſhall forge or counterfeit the Impreſſion of any ſuch Stamp, Mark or Seal upon any Goods required by this Act to be ſtamped, marked or ſealed, or ſhall ſell or expoſe to Sale any of the ſaid Goods with a counterfeit Stamp, Mark or Seal thereon, knowing the ſame to be counterfeited, all and every ſuch Offender and Offenders, their Aiders, Abettors and Aſſiſtants, ſhall for each and every ſuch Offence forfeit the Sum of five hundred Pounds, and ſhall alſo be adjudged to ſtand on the Pillory in ſome publick Place for the Space of two Hours.

Perſons counterfeiting the Seals,

VI.

VI. And be it further enacted by the Authority aforesaid, That all pecuniary Penalties and Forfeitures by this Act imposed, shall and may be sued for and recovered in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer at *Edinburgh* respectively, by Action, Bill, Plaint or Information, in the Name of his Majesty's Attorney General, or in the Name of his Majesty's Advocate in *Scotland*, or in the Name or Names of some Officer or Officers of the Customs; and that one Moiety of every such Penalty and Forfeiture shall be to his Majesty, his Heirs and Successors, and the other Moiety thereof to the Officer or Officers of the Customs who shall inform and prosecute for the same. Pecuniary Penalties how to be recovered. One Moiety to the Crown, the other to the Officer who shall prosecute.

VII. Provided always, and it is hereby further enacted, That if any Officer or Officers of the Customs shall neglect or refuse, for the Space of one Month, to prosecute to effect any Person or Persons for any pecuniary Penalty or Forfeiture by this Act inflicted upon Offenders against the same, that then it shall be lawful for any Person or Persons whomsoever to sue for, prosecute and recover the respective pecuniary Penalties and Forfeitures by this Act inflicted, in like manner as is herein before directed with regard to the Officers of the Customs; and one Moiety of the said respective Forfeitures, when recovered, shall in such Case go and be applied to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Person or Persons who shall sue or prosecute for the same respectively. Officer neglecting to prosecute for one Month, any other Person may sue.

VIII. And be it further enacted by the Authority aforesaid, That upon every Action, Bill, Plaint or Information entered and filed as aforesaid, for any pecuniary Penalty imposed by this Act, a *Capias* in the first Process shall and may issue, specifying the Sum of the Penalty sued for; and the Defendant or Defendants shall be obliged to give sufficient Bail or Security by natural-born Subjects, Persons naturalized or Denizens, to the Person or Persons to whom such *Capias* shall be directed, to appear in the Courts out of which such *Capias* shall issue at the Day of the Return of such Writ, to answer such Suit or Prosecution; and shall likewise, at the Time of such Appearance, give sufficient Bail or Security by such Persons as aforesaid in the said Court, to answer and pay all the Forfeitures and Penalties incurred for such Offence or Offences, in case he, she or they shall be convicted thereof, or to yield his, her or their Body or Bodies to Prison. A Capias to issue upon filing an Action or Information. Defendant to give Bail.

IX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance, and by Authority of this Act: And if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff; the Defendant or Defendants shall recover treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law. General Issue. Treble Costs.

X. And be it further enacted by the Authority aforesaid, That if any Velvets, wrought Silks, or Silks mixed as aforesaid, shall be seized by virtue and in pursuance of this Act, and any Doubt or Question shall arise where the said Velvets, wrought Silks, or Silks mixed as aforesaid, were manufactured, the Proof shall lie upon the Owner or Claimer thereof, and not upon the Prosecutor; any Law, Usage or Custom to the contrary notwithstanding. Proof where the Goods were manufactured, to lie on the Claimer.

See farther 30 Geo. 2. c. 17.

CAP. XXII.

An Act for the Purchase of the *Museum*, or Collection of Sir *Hans Sloane*, and of the *Harleian* Collection of Manuscripts; and for providing one General Repository for the better Reception and more convenient Use of the said Collections; and of the *Cottonian Library*, and of the Additions thereto.

'WHEREAS Sir *Hans Sloane* of *Chelsea* in the County of *Middlesex* Baronet, having, through the Course of many Years, with great Labour and Expence gathered together whatever could be procured either in our own or foreign Countries, that was rare and curious, did, by a Codicil bearing Date the twentieth Day of *July* in the Year of our Lord one thousand seven hundred and forty-nine, and annexed to his last Will and Testament, after having expressed his Will and Desire that his Collection, in all its Branches, might be, if it were possible, kept and preserved together Whole and Intire, in his Manor House in the Parish of *Chelsea*, give, devise and bequeath, to certain Trustees therein named, all that his Collection or *Museum*, at, in or about his said Manor House, consisting of all his Library of Books, Drawings, Manuscripts, Prints, Medals and Coins ancient and modern, Antiquities, Seals, Cameas and Intaglios, precious Stones, Agates, Jaspers, Vessels of Agate and Jasper, Chrystals, Mathematical Instruments, Drawings, and Pictures, and all other Things in the said Collection or *Museum*, more particularly described and numbered, with short Histories or Accounts of them, with proper References, in certain Catalogues by him made, containing thirty-eight Volumes in Folio, and eight Volumes in Quarto, (except such Pictures as are not marked with the Word Collection) to have and to hold to them and their Successors and Assigns for ever, for such Purposes, and with such Powers, and under such Restrictions, as in the said Codicil are expressed; willing and desiring thereby, that the said Trustees, or any seven or more of them, should make their humble Application to his Majesty, or to Parliament, at the next Session after his Decease, as should be thought most proper, in order to pay the full and clear Sum of twenty thousand Pounds, of lawful Money of *Great Britain*, unto his Executors, or the Survivors of them, within twelve Months after his Decease, in Consideration of the said Collection Will of Sir Hans Sloane.

'or *Museum*; and also to obtain such sufficient and effectual Powers and Authorities for vesting in the said 'Trustees all and every Part of his said Collection or *Museum* before-mentioned, in all its Branches; and 'also his said Capital Manor House, with such Gardens and Out-houses as should thereunto belong and be 'used by him, at the Time of his Decease, and also the Water of or belonging to his Manor of *Chelsea* 'coming from *Kensington*; and also obtain a sufficient Fund or Provision for maintaining and taking care 'of his said Collection and Premisses, and for repairing and supporting his said Manor House, Water-'work and Premisses; but in case Payment of the said Sum of twenty thousand Pounds should not be had 'and obtained, and made unto his Executors, or the Survivors of them, within twelve Months next after 'his Decease, and no such Act of Parliament should be obtained, for settling, preserving, establishing, 'maintaining and continuing, his said Collection and Premisses, in such Manner as in his said Codicil 'is expressed, then and not otherwise his Will was and he did in such Case thereby direct, That his said 'Executors, or the Survivors of them, should, for the like Sum of twenty thousand Pounds, sell and 'dispose of all and every Part of the said Collection and *Museum*, as before described, together with the 'Catalogues thereto belonging, for the Use of the several foreign Academies therein described, and in 'the Manner therein mentioned; and that in case the said Offer should not be accepted by either of the 'said foreign Academies, his Executors, or the Survivors of them, should be at Liberty with all conve-'nient Speed to sell and dispose of all and every Part of his said *Museum* or Collection in the most speedy 'and advantageous Manner; and that the Monies arising by such Sale or Disposition should be considered 'as Part of his Personal Estate; and further his Will was, and he did thereby direct, That in case his said 'Collection should be sold or disposed of to either of the said foreign Academies, or in case of their 'Refusal or Non-acceptance by his Executors, or the Survivors of them, that then his said Manor House 'and Garden, with the Appurtenances and the Water, should go and belong to such Person or Persons, 'and in such Manner, as he had given and devised the rest of his Manors, Lands and Tenements at '*Chelsea*, or elsewhere, as by the said Codicil, Relation being thereto had, may more fully and at large 'appear: And whereas the said Sir *Hans Sloane* having, by several other Codicils of a subsequent Date 'annexed to his said Will, added to the Number of the said Trustees, did, on or about the eleventh Day 'of *January* one thousand seven hundred and fifty-three, depart this Life: And whereas the said Trustees, 'or seven or more of them, have, pursuant to the Will and Intention of the said Sir *Hans Sloane*, in this 'Session of Parliament, being the next Session after his Decease, made their Application for Payment of 'the said Sum of twenty thousand Pounds in Consideration of the said Collection or *Museum:* And 'whereas the said Trustees at a General Meeting assembled have consented to the Removal of the said '*Museum* or Collection from the Manor House at *Chelsea*, to any proper Place within the Cities of *London* 'or *Westminster*, or the Suburbs thereof, if such Removal shall be judged most advantageous to the Pub-'lick, so as the said Collection be preserved intire without the least Diminution or Separation, and be 'kept for the Use and Benefit of the Publick, with free Access to view and peruse the same at all stated 'and convenient Seasons, agreeable to the Will and Intentions of the Testator, and under such Restric-'tions as the Parliament shall think fit: And whereas the said *Museum* or Collection of Sir *Hans Sloane* is 'of much greater intrinsick Value than the Sum of twenty thousand Pounds: And whereas all Arts and 'Sciences have a Connexion with each other, and Discoveries in Natural Philosophy and other Branches 'of speculative Knowledge, for the Advancement and Improvement whereof the said *Museum* or Col-'lection was intended, do and may, in many Instances, give Help and Success to the most useful Experi-'ments and Inventions:' Therefore, to the end that the said *Museum* or Collection may be preserved and maintained, not only for the Inspection and Entertainment of the Learned and the Curious, but for the general Use and Benefit of the Publick; May it please your most Excellent Majesty, That it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of all or any of the Monies to be raised by virtue of this Act, the full and clear Sum of twenty thousand Pounds of lawful Money of *Great Britain* shall be paid in Manner herein after-mentioned to the Executors of Sir *Hans Sloane*, or the Survivors or Survivor of them, in full Satisfaction for the said *Museum* or Collection herein before described, and for the Use of the said Manor House and Garden, with their Appurtenances, and of the said Water, until a more convenient Repository, more durable and more safe from Fire, and nearer to the chief Places of publick Resort, shall be provided for the Reception of the said *Museum* or Collection, in Manner herein after-mentioned.

20,000 l. to be paid to the Executors of Sir Hans Sloane for his Museum, &c.

'II. And whereas by an Act made in the twelfth and thirteenth Years of the Reign of King *William* 'the Third, intituled, *An Act for the better settling and preserving the Library kept in the House at* West-'minster, *called* Cotton House, *in the Name and Family of the* Cottons, *for the Benefit of the Publick*, reciting, 'That Sir *Robert Cotton*, late of *Connington* in the County of *Huntingdon*, Baronet, did, at his own great 'Charge, and by the Assistance of the most learned Antiquaries of his Time, collect and purchase the 'most useful Manuscripts, written Books, Papers, Parchments, Records and other Memorials, in most 'Languages, of great Use and Service for the Knowledge and Preservation of our Constitution both in 'Church and State; and further reciting, That the said Library had been preserved with the utmost Care 'by Sir *Thomas Cotton*, Son of the said Sir *Robert*, and by Sir *John Cotton* then living, Grandson of the 'said Sir *Robert*; and had been very much augmented by them, and lodged in a very proper Place in the 'said Sir *John*'s ancient Mansion-house at *Westminster*, for publick Use and Advantage; it was enacted, 'That the said Mansion-house, with the Garden, and all other Appurtenances, and also the said Library, 'should be vested in Trustees in the said Act named, and their Successors, for ever, for the Purposes therein 'mentioned; and as, for and concerning the said Library, and the Room wherein the same was or should

12 & 13 W. 3. c. 7.

'be

'be contained, together with a convenient Passage for resorting thereunto, upon this Trust and Confidence, 'that the said Trustees and their Successors should from Time to Time, and at all Times thereafter, as 'Occasion should require, inspect, consult and take care of the said Library, and other Particulars above-'mentioned, and also make and appoint such Orders and Rules as they should think proper for the reading 'and using the same, and for their better Preservation, and to the Intent and Purpose that the said Trustees, 'or the major Part of them, should nominate and appoint a good and sufficient Person, well read in Anti-'quities and Records, to have the immediate Care and Custody of the said Library: And whereas by an 'Act made in the fifth Year of the Reign of Queen *Anne*, intituled, *An Act for the better securing her Ma-* 5 Ann. c. 30.
'*jesty's Purchase of* Cotton House *in* Westminster; reciting the said former Act made in the twelfth and 'thirteenth Year of the Reign of King *William* the Third; and also reciting, that since the making of the 'said Act very little had been done in pursuance thereof to make the said Library useful to the Publick, 'except what had been then lately done at her Majesty's Charge, and that there was no Way or Passage 'to it set out, as the said Act did direct, nor could there be any Way or Passage to the same, but through 'the best Rooms of the House, which would render the House wholly useless to the Family, so that the 'Library could not be resorted unto; nor had any Orders of Rules been appointed for reading or using the 'same, and thereby the Publick was wholly deprived of the Benefit designed by the said Act; and that the 'Place wherein the said Library was then contained was a narrow little Room, damp and improper for 'preserving the Books and Papers; and that her Majesty, to the Intent so great a Treasure of Books and 'Manuscripts, so generously given for the publick Service, might not remain any longer useless, and in 'danger of perishing for want of due Care, and that it might be in her Majesty's Power to make that 'most valuable Collection useful to her own Subjects, and all learned Foreigners, had given Directions 'for treating with the said Sir *John Cotton* for the Purchase of the said *Cotton House* and Garden; and that 'an Agreement had been made for the purchasing the Inheritance thereof for the Sum of four thousand 'and five hundred Pounds, which her Majesty had directed to be paid on the investing the Inheritance of 'the Premisses in her Majesty, her Heirs and Successors, which could not be done but by Act of Parlia-'ment, the said recited Act having directed it might not be sold or aliened; it was therefore enacted, That 'the said Capital Messuage called *Cotton House*, and the Garden and Buildings used and enjoyed with the 'same, with the Appurtenances, should be vested in her Majesty, her Heirs and Successors: And it was 'thereby further enacted and declared, That a convenient Room should be built in or near Part of the 'said Ground thereby intended to be vested in her Majesty, as her Majesty, her Heirs and Successors 'should, by Writing under the Sign Manual, appoint; in which Room, when built, all the said Manu-'scripts, written Books, Papers, Parchments, Records and other Memorials, and also all Coins, Medals, 'and other Rarities and Curiosities in the said Library contained, should be lodged and there remain to all 'Posterity; and that the said Room, when built, should for ever be called and known by the Name of the '*Cottonian Library*; and that from the Building thereof, the said Library should be managed and directed 'by the Trustees therein named, as Trustees to and for the Use of the Publick for ever: And whereas 'although the public Faith hath been thus engaged to provide for the better Reception and more conve-'nient Use of the *Cottonian Library*, a proper Repository for that Purpose hath not yet been prepared; for 'the want of which the said Library did, in the Year of our Lord one thousand seven hundred and thirty-'one, suffer by a Fire, which consumed the House wherein the same was then placed, and what remains 'of the said Library still continues in the Room, to which upon the Occasion of the said Fire it was 'removed; and Persons desirous to view and consult the Treasure of Books and Manuscripts therein con-'tained, cannot conveniently resort thereunto: And whereas *Arthur Edwards*, late of Saint *George Hano-* Will of Arthur
'*ver Square* in the County of *Middlesex* Esquire, being desirous to preserve for the publick Use the said Edwards, Esq;
'Library, and to prevent the like Accident for the future, did by his last Will and Testament, bearing 'Date the eleventh Day of *June* in the Year of our Lord one thousand seven hundred and thirty-eight, 'and duly proved in the Prerogative Court of *Canterbury*, give, devise and bequeath unto the Trustees of 'the said Library the Sum of seven thousand Pounds (if his Effects real and personal, not before disposed 'of by that his Will and Testament, should, after the Decease of Mistress *Elibabeth Milles*, amount to so 'much) to erect in a proper Situation such a House as might be most likely to preserve that Library as 'much as can be from all Accidents; but if it should so happen that before this Part of his Will could 'take place there should be erected such a proper Building for this Use, then he did give, devise and be-'queath the aforesaid Sum of seven thousand Pounds to the said Trustees, to be employed in purchasing 'such Manuscripts, Books of Antiquities, ancient Coins, Medals and other Curiosities, as might be worthy 'to increase and enlarge the said Library; and did also thereby give to the said Trustees of the said Library, 'to be placed in some By-room or Corner thereof, all his Books, and the Cases in which they were then 'placed, and also his Pictures in his said last Will and Testament described; which Books, Book Cases 'and Pictures, he did desire and require might be delivered and given as soon after his Decease as might be, 'to be placed in the said Library; and which, with the Approbation of the said Trustees, have been 'placed according to such Desire in the said Library;' Be it enacted by the Authority aforesaid, That when and as soon as the said Legacy of seven thousand Pounds shall on the Decease of the said *Elizabeth* The Legacy of
Milles become payable to the Trustees of the *Cottonian Library*, the same shall be paid to the Trustees by 7000 l. on the
this Act appointed, for the Purposes herein after mentioned, or to such Person or Persons as by the said Decease of Elizabeth Milles, to
Trustees, or the major Part of them in any General Meeting assembled, shall be authorized to receive the be applied by the
same, to be applied by the said Trustees hereby appointed, either towards erecting or providing a proper Trustees appointed by this
Repository for the *Cottonian Library*; or if such Repository shall be erected or provided before the said Act.
Legacy shall become payable as aforesaid, towards purchasing such Manuscripts, Books of Antiquities, ancient Coins, Medals, and other Curiosities, as may be worthy to increase and enlarge the said Library;

and that the Acquittance of any Person or Persons authorized by the said Trustees, or the major Part of them in a General Meeting assembled, to receive the said Legacy of seven thousand Pounds, shall be, and be accepted as a sufficient Discharge to the Executors and Representatives of the said Testator for the Payment of the said Legacy.

70,000 l. to be paid to the Trustees of the Earl and Countess of Oxford for the Harleian Manuscripts.

'III. And whereas the Right Honourable *Henrietta Cavendish Holles*, Countess of *Oxford* and Countess *Mortimer*, Relict of *Edward* Earl of *Oxford* and Earl *Mortimer*, and the most noble *Margaret Cavendish* Dutchess of *Portland* their only Daughter, have expressed their Approbation of a Proposal for the Purchase of the valuable Collection of Manuscripts, collected by the said Earl, and by *Robert* Earl of *Oxford* and Earl *Mortimer* his Father, in Consideration of the Sum of ten thousand Pounds, upon Condition that the same shall be kept together in a proper Repository, as an Addition to the *Cottonian Library*, and be called by the Name of the *Harleian Collection of Manuscripts*;' Be it further enacted by the Authority aforesaid, That out of the Monies to be raised by virtue of this Act, the full and clear Sum of ten thousand Pounds shall be paid by Order of the said Trustees hereby appointed for the Purposes herein after mentioned, to the Trustees for the said Earl and Countess, to whom by an Indenture quadrupartite, made the second Day of *August* in the eleventh Year of the Reign of his present Majesty, and in the Year of our Lord one thousand seven hundred and thirty-seven, the said Collection of Manuscripts among other Things was assigned for the Purposes in the said Indenture mentioned; the said Collection of Manuscripts to be placed and continued in the same Repository in which the *Cottonian Library* is herein after directed to be placed; and until the said Repository shall be erected or provided, in manner herein after mentioned, to be preserved in the Place where the same is now lodged, or in some other convenient Place to be approved by the said Trustees by this Act appointed, or the major Part of them in a General Meeting assembled, at the Costs and Charges of the said Trustees for the said Earl and Countess, and of the Survivors and and Survivor of them, and the Executors, Administrators and Assigns of such Survivor, and of the Person or Persons to whose Use the said Sum of ten thousand Pounds shall be payable for the said Collection.

Trustees for putting this Act in Execution,

IV. And be it further enacted by the Authority aforesaid, That the Archbishop of *Canterbury* for the Time being, the Lord Chancellor or Lord Keeper of the Great Seal of *Great Britain* for the Time being, the Lord Treasurer of *Great Britain*, or the First Commissioner of the Treasury for the Time being, the Lord President of the Council for the Time being, the Lord Privy Seal for the Time being, the Lord High Admiral of *Great Britain*, or the First Commissioner of the Admiralty for the Time being, the Lord Steward of his Majesty's Household for the Time being, the Lord Chamberlain of his Majesty's Household for the Time being, the Bishop of *London* for the Time being, each of the Principal Secretaries of State for the Time being, being a Peer or Lord of Parliament, the Speaker of the House of Commons for the Time being, each of the Principal Secretaries of State for the Time being, not being a Peer or Lord of Parliament, the Chancellor of the Exchequer for the Time being, the Lord Chief Justice of the Court of King's Bench for the Time being, the Master of the Rolls for the Time being, the Chief Justice of his Majesty's Court of Common Pleas at *Westminster* for the Time being, his Majesty's Attorney General for the Time being, his Majesty's Solicitor General for the Time being, the President of the Royal Society for the Time being, the President of the College of Physicians for the Time being, together with the Right Honourable *Charles* Lord *Cadogan*, and *Hans Stanley* Esquire, and together with *Samuel Burroughs* and *Thomas Hart* Esquires, two of the present Trustees of the *Cottonian Library*, (having been so appointed by the Heirs Male of the Body of the said Sir *Robert Cotton*, in pursuance of the said herein before-recited Acts made in the twelfth and thirteenth Years of the Reign of King *William* the Third, and in the fifth Year of the Reign of Queen *Anne*) and together with the most noble *William* Duke of *Portland*, and the Right Honourable *Edward* Earl of *Oxford* and Earl *Mortimer*, shall be Trustees for putting this Act in Execution; and that they, or the major Part of them in a General Meeting assembled, whereof the said Archbishop of *Canterbury*, the Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, shall be three, shall, in such manner as they shall think fit, elect and nominate fifteen other Persons to be associated to them in the Execution of the Trusts hereby in them reposed; which fifteen Persons so elected and nominated shall be and continue for the Term of their natural Lives Trustees for putting this Act in Execution, with the like Power in all Respects as hereby is given to the Trustees herein before first appointed; and when any of the said Trustees so elected and nominated shall die, the Trustees herein before first appointed, and their Successors, shall in like manner elect and nominate a fit Person or Persons to supply the Place or Places of him or them so dying, and so *toties quoties* any of the said Trustees so elected and nominated, or others so elected and nominated to supply their Places, shall happen to die.

See 27 Geo. 2. c. 16. §. 3.

who are to appoint fifteen Associates,

who are to continue Trustees for Life.

Election of new Trustees to be made in the Room of such as shall die.

Nomination of a Trustee vacant by the Death of Lord Cadogan or Hans Stanley.

V. Provided always, and be it enacted by the Authority aforesaid, That when either the said *Charles* Lord *Cadogan* or *Hans Stanley* shall die, it shall and may be lawful for the Survivor to nominate another fit Person to succeed the deceased in the Place of a Trustee so vacant; and after the Decease of both of them (the said *Charles* Lord *Cadogan* and *Hans Stanley*) it shall and may be lawful for the Heirs Male of their Bodies, and upon Failure of the Heirs Male of the Body of either of them, to and for the Heirs Male of the Body of the other of them, being of full Age, or their respective Guardian or Guardians during their Minority, to nominate a Trustee for the Purposes of this Act, in the Room of the Person last nominated by the Survivor of them; and so as often as any Person supplying the Place of the said *Charles* Lord *Cadogan* or *Hans Stanley* shall happen to die.

Nomination of a Trustee vacant by the Death of

VI. Provided always, and be it enacted by the Authority aforesaid, That when either the said *Samuel Burroughs* or *Thomas Hart* shall die, it shall and may be lawful to and for *Frances Hanbury*, Widow and Relict of *Francis Hanbury* Esquire, (which *Frances Hanbury* is the Heir general of the said Sir *Robert Cotton*) and after

after her Decease to and for the Heirs Male of her Body, being of full Age, and in default of such Issue, to and for her first, second, third, fourth, and every other Daughter severally, successively, and in Remainder one after another, in Order and Course as they respectively shall be in Priority of Birth, and the several and respective Heirs Male of the Bodies of such Daughters, being of full Age, or the respective Guardians of the Heirs Male of the said *Frances* and of her said Daughters, during their Minority, to nominate another fit Person to supply the Place of the deceased Trustee, and so as often as any Person supplying the Place of either of the said Trustees shall happen to die. Samuel Burroughs or Thomas Hart.

VII. Provided also, and be it further enacted by the Authority aforesaid, That when either the said *William* Duke of *Portland*, or the said *Edward* Earl of *Oxford* and Earl *Mortimer*, herein before appointed Trustees for the Purposes of this Act shall die, it shall and may be lawful to and for the said Countess of *Oxford* and Countess *Mortimer*, and the said Dutchess of *Portland*, or the Survivor of them, and after the Decease of the said Countess and Dutchess, to and for the Heirs Male of the Body of the said Dutchess, being of full Age, or their Guardian or Guardians during their Minority; and upon Failure of such Heirs Male, to and for the Heirs Male of the Body of *Edward* now Earl of *Oxford* and Earl *Mortimer*, being of full Age, or their Guardian or Guardians during their Minority, to nominate another fit Person to supply the Place of the said Duke or the said Earl; and upon the Death of any Person so supplying the Place of either of them, to nominate another fit Person in his Stead, and so as often as any Person so supplying the Place of either of them shall happen to die. Nomination of a Trustee vacant by the Death of William Duke of Portland, or Edward Earl of Oxford.

VIII. And be it declared and enacted by the Authority aforesaid, That the Trustees so to be nominated by the Survivor of the said *Charles* Lord *Cadogan* and *Hans Stanley*, and by the Heirs Male of the Bodies of them, or either of them, or the respective Guardians of such Heirs Male, in manner aforesaid, and by the said Countess and Dutchess, or the Survivor of them, or by such Heirs Male of the said Dutchess, or of the said now Earl of *Oxford* and *Mortimer* as aforesaid, or by their Guardian or Guardians in manner aforesaid, shall have the like Power in all Respects in the Execution of this Act, as is hereby given to the Trustees herein before first named and described. Trustees so nominated, invested with like Powers.

IX. And be it enacted by the Authority aforesaid, That within the Cities of *London* or *Westminster*, or the Suburbs thereof, one general Repository shall be erected or provided in such convenient Place, and in such Manner, as the Trustees hereby appointed, or the major Part of them at a General Meeting assembled shall direct, for the Reception not only of the said *Museum*, or Collection of Sir *Hans Sloane*, but also of the *Cottonian Library*, and of the Additions which have been or shall be made thereunto by virtue of the last Will and Testament of the said *Arthur Edwards*, and likewise of the said *Harleian* Collection of Manuscripts, and of such other Additions to the *Cottonian Library*, as with the Approbation of the Trustees by this Act appointed, or the major Part of them at a General Meeting assembled, shall be made thereunto, in manner herein after mentioned, and of such other Collections and Libraries as with the like Approbation shall be admitted into the said general Repository; which several Collections, Additions and Library so received into the said general Repository, shall remain and be preserved therein for publick Use to all Posterity. A general Repository to be provided for the Reception of Sloane's Museum, the Cottonian Library, Harleian Manuscripts, and Edwards's Additions.

X. Provided always, That the said *Museum* or Collection of Sir *Hans Sloane* in all its Branches, shall be kept and preserved together in the said general Repository whole and intire, with proper Marks of Distinction. The Museum to be kept intire.

XI. Provided also, That the said *Harleian* Collection of Manuscripts shall be kept together in the said general Repository, as an Addition to the *Cottonian* Library. The Harleian Collection to be an Addition to the Cottonian Library.

XII. Provided always, That until the said general Repository shall be erected or provided in manner before-mentioned, the said Collection or *Museum* of Sir *Hans Sloane* shall remain in his said Manor-house for publick Use, under the Care of such Person or Persons as by the said Archbishop of *Canterbury*, Lord Chancellor, or Lord Keeper, and the Speaker of the House of Commons, or any two of them, shall be nominated for that Purpose, with such Salary or Salaries, and Allowances for attending and preserving the same, as by all the Trustees by this Act appointed, or the major Part of them in a general Meeting assembled, shall be limited and directed; and the said *Museum* or Collection shall there be visited and seen by all Persons desirous to view the same, under such Rules as by the said Trustees, or the major Part of them in like manner assembled, shall be established; and that until the said *Museum* or Collection shall be removed to the said general Repository hereby intended to be erected or provided, the Expence of preserving the said *Museum* or Collection, and of repairing and supporting the said Manor-house and Premisses, shall be defrayed by the said Trustees out of such Monies as shall be payable to them for that Purpose by virtue of this Act. The Museum to remain in the Manor-house till a general Repository be provided.

XIII. Provided also, and be it enacted by the Authority aforesaid, That when and as soon as the said *Museum* or Collection shall be removed into the said general Repository, then and from thenceforth the said Manor-house and Garden, with their Appurtenances and Water, shall go and belong to such Person or Persons, and in such Manner, as the said Sir *Hans Sloane* hath given and devised the rest of his said Manors, Lands and Tenements at *Chelsea*, or elsewhere. When the Museum shall be removed, the Manor-house, &c. to go with the other Lands devised by Sir Hans Sloane.

XIV. And be it further enacted by the Authority aforesaid, That for the better Execution of the Purposes of this Act, the said Trustees hereby appointed shall be a Body Politick and Corporate in Deed and Name, and have Succession for ever, by the Name of *The Trustees of the* British Museum; and by that Name shall sue and be sued, implead and be impleaded, in all Courts and Places within this Realm; and shall have Power to have and use a common Seal to be appointed by themselves; and to make The Trustees incorporated by the Name of The Trustees of the British Museum, &c.

make By-laws and Ordinances for the Purposes of this Act; and to assemble together when, where and as often, and upon such Notice as to them shall seem meet, for the Execution of the Trust hereby in them reposed; and shall also have full Power, Capacity and Ability to purchase, take, hold and enjoy, for the Purposes of this Act, as well Goods and Chattels, as Lands, Tenements and Hereditaments, so as the yearly Value of such Lands shall not exceed five hundred Pounds above all Charges and Reprizes; the Statute of *Mortmain*, or any other Statute and Law to the contrary thereof in any wise notwithstanding.

Trustees impowered to make Statutes,

XV. And be it further enacted by the Authority aforesaid, That the Trustees so appointed and incorporated by this Act, or the major Part of them at any General Meeting assembled, shall from Time to Time, and as often as they shall think fit, make, constitute and establish such Statutes, Rules and Ordinances for the Custody, Preservation and Inspection of every Part of the several Collections hereby intended to remain in the said general Repository, as to them shall seem meet; and shall and may in like manner assign such Salaries and Allowances as they shall think fit to the Officers and Servants, who in manner herein after-mentioned shall be appointed to attend and assist in the Care and Preservation of the several Collections contained in the said general Repository; and shall and may at their Pleasure in like manner suspend or remove any such Officer or Servant for Misbehaviour or Neglect of Duty.

and to appoint Salaries to their Officers.

Nomination of the Principal Librarian.

XVI. And be it enacted by the Authority aforesaid, That the Principal Librarian, to whom the Care and Custody of the said general Repository shall be chiefly committed, shall from Time to Time be nominated and appointed in manner following; that is to say, the said Archbishop of *Canterbury*, Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, or any two of them, shall recommend to his Majesty, his Heirs and Successors, two Persons, each of whom they shall judge fit to execute the said Office; and such of the said two Persons so recommended as his Majesty, his Heirs and Successors, by Writing under his or their Sign Manual shall appoint, after he shall become bound to the said Trustees by this Act appointed, for the due and faithful Discharge of his Office, in such penal Sum not being less than one thousand Pounds, as the said Trustees at any general Meeting assembled, or the major Part of them, shall think proper, shall have and hold the said Office during such Time as he shall behave well therein.

Nomination of the rest of the Officers.

XVII. And be it further enacted by the Authority aforesaid, That the rest of the Officers and Servants whose Attendance and Assistance shall be necessary in the Care and Preservation of the said general Repository, shall from Time to Time be nominated and appointed by the said Archbishop of *Canterbury*, Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, or any two of them.

No Officer's Place to be supplied by a Deputy.

XVIII. Provided always, That no such Person to whom the Care and Custody of the said general Repository shall be chiefly committed, nor any of the rest of the said Officers or Servants, unless in Cases of occasional Sickness, or other necessary Cause of Absence, to be approved by the said Archbishop of *Canterbury*, Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, or any two of them, shall be permitted to supply his Place by a Deputy.

Assistants and subordinate Officers.

XIX. Provided nevertheless, That the Person, to whom in manner aforesaid the Care and Custody of the said general Repository shall be chiefly committed, shall and may be assisted by such subordinate Officers and Servants, as in manner aforesaid shall be appointed continually to assist him in the Execution of his Duty.

Museum, &c. vested in the Trustees.

XX. And be it further enacted by the Authority aforesaid, That the said *Museum* or Collection of Sir *Hans Sloane*, from and after Payment of the said Sum of twenty thousand Pounds, and the said Manor-house and Garden, with the Appurtenances and Water, until the said *Museum* or Collection shall be removed to the said general Repository; and also the said *Cottonian* Library and Additions thereunto; and the said *Harleian* Collection of Manuscripts, from and after Payment of the said Sum of ten thousand Pounds; and the said general Repository, when the same shall be erected or provided for the Use thereof, shall be vested in the said Trustees by this Act appointed, and their Successors, for ever; upon this Trust and Confidence nevertheless, That a free Access to the said general Repository, and to the Collections therein contained, shall be given to all studious and curious Persons, at such Times and in such Manner, and under such Regulations for inspecting and consulting the said Collections, as by the said Trustees, or the major Part of them in any General Meeting assembled, shall be limited for that Purpose.

His Majesty may grant to the Trustees any Building, &c. for a general Repository.

XXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for his Majesty, his Heirs and Successors, at any Time hereafter, by Letters Patent or Indenture, under the Great Seal of *Great Britain*, to give and grant unto the said Trustees and their Successors in Perpetuity, for the Purposes of this Act, the Right or Use in or of any Room, Messuage or Building, or Rooms, Messuages or Buildings, with the Appurtenances, or any Ground or Site, requisite for the Erection of the said general Repository, or for making any Addition thereto; any Restrictions, or Matter or Thing contained in an Act of Parliament made in the first Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for the better Support of her Majesty's Household, and of the Honour and Dignity of the Crown*; or any other Law or Statute in any wise notwithstanding.

1 Ann. st. 1. c. 7. §. 5.

Bodies Politick and Corporate, &c. impowered to dispose of Lands, &c. to the Trustees for such Repository.

XXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick and Corporate, Trustees, Mortgagees and Feoffees in Trust, Guardians and Committees for Infants, Lunaticks and Ideots, Executors and Administrators whatsoever, and to and for all Femes Covert, who are or shall be seised of any Lands, Tenements or Hereditaments, in their own Right, and to and for all and every other Person and Persons whomsoever who are or shall be seised, possessed of or interested in any Lands, Tenements or Hereditaments, to sell and convey to the said Trustees and their Successors, or to such Person or Persons as they, or the major Part of them at any General Meeting assembled, shall appoint, all such Lands, Tenements, Hereditaments, Estates and Interests, or any Part thereof, as the said Trustees, or the major Part of them, shall purchase, for the Purpose of erecting or providing such general Repository as aforesaid; and all Contracts, Agreements, Sales and Conveyances which shall be made by any such

Bodies Politick or Corporate, or Collegiate, or other Persons aforesaid, shall be valid and effectual to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing to the contrary notwithstanding: And that every such Sum of Money as shall be paid for the Purchase of any Lands, Tenements or Hereditaments, to or for the Use of any such Body Politick or Corporate, or other Person as aforesaid, shall be respectively laid out in the Purchase of Lands, Tenements and Hereditaments, and settled to and upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders and Contingencies, as the said Lands, Tenements and Hereditaments, purchased by the said Trustees, were settled, limited and assured at the Time of such Purchase, and shall be held and enjoyed accordingly; and that until such Purchases shall be made, the Money shall be vested in some of the publick Funds, or Government Securities, at Interest, which shall be paid to or for the Use of such Person or Persons as would have been intitled to the Rents and Profits of such Lands, Tenements and Hereditaments.

Reservation to all other Persons interested of their Rights to the Premisses.

XXIII. Saving nevertheless to his Majesty, his Heirs and Successors, and to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors or Administrators, other than and except the Trustees and Visitors by the said Sir *Hans Sloane* appointed by his Codicil herein before recited, and other than and except the Trustees of the *Cottonian* Library, and the Trustees for the said Countess of *Oxford* and Countess *Mortimer*, all such Right, Title, Estate or Interest in or to the Premisses hereby vested in the Trustees by this Act appointed, and their Successors, as they or any of them had or might enjoy if this Act had not been made; any Thing herein contained to the contrary thereof in any wise notwithstanding.

300,000 l. to be raised for the Purposes of this Act, and Natives or Foreigners may contribute thereto.

XXIV. And for raising Money to satisfy and discharge the several Sums that will be necessary for the Purposes afore-mentioned, Be it enacted by the Authority aforesaid, That it shall and may be lawful for any Person, Native or Foreigner, or Body Politick or Corporate, to contribute or advance for or towards raising a Sum not exceeding three hundred thousand Pounds in the Whole, by paying at or before the respective Days or Times herein after appointed in that Behalf, unto such Receivers as shall be in pursuance of this Act appointed for that Purpose, or one of them, the Sum of three Pounds, or divers entire Sums of three Pounds, so as no Person, or Body Politick or Corporate, shall be allowed to contribute more than twenty such entire Sums; for which Sum or Sums so advanced every such Contributor so advancing the same shall be intitled to receive, by virtue of this Act, such Sum or Sums of Money as is or are hereby directed or appointed; and every such Sum of three Pounds shall be paid to such Receivers, or one of them, at such Office as shall be appointed by the said Receivers for that Purpose (of which Appointment publick Notice shall be given in the *London Gazette)* in manner following; that is to say, One Pound, Part of every such Sum of three Pounds, shall be paid on or before the twenty-fifth Day of *July* one thousand seven hundred and fifty-three, and the remaining two Pounds on or before the twenty-sixth Day of *October* following.

" Managers of the Lottery appointed. Books to be prepared by them with 3 Columns, and 50,000 printed " Tickets. Form, *&c.* of the Tickets. Four of the Managers to be appointed Receivers of the Contri- " butions. There shall be printed 50,000 Tickets, 4,159 Tickets shall be the Fortunate Tickets, *viz.* " 1 10,000 *l.* 1 5,000 *l.* 2 2,000 *l.* 10 1,000 *l.* 15 500 *l.* 130 100 *l.* 1,000 20 *l.* 3,000 10 *l.* which, with 200 *l.* " to the first drawn Ticket, and 300 *l.* to the last drawn Ticket, will amount to 100,000 *l.* which, together " with the like Sum payable in respect of the corresponding Tickets, amount together to 200,000 *l.* Draw- " ing of the Lottery to be on 26 *Nov.* 1753. Receivers may take in the Contributions, not exceeding 20 " from one Person; and are to exhibit an Account of the Monies received and disbursed."

100 l. allowed to each of the Managers,

and 100 l. extraordinary to the Receivers, and 100 l. to the Persons making out Certificates for the Tickets.

Residue of the Money, after Payment of the Prizes, &c. to be lodged in the Bank, &c.

and to be issued to Trustees Orders.

XXIX. And be it further enacted by the Authority aforesaid, That out of the Monies to be contributed by this Act it shall and may be lawful for such Archbishop, Lord Chancellor or Lord Keeper, and Speaker, or any two of them, in like manner to cause Payment to be made to each and every of the said Managers and Directors of the Sum of one hundred Pounds each, for and in consideration of their Labour or Trouble in the Execution of the several Matters herein before directed to be by them done and performed; and over and above the same Allowance, to cause in like manner Payment to be made to each of the said Receivers of the Sum of one hundred and fifty Pounds for his Labour and Trouble in executing the said Office of Receiver; and also the further Sum of one hundred Pounds to each of the Persons hereby appointed to make and deliver Certificates in Exchange for the Tickets in the said Lottery, in manner hereinafter-mentioned, for their respective Labour and Trouble in making out and delivering such Certificates; and that all the Residue of the Money arising and to be contributed by virtue of this Act, and paid into the Bank of *England*, for the Purposes of this Act, after Payment made by the Governor and Company of the Bank of *England*, or Money sufficient reserved for the Payment of the Sum and Sums of Money hereby directed to be issued to the Proprietors of the Fortunate Tickets in the Lottery hereby established, and other the Allowances to be made pursuant to this Act, shall be from Time to Time paid out of the Bank of *England*, in such Manner and in such Proportions, and to such Person or Persons, as the said Trustees, or the major Part of them, at any General Meeting assembled, by their Order in Writing shall direct and appoint; and the said Governor and Company of the Bank of *England* are hereby directed to make Payment of all such Sums of Money, as by the said Archbishop, Lord Chancellor or Lord Keeper, and Speaker, or any two of them, in manner aforesaid, or by the said Trustees, or the major Part of them, in manner herein after-mentioned shall be ordered to be paid, and shall suffer such Person or Persons as the said Trustees, or the major Part of them, at any General Meeting assembled shall appoint for that Purpose by Writing, to inspect the Accounts thereof; all which Payments so to be made for or in respect of the Lottery established by this Act, shall be free from any Rates, Taxes, Duties or Impositions whatsoever.

Penalty of selling Chances of Tickets, &c.

XL. And be it further enacted by the Authority aforesaid, That no Person or Persons shall sell the Chance or Chances of any Ticket or Tickets in the said Lottery for a Day or Part of a Day, or for a longer Time than shall be less than the whole Time of drawing the Lottery; or shall receive any Money whatsoever in consideration

or of laying Wagers relating to the Drawing of Tickets,

consideration of the Repayment of any Sum or Sums of Money, in case any Ticket or Tickets in the said Lottery shall prove Fortunate, or shall lay any Wager relating to the Drawing of any Ticket or Tickets in the said Lottery, either as to the Time of such Ticket or Tickets being drawn, or whether such Ticket or Tickets be drawn Fortunate or Unfortunate: And all and every Person and Persons who shall offend in any of the afore-mentioned Matters, shall forfeit and pay treble the Sum and Sums of Money which shall have been received by such Person and Persons, contrary to the true Intent and Meaning of this Act, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record at *Westminster*, in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed; one Moiety whereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and every such Sale, Wager or Contract, and every Agreement relating thereto, shall be and is hereby declared to be null and void.

Application of the Forfeiture.

Penalty of keeping an Office, or publishing any Scheme, &c.

XLI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall keep any Office, or print or publish any Scheme or Proposal for receiving any Sum or Sums of Money, in consideration of an Interest to be granted for the same in any Ticket or Number of Tickets in the said Lottery, or in consideration of any Sum or Sums to be repaid in case any Ticket or Number of Tickets in the said Lottery shall prove Fortunate, all and every such Person and Persons shall forfeit and pay the Sum of five hundred Pounds, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record at *Westminster*, in which no Essoin, Protection or Wager of Law, or more than one Imparlance shall be allowed; one Moiety whereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same, and also shall suffer three Months Imprisonment without Bail or Mainprize.

Penalty on Persons who shall sell or buy Tickets, &c. after 24 Nov.

'XLII. And whereas many and great Inconveniences have arisen upon the Occasion of former Lot-'teries by the excessive Advance of the Price of Tickets, especially during the Time of drawing such 'Lotteries;' For Remedy thereof be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *November* one thousand seven hundred and fifty-three, it shall not be lawful for any Person or Persons whatsoever to sell, buy, alienate, deliver or receive, by way of Bargain or Sale, any Ticket in the said Lottery, or any Receipt for Tickets to be made out in pursuance of this Act; and every Person who shall so sell, alienate or deliver any Ticket or Receipt for Tickets, shall forfeit and lose the Sum of ten Pounds for every Ticket which shall be so sold, alienated or delivered, and for every Ticket which shall be contained in any Receipt for Tickets so sold, alienated or delivered; and shall upon Conviction be committed to the County Gaol, there to remain without Bail or Mainprize for the Space of one Calendar Month, and until the Sums so forfeited as aforesaid shall be fully paid and satisfied; and every Person so buying or receiving such Ticket or Receipt for Tickets shall forfeit and lose the same, and shall not be intitled to receive any Benefit from the drawing such Tickets; all which Penalties shall and may be recovered by Action or Information in any of his Majesty's Courts of Record at *Westminster*, or before any two of his Majesty's Justices of the Peace of the County, City, Division or Liberty where such Offence shall be committed, or the Offender shall be found, upon the Oath or Oaths of one or more credible Witness or Witnesses (which Oaths such Justices are hereby impowered and required to administer); all such Penalties to be applied, one third Part to the Use of his Majesty, his Heirs and Successors, one other third Part thereof to the Informer, and the remaining third Part thereof to the Poor of the Parish where such Offence shall be committed; and in case any Person shall find himself aggrieved by any Determination of the Justices, it shall be lawful for such Person to appeal to the Quarter-Sessions for the said County, City, Division or Liberty, whose Determination shall be final.

Application of the Penalties.

Persons aggrieved may appeal to the Quarter-Sessions.

Penalty of Officers taking other Fees than what are allowed by this Act, or of otherwise being unfaithful in the Discharge of their Duty.

XLIII. And be it further enacted, That all Receipts and Issues, and all other Things directed by this Act to be performed by any Officers or Persons, for or in respect of the Lottery hereby established, shall be performed by them without any other Fee, Gratuity or Reward, than what shall be allowed by virtue or under Authority of this Act; and in case any such Officer or Person shall take or demand any Fee or Reward, otherwise than as aforesaid, or shall divert or apply any of the Sums to be paid pursuant to this Act, otherwise than according to the Intent of this Act, or shall not keep Books, and cause Entries to be made, and do and perform all other Things which by this Act they are respectively required to do and perform, every such Officer shall forfeit his Place, and shall answer and pay treble Damages and Costs of Suit to any Adventurer, or the Executors, Administrators or Assigns of any Adventurer, or to any other Person or Persons that will sue for the same, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, Injunction or Order of Restraint, or more than one Imparlance shall be allowed or granted; and in the said Action the Plaintiff, upon Recovery, shall have full Costs; one third Part of which Sum so to be recovered shall be paid into the Bank of *England*, to be applied towards carrying into Execution the Purposes of this Act; and the other two Thirds thereof shall be to the Use of him, her or them, who shall sue for the same.

Application of the Forfeiture.

If the whole Number of Tickets shall not be subscribed for, &c.

The Directors to apportion two Thirds of the Money contributed, in Prizes, and to give publick Notice thereof,

XLIV. Provided always, and it is hereby enacted by the Authority aforesaid, That in case the whole Number of one hundred thousand Tickets in such intended Lottery shall not be subscribed or contributed for, or the Residue (if any unsubscribed) shall not be declared by the said Trustees, or the major Part of them, at any General Meeting assembled, to be drawn and risqued for the Purposes of this Act (which Declaration the said Trustees, or the major Part of them, are hereby authorized to make) then and in such Case the said Managers and Directors, or the major Part of them, shall apportion two third Parts of the Money that shall have been actually contributed for the Purchase of such other Tickets, in Prizes, according to their Discretions, having regard, as near as may be, to the Distribution of Prizes or Fortunate Lots by this Act appointed for the said whole Number of one hundred thousand Tickets, so as no such Prize be for less than ten Pounds, and no other greater Prize be computed for any fractional Part of a Pound, and shall cause publick Notice to be given thereof; and then, and in such Case only, such a Number

Number of Tickets as shall serve to answer the exact Numbers of Tickets as shall have been subscribed or contributed for, or risqued by the said Trustees as aforesaid, and such a Number of Blanks and Prizes, and such Sums in Prizes, as shall have been apportioned as aforesaid, shall be cut and put into the several proper Boxes, and drawn out in manner by this Act directed; any Thing in this Act before contained to the contrary thereof in any wise notwithstanding.

and such a Number only of Tickets to be drawn as shall be subscribed for.

XLV. And to the end that all and every the Payments upon the fortunate Tickets may be more easily and duly made to the Persons who shall be intitled thereto; Be it further enacted by the Authority aforesaid, That within the Space of forty days after the said Drawing shall be compleated and ended, the said fortunate Tickets so to be drawn as aforesaid, shall be exchanged for Certificates, to be signed by the Managers or Directors herein after appointed for that Purpose, or the major Part of them; which Certificates shall be made upon Paper, expressing the Sum or Sums to be paid to the Person or Persons intitled to the Fortunate Tickets in lieu whereof such Certificates shall be given; and the said Managers and Directors shall give public Notice of the Days and Times for taking in the said Tickets, and for delivering out the Certificates for and in lieu of the same; and every Certificate shall be numbered as near as may be, in such Course and Order, as the Tickets for which the same are to be made out, shall be brought to the said Managers and Directors; for which Purpose, Books shall be kept, wherein shall be entered the Name of every Person bringing any Ticket or Tickets so to be exchanged, and the Number or Numbers of such Ticket or Tickets, and the Day of the Month and the Year of our Lord when the same was so brought in; which Book and Books shall lie open in the Office to be appointed for taking in the said Tickets so to be exchanged, to the Intent that the same may be perused by all Persons concerned; and also that any Person or Persons may include as many Tickets into one Certificate, as they shall think fit, which Certificate shall be made out unto and in the Name of the respective Person or Persons who shall bring the said Tickets to be exchanged for the said Certificate or Certificates, or whose Names shall be indorsed on the said Tickets as the Owners or Proprietors thereof; and such Certificates shall entitle such Owners or Proprietors, or their Order or Assigns, to the Sum and Sums therein respectively expressed to be due; and shall be payable and paid by the Governor and Company of the Bank of *England*, or their Cashier or Cashiers, upon Demand, out of the Monies that shall have been paid into the Bank of *England* by the said Receivers for the Purposes of this Act.

Within 40 Days after Drawing the Lottery, the Prize Tickets to be exchanged for Certificates;

XLVI. 'And whereas the making and delivering of Certificates in Exchange for the Fortunate Tickets 'of the said Lottery, and the other Matters and Things directed by this Act to be done and performed by 'the said Managers and Directors, subsequent to the Drawing of the Lottery, will not necessarily require 'the Service and Attendance of the whole Number of such Managers and Directors;' Be it therefore enacted by the Authority aforesaid, That the said four Managers and Directors as shall be in pursuance of this Act appointed Receivers of the Contributions to the said Lottery, or such of them as shall be then living, shall be and are hereby authorized and required to exchange the said Fortunate Tickets for Certificates, and to do all other Acts, Matters and Things, which are by this Act appointed and directed to be done, executed and performed, by the Managers and Directors after the Drawing of the Lottery, and all Matters and Things, to be done and performed by the said Managers so appointed for exchanging Tickets for Certificates, or the major Part of them, shall be as good, valid and effectual, to all Intents and Purposes, as if the same had been done, performed and executed, by all the Managers and Directors appointed by this Act; and from and after such End made of the Drawing of the said Lottery, the rest of the said whole Number of Managers and Directors shall be discharged from all future Service and Attendance required from and incumbent upon them by virtue of this Act.

The 4 Receivers to exchange the Tickets for Certificates.

The rest of the Managers discharged from attending after the Drawing is over.

XLVII. And be it further enacted by the Authority aforesaid, That the Proprietors of the Fortunate Tickets to be drawn in the said Lottery as aforesaid, and each of them, shall on or before the thirty-first Day of *December* one thousand seven hundred and fifty-four, apply to the said Managers and Directors, for exchanging Tickets for Certificates, and deliver for that Purpose such Fortunate Tickets so to be exchanged; and that in Default thereof, no Certificates shall be given in Exchange for any Fortunate Tickets, not brought in for that Purpose, on or before that Day; and the Governor and Company of the Bank of *England*, or their Cashier or Cashiers, shall not pay any Sum or Sums of Money which would have otherwise been due on such Fortunate Tickets, not brought in to be exchanged for Certificates, on or before the said thirty-first Day of *December* one thousand seven hundred and fifty-four, but shall detain all such Sum and Sums of Money in their Hands, and bring the same to the Account of the said Trustees, to be applied by them, or the major Part of them, for the other Purposes of their Trust.

All Prize Tickets to be brought in and exchanged by 31 Dec. 1754.

No Certificates to be afterwards granted;

but the Bank to detain the Money, and bring it to the Account of the Trustees.

XLVIII. And be it enacted by the Authority aforesaid, That all the Monies which shall arise from the said Lottery, subject to the Charge of Management thereof, after Payment made, or Money sufficient reserved for the Payment of the Sums hereby directed to be issued to the Proprietors of the Fortunate Tickets, shall be appropriated, and in manner herein after mentioned issued, applied, and reserved to the several Uses, Intents and Purposes herein after expressed, and to no other Use, Intent or Purpose whatsoever; that is to say, In the first Place the full and clear Sum of twenty thousand Pounds, Part thereof, shall, before the eleventh Day of *January* one thousand seven hundred and fifty-four, be issued by Order of the said Trustees, or the major Part of them, at any General Meeting assembled, to the Executors of Sir *Hans Sloane*, or the Survivors or Survivor of them, in consideration of his said *Museum* or Collection, and of the Use and Benefit of the said Manor House and Garden, with the Appurtenances and Water, until such Time as the said *Museum* or Collection shall be removed to the said General Repository: In the next Place, and in like manner, shall be issued to the said Countess of *Oxford* and Coun-

Application of the Monies arising by this Act.

20,000 l. to the Executors of Sir Hans Sloane.

10,000 l. to the Countess of Oxford.

tess *Mortimer*, and her Trustees, the full and clear Sum of ten thousand Pounds, or so much thereof, as together with the Legacy of seven thousand Pounds bequeathed to the Trustees of the *Cottonian Library*, in manner above mentioned, shall be sufficient, in case the said Legacy shall, before that Time, take effect, to pay the Price for the said *Harleian Collection of Manuscripts*, so as the said Collection, until such Time as the said General Repository shall be erected and provided for the Reception thereof, shall remain in the Place where the same is now lodged, or in some other convenient Place to be approved by the said Trustees, or the major Part of them so assembled, and shall be there preserved and maintained at the Costs and Charges of the said Countess of *Oxford* and Countess *Mortimer*, and her Trustees: After Payment of which several Sums of twenty thousand Pounds, and ten thousand Pounds, so much Money shall and may be issued and applied by Order of the said Trustees, or the major Part of them so assembled, as shall be sufficient to defray the Expence of erecting or providing the said General Repository, and of the necessary Furniture thereof, and of such Cabinets, Book-Cases, and other Conveniencies or Embellishments, as the Condition of the several Collections in the said General Repository contained shall require; and also of the Expence which may be incurred in preserving and maintaining the said *Museum* or Collection of Sir *Hans Sloane*, at his said Manor House at *Chelsea*, during such Time as the said *Museum* or Collection shall remain there, and in removing the said *Museum* or Collection; and also in removing the *Cottonian Library*, and the Additions thereunto made or to be made, and the *Harleian Collection of Manuscripts*, to the said General Repository; which Expence being defrayed, the Sum of thirty thousand Pounds shall and may be reserved to be placed out at Interest, by Order of the said Trustees, or the major Part of them, in any General Meeting assembled, in any Parliamentary Security or Securities, or to be lent, from Time to Time, in Part, or in the whole, upon the Credit of any Taxes or Duties imposed by Parliament, at such Interest for the Forbearance of such Loan, as by any Act imposing such Taxes or Duties, or any other Act, shall be limited; the Interest of which Sum of thirty thousand Pounds so reserved, shall and may be issued and applied, by like Order of the said Trustees, or the major Part of them so assembled, for and towards Payment of the Salaries and Allowances which, in manner aforesaid, shall be assigned by the said Trustees to the Officers and Servants attending or assisting in the said General Repository, and for and towards the Payment of such other Costs and Charges as the Custody and Preservation of the said several Collections, and the Repairs or Alterations of the said General Repository, and the due Execution of the Trust hereby reposed in the said Trustees, shall require: And if after Payment of the said first-mentioned Sum of twenty thousand Pounds, and of the said Sum of ten thousand Pounds, or Part thereof, upon the Contingency herein before mentioned, and after Payment of so much Money as the Expence of erecting, or providing and furnishing the said General Repository, and of such Cabinets, Book-cases, and other Conveniencies and Embellishments, and of maintaining or preserving the said *Museum* or Collection of Sir *Hans Sloane* at the said Manor House at *Chelsea*, and of removing the said several Collections to the said General Repository, shall amount to; and if after reserving the last-mentioned Sum of thirty thousand Pounds for the Purposes aforesaid, any Surplus shall remain of the Monies so raised by virtue of this Act, the same shall be reserved for the future Disposition of Parliament.

A General Repository to be provided thereout, and other necessary Expences attending the preserving the Museum, &c.

30,000 l. to be put out at Interest in the publick Funds, towards Payment of Officers Salaries, &c.

The Surplus, if any, reserved for the future Disposition of Parliament;

XLIX. Provided always, That in the mean time, until such Surplus shall be disposed of by Parliament, it shall be lawful to and for the said Trustees, or the major Part of them so assembled as aforesaid, to place out or lend the said Surplus, or any Part thereof, upon such Securities, and upon such Credit, as they are herein before impowered to place out or lend the said Sum of thirty thousand Pounds herein before directed to be reserved, the Proceed or Interest thereof, until the Principal Money shall be so disposed of by Parliament, to be applied to such Uses, for the better accomplishing the Design of this Act, as by the said Trustees, or the major Part of them, in any General Meeting assembled, shall be limited and directed.

and may be placed out at Interest, to be applied to the Uses of this Act.

CAP. XXIII.

An Act for granting to his Majesty a certain Sum of Money therein mentioned out of the Sinking Fund; and for applying certain Surplus Monies remaining in the Exchequer, for the Service of the Year one thousand seven hundred and fifty-three; and for the further appropriating the Supplies granted in this Session of Parliament; and for enlarging the Time limited by an Act of the last Session of Parliament for subscribing Annuities after the Rate of three Pounds *per Centum per Annum*, and three Pounds ten Shillings *per Centum per Annum*, into the Joint Stock of Annuities; and for other Purposes therein mentioned.

MOST gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, for the Service of the Year one thousand seven hundred and fifty-three in the easiest Manner we are able for the Benefit of your Majesty's Subjects; and also to use such Ways and Means therein, as that your Majesty may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto your Majesty the Sum of four hundred and twenty thousand Pounds out of the Surplusses, Excesses and Overplus Monies, or other Revenues composing the Sinking Fund; and to that End and Purpose do most humbly beseech your Majesty that it may be enacted, and Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spi-

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are, or shall from Time to Time be and remain in the Receipt of the Exchequer, of the said Surpluses, Exceses, and Overplus Monies, or other Revenues composing the Sinking Fund (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may be issued and applied a Sum not exceeding the said Sum of four hundred and twenty thousand Pounds, for and towards the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-three; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly.

420,000 l. granted out of the Sinking Fund, for the Service of the current Year,

II. And be it further enacted by the Authority aforesaid, That the Sum of one hundred thousand four hundred eighty-two Pounds fourteen Shillings and three Pence Halfpenny, remaining in the Receipt of his Majesty's Exchequer, on the two seventh Parts of the additional Rates and Duties of Excise, granted by an Act of the fifth Year of the Reign of their late Majesties King *William* and Queen *Mary*; and the Sum of seventy-nine thousand eight hundred twelve Pounds and sixteen Shillings, remaining in the Receipt of his Majesty's Exchequer, of the Surplus of the Funds for the Lottery in the Year of our Lord one thousand seven hundred and fourteen; and the Sum of fifty-four thousand five hundred eighty Pounds and nine Shillings, remaining in the Exchequer of the additional Duties on Low Wines and Spirituous Liquors, granted by several Acts of the sixteenth and twenty-fourth Years of his Majesty's Reign; and also the Sum of eighteen thousand thirty-five Pounds nine Shillings and three Farthings, now remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-two, but not applied to the Service of that Year, shall and may be issued and applied at the said Receipt, as Part of the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-three; any thing in this or any former Act or Acts of Parliament to the contrary thereof in any wise notwithstanding.

with the further Sums in the Exchequer, of 100,482 l. 14 s. 3 d. 2 q. for the additional Duties of Excise; 79,812 l. 16 s. Surplus of the Funds for the Lottery 1714. 54,580 l. 9 s. of the additional Duties on Low Wines, &c. granted by 16 & 24 Geo. 2. 18,035 l. 9 s. 3 q. Overplus of the Grants unappropriated, for the Year 1752.

III. Provided always, and it is hereby further enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and fifty-three; and for enlarging the Time limited by an Act of the last Session of Parliament for subscribing Annuities, after the Rate of three Pounds* per Centum per Annum, *into the Joint Stock of Annuities therein mentioned)* and so much Money (if any such be) of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bill, made or to be made on the same Act, and all the Interest, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, (intituled, *An Act for granting an Aid to his Majesty by a Land-Tax to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-three)* and so much Money (if any such be) of the Tax thereby granted as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Land-Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and the Sum of one hundred thousand four hundred eighty-two Pounds fourteen Shillings and three Pence Halfpenny, remaining in the Exchequer, on the two seventh Parts of the additional Rates and Duties of Excise, granted by an Act of the fifth Year of the Reign of their late Majesties King *William* and Queen *Mary*; and the Sum of seventy-nine thousand eight hundred twelve Pounds and sixteen Shillings, remaining in the Exchequer, of the Surplus of the Funds for the Lottery, in the Year of our Lord one thousand seven hundred and fourteen; and the Sum of fifty-four thousand five hundred eighty Pounds and nine Shillings, remaining in the Exchequer of the additional Duties on Low Wines and Spirituous Liquors, granted by several Acts of the sixteenth and twenty-fourth Years of his Majesty's Reign; and the Sum of eighteen thousand thirty-five Pounds nine Shillings and three Farthings, remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-two, but not applied to the Service of that Year; and also the Sum of four hundred and twenty thousand Pounds by this Act granted, shall be further appropriated, and are hereby appropriated, for and towards the several Uses and Purposes herein after expressed; that is to say, it is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied, any Sum or Sums of Money, not exceeding eight hundred thousand two hundred six Pounds thirteen Shillings and eleven Pence, for or towards the naval Services herein after particularly expressed; that is to say, for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualing thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance, performed and to be performed, and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers, for the Year one thousand seven hundred and fifty-three.

Appropriation of the Supplies.

The Monies arising by the Malt Act,

and Land Tax,

and other Sums remaining in the Exchequer, &c.

viz. 800,206 l. 13 s. 11 d. for Naval Services.

IV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied, any Sum or Sums of Money, not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

10,000 l. to Greenwich Hospital.

116,506 l. 1 s. 3 d. to the Office of Ordnance for Land Service.

V. And be it hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one hundred ſixteen thouſand five hundred ſix Pounds one Shilling and three Pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thouſand ſeven hundred and fifty-three, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

1,067,021 l. 11 d. 2 q. to the Land Forces, viz.

628,315 l. 7 s. 11 d. for Guards and Garriſons, &c. in Great Britain, Guernſey, and Jerſey;

236,420 l. 18 s. 6 d. 2 q. for the Plantations, Minorca and Gibraltar, and for Proviſions for Nova Scotia, Newfoundland, Gibraltar, and Providence.

58,270 l. 15 s. 5 d. to Out-penſioners of Chelſea Hoſpital;

58,000 l. to reduced Officers;

4,288 l. 5 s. 5 d. to the Horſe Guards, &c. reduced;

3,036 l. to Widows of Half-pay Officers.

VI. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one Million ſixty-ſeven thouſand twenty-one Pounds and eleven Pence Halfpenny, for and towards maintaining his Majeſty's Land Forces, and other Services, herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money, not exceeding ſix hundred twenty-eight thouſand three hundred fifteen Pounds ſeven Shillings and eleven Pence, for defraying the Charge of eighteen thouſand eight hundred and fifty-ſeven effective Men, including Commiſſion and Non-commiſſion Officers, and alſo one thouſand eight hundred and fifteen Invalids, for Guards, Garriſons, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, for the Year one thouſand ſeven hundred and fifty-three; and any Sum or Sums of Money, not exceeding two hundred thirty-ſix thouſand four hundred twenty Pounds eighteen Shillings and ſix Pence Halfpenny, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Minorca*, and *Gibraltar*, and for Proviſions for the Garriſons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thouſand ſeven hundred and fifty-three; and any Sum or Sums of Money, not exceeding fifty-eight thouſand two hundred ſeventy Pounds fifteen Shillings and five Pence upon Account, for Out-penſioners of *Chelſea Hoſpital*, for the Year one thouſand ſeven hundred and fifty-three; and any Sum or Sums of Money not exceeding fifty-eight thouſand Pounds, upon Account of the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and fifty-three, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are hereafter preſcribed concerning the ſame; and any Sum or Sums of Money not exceeding four thouſand two hundred eighty-eight Pounds five Shillings and five Pence, for defraying the Charge for Allowances to the ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and Regiment of Horſe reduced, and to the ſuperannuated Gentlemen of the four Troops of Horſe Guards, for the Year one thouſand ſeven hundred and fifty-three; and any Sum or Sums of Money not exceeding three thouſand and thirty-ſix Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and fifty-three; which ſaid Sum of three thouſand and thirty-ſix Pounds, ſhall be iſſued to ſuch Perſon or Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct and appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts, or other Directions, and with and ſubject to ſuch Conditions, Qualifications, and other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint; and any Sum or Sums of Money not exceeding twenty-ſix thouſand ſix hundred eighty-nine Pounds thirteen Shillings and eight Pence, for defraying the extraordinary Expences of his Majeſty's Land Forces, and other Services, incurred in the Year one thouſand ſeven hundred and fifty-two, and not provided for by Parliament; and any Sum or Sums of Money not exceeding twenty thouſand Pounds, to enable his Majeſty to make good his Engagements with the Elector of *Bavaria*, purſuant to Treaty; and any Sum or Sums of Money not exceeding thirty-two thouſand Pounds, to enable his Majeſty to make good his Engagements with the King of *Poland*, Elector of *Saxony*, purſuant to Treaty.

26,689 l. 13 s. 8 d. for extraordinary Expences in 1752.

20,000 l. to the Elector of Bavaria.

32,000 l. to the King of Poland.

47,448 l. 5 s. 10 d. towards ſettling Nova Scotia in 1752.

47,167 l. 6 s. 6 d. to the ſaid Colony for the preſent Year.

VII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding forty-ſeven thouſand four hundred forty-eight Pounds five Shillings and ten Pence, upon Account, for defraying the Charges incurred by ſupporting and maintaining the Settlement of his Majeſty's Colony of *Nova Scotia* in the Year one thouſand ſeven hundred and fifty-two, and not provided for by Parliament; and any Sum or Sums of Money not exceeding forty-ſeven thouſand one hundred ſixty-ſeven Pounds ſix Shillings and ſix Pence, upon Account, for ſupporting and maintaining the Settlement of his Majeſty's Colony of *Nova Scotia*, for the Year one thouſand ſeven hundred and and fifty-three.

7,916 l. 19 s. 11 d. to make good the additional Stamp Duties at Chriſtmas 1751.

749 l. 3 s. 3 d. 2 q. to make good the Duties on Licences for retailing of Spirituous Liquors at Lady-Day 1752.

9,846 l. 3 s. 3 d. 2 q. to make good the Duties

VIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſeven thouſand nine hundred ſixteen Pounds nineteen Shillings and eleven Pence, to replace to the Sinking Fund the like Sum paid out of the ſame to make good the Deficiency of the additional Stamp Duties at *Chriſtmas* one thouſand ſeven hundred and fifty-one; and any Sum or Sums of Money not exceeding ſeven hundred forty-nine Pounds three Shillings and three Pence Halfpenny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame to make good the Deficiency of the Duty on Licences for retailing of Spirituous Liquors at *Lady-Day* one thouſand ſeven hundred and fifty-two; and any Sum or Sums of Money not exceeding nine thouſand eight hundred forty-ſix Pounds three Shillings and three Pence Halfpenny, to replace to the ſaid Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets or Wines made from *Britiſh* or Foreign Fruit or Sugar at *Michaelmas* one thouſand ſeven hundred and fifty-two; and any Sum or Sums of Money not exceeding two thouſand two hundred fourteen Pounds two Shillings and three Pence, to be applied and paid to Captain *John Vernon*, in full Satisfaction of all his Demands on, Claims to, or Intereſt in forty Acres of Land in the Iſland of *Sheepey*, in the County of *Kent*, now in the Poſſeſſion of the Crown, whereon the Fort of *Sheerneſs* ſtands; and any Sum or Sums of Money not exceeding two thouſand Pounds towards enabling the Commiſſioners

weets at Mi-

missioners for building a Bridge cross the River *Thames* from the City of *Westminster* to the opposite Shore in the County of *Surrey*, to maintain the said Bridge, and to perform the other Trusts reposed in them; and any Sum or Sums of Money, not exceeding three thousand Pounds, towards laying out, making and keeping in Repair a Road proper for the Passage of Troops and Carriages from the City of *Carlisle* to the Town of *Newcastle* upon *Tyne*; and any Sum or Sums of Money not exceeding sixteen thousand Pounds, towards building a Fort at *Annamabo*, and the Maintenance and Support of that and other *British* Forts and Settlements upon the Coast of *Africa*, to be applied in such Manner as his Majesty shall think proper; and any Sum or Sums of Money not exceeding two thousand six hundred and thirty-two Pounds, upon Account, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same from the Surrender of the Charter to his Majesty by the late Trustees on the twenty-fourth of *June* one thousand seven hundred and fifty-two, to the twenty-fourth of *June* one thousand seven hundred and fifty-three.

Michaelmas 1752. 2,214 l. 2 s. 3 d. to Capt. Vernon, for Lands in Sheepey, where the Fort of Sheerness stands. 2,000 l. to Westminster Bridge. 3,000 l. towards making a Road from Carlisle to Newcastle. 16,000 l. to the Settlements on the Coast of Africa. 2,632 l. to the Civil Establishment of Georgia.

IX. And be it further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before-mentioned; or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose, contained in any other Act or Acts of this present Session of Parliament.

These Aids to be applied only to the Uses before-mentioned.

X. And as to the said Sum of fifty-eight thousand Pounds by this Act appropriated on Account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company, that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

Rules to be observed in the Application of the Half-pay. *See* 27 *Geo.* 2. *c.* 10. § 14.

XI. 'And whereas by an Act of Parliament made and passed in the twenty-fifth Year of his Majesty's Reign intituled, *An Act for granting to his Majesty a certain Sum of Money therein mentioned out of the Sinking Fund, and for enabling his Majesty to raise a further Sum of Money therein also mentioned by Exchequer Bills, to be charged on the said Sinking Fund, for the Service of the Year one thousand seven hundred and fifty-two, and for the further appropriating the Supplies granted in this Session of Parliament*) several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several Uses and Purposes therein expressed; amongst which any Sum or Sums of Money not exceeding sixty thousand Pounds was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of sixty thousand Pounds, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or lost their Limbs in the late Wars, or such others as by reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act or the said former Act to the contrary notwithstanding.

25 Geo. 2. c 25.

Overplus of the last Year's Half-pay to be applied to such Objects of Charity as his Majesty shall direct.

XII. 'And whereas by an Act made in this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-three; and for enlarging the Time limited by an Act of the last Session of Parliament for subscribing Annuities after the Rate of three Pounds* per Centum per Annum, *into the Joint Stock of Annuities therein mentioned*, reciting that by an Act made in the last Session of Parliament, intituled, *An Act for converting the several Annuities therein mentioned into several Joint Stocks of Annuities transferrable at the Bank of* England, *to be charged on the Sinking Fund; and also for consolidating the several other Annuities therein mentioned into several Joint Stocks of Annuities transferrable at the* South-Sea *House*, Books were directed to be prepared for receiving the Subscription or Consent of such of the Proprietors of several Annuities after the Rate of three Pounds *per Centum per Annum*, as should subscribe the same into the Joint Stock of Annuities in the said Act described, at any Time between the twenty-fourth Day of *June* one thousand seven hundred and fifty-two and the fifth Day of *January* one thousand seven hundred and fifty-three inclusive, and no longer; and further reciting, that the greatest Part of the said Annuities had been subscribed accordingly, and that some of the Proprietors of such Part of the said Annuities as remained unsubscribed might be desirous that the Time for such Subscription should be enlarged, which would also be of Advantage to the Publick; it was enacted, That the Governor and Company of the Bank of *England* should cause such Books as had been prepared according to the Directions of the said Act, for receiving the Subscription of the Proprietors of the said Annuities into the said Joint Stock of Annuities, to be kept

26 Geo. 2. c. 1.

25 Geo. 2. c. 23.

'open at the Bank of *England* for that Purpose, in such manner as by the said Act made in the last Session 'of Parliament is directed, to the fifth Day of *April* one thousand seven hundred and fifty-three inclusive, 'being the Time limited by the said Act for the Subscription of other Annuities, after the Rate of three 'Pounds ten Shillings *per Centum per Annum*, and that such Proprietors of the said Annuities after the Rate 'of three Pounds *per Centum per Annum*, as had not subscribed the same into the said Joint Stock of An-'nuities, their respective Attornies, Representatives or Assigns, and all Persons authorized by the said Act 'to subscribe for them before the said fifth Day of *January* one thousand seven hundred and fifty-three, should 'have Power to make such Subscription without Fee or Charge, at any Time before the said fifth Day of '*April* one thousand seven hundred and fifty-three, and that such Subscription should be as valid and effec-'tual to all Intents and Purposes, as if the same had been made before the said fifth Day of *January* one thou-'sand seven hundred and fifty-three; And whereas although the greatest Part as well of the said An-'nuities, after the Rate of three Pounds *per Centum per Annum*, as of the said Annuities after the Rate 'of three Pounds ten Shillings *per Centum per Annum*, hath been subscribed, according to the Direction 'of the said Acts made in the last and in the present Session of Parliament, but Part thereof still remains 'unsubscribed: And whereas the enlarging of the Time for the Subscription of the said Annuities after 'the Rate of three Pounds ten Shillings *per Centum per Annum*, and the further enlarging of the Time for 'the Subscription of the said Annuities after the Rate of three Pounds *per Centum per Annum*, may be a Be-'nefit to such of the Proprietors of the said several Annuities as have not yet subscribed the same, and will 'also be of Advantage to the Publick;' Be it enacted by the Authority aforesaid, That the Governor and Company of the Bank of *England* shall cause such Books, as have been prepared according to the Direction of the said Act made in the last Session of Parliament, for receiving the Subscription of the Proprietors of the said several Annuities into the said several Joint Stocks of Annuities, to be kept open at the Bank of *England* for that Purpose, in such manner, as by the said Act is directed, to the tenth Day of *October* one thousand seven hundred and fifty-three, inclusive; and such Proprietors of the said several Annuities as have not already subscribed the same into the said several Joint Stocks of Annuities, their respective Attornies, Representatives or Assigns, and all Persons authorized by the said Act to subscribe for them, shall have Power to make such Subscription without Fee or Charge, at any Time before the said tenth Day of *October* one thousand seven hundred and fifty-three; and such Subscriptions shall be as valid and effectual to all Intents and Purposes, as if the same had been made before the said fifth Day of *January*, or fifth Day of *April* one thousand seven hundred and fifty-three; and that all such Proprietors of any Part of the said several Annuities remaining unsubscribed, as shall not before the said tenth Day of *October* one thousand seven hundred and fifty-three by themselves, or by their respective Attornies, Representatives or Assigns, or the Persons authorized by the said Act made in the last Session of Parliament, to subscribe for them, declare and signify, by subscribing in the same or other Books to be kept open at the Bank of *England* for this Purpose, under a proper Preface, their Names and Places of Abode, with other proper Additions, their Dissent to the converting their Annuities into the said respective Joint Stocks of Annuities in the said Act described, shall have the Benefit of the said Acts made in the last and present Session of Parliament, and of this present Act, in as full and ample Manner as if they had respectively subscribed their said Annuities pursuant to the Direction of either of the said Acts; and that the said Annuities, the respective Proprietors whereof shall not, on or before the said tenth Day of *October* one thousand seven hundred and fifty-three, so express such Dissent, shall from and after the said tenth Day of *October* one thousand seven hundred and fifty-three, be converted into the said respective Joint Stocks of Annuities in the said Act of the last Session of Parliament described.

Books to be kept open at the Bank to 10 Oct. 1753, for receiving the Subscriptions of the Proprietors of the unsubscribed Annuities.

Such of the Proprietors as shall not subscribe their dissent,

their Annuities to be consolidated.

CAP. XXIV.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers, Devisees and Lessees. EXP. Time granted to 1 *Jan.* 1754.

CAP. XXV.

An Act to render more effectual an Act made in the twelfth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea*, with regard to the making Experiments of Proposals made for discovering the Longitude; and to enlarge the Number of Commissioners for putting in Execution the said Act.

12 Ann. st. 2. c. 15.

'WHEREAS by an Act of Parliament made in the twelfth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for providing a publick Reward for such Person or Persons as shall dis-'cover the Longitude at Sea*, the Commissioners therein and thereby named and constituted, or any five or 'more of them, have full Power to hear and receive any Proposal or Proposals that shall be made to them 'for discovering the said Longitude; and in case the said Commissioners, or any five or more of them 'shall be so far satisfied of the Probability of any such Discovery, as to think it proper to make Expe-'riment thereof, they shall certify the same under their Hands and Seals to the Commissioners of the 'Navy for the Time being, together with the Persons Names who are Authors of such Proposals; and 'upon producing such Certificate, the said Commissioners are thereby authorized and required to make out 'a Bill or Bills for any such Sum or Sums of Money not exceeding two thousand Pounds, as the said 'Commissioners for the Discovery of the said Longitude, or any five or more of them, shall think 'necessary for making the Experiments, payable by the Treasurer of the Navy; which Sum or

'Sums

'Sums the Treasurer of the Navy is by the said Act required to pay immediately to such Person or Persons 'as shall be appointed by the Commissioners for Discovery of the said Longitude to make those Experi- 'ments, out of any Money that shall be in his Hands unapplied for the Use of the Navy: And whereas 'for a due and sufficient Encouragement to any such Person or Persons as shall discover a proper Method 'for finding the said Longitude, it is likewise enacted by the said Act, That the first Author or Authors, 'Discoverer or Discoverers of any such Method, his or their Executors, Administrators or Assigns, shall 'be intitled to and have such Reward, as in the said Act is particularly mentioned: And whereas by 'another Act of Parliament made in the fourteenth Year of the Reign of his present Majesty, intituled, 14 Geo. 2. c. 39. 'An Act for surveying the chief Ports and Head Lands on the Coasts of Great Britain and Ireland, and the Islands 'and Plantations thereto belonging, in order to the more exact Determination of the Longitude and Latitude 'thereof; reciting in Part the said Act of Parliament made in the twelfth Year of the Reign of her said late 'Majesty Queen *Anne*; and also reciting that it was absolutely necessary for making the Discovery useful 'at Sea, and for the Security of Ships approaching near the Shoars, that the chief Ports and Head Lands 'on the Coasts of *Great Britain* and *Ireland*, and the Islands and Plantations thereto belonging, should be 'first surveyed, and the Longitude and Latitude of such Places determined more exactly than had then 'been done; and likewise reciting that some Doubts had arisen, whether by the Words of the said Act of 'Parliament made in the twelfth Year of Queen *Anne*, the said Sum of two thousand Pounds appointed 'for making such Experiments, or any Part thereof, could be applied for such Survey, or fixing the Lon- 'gitude or Latitude of such Places, it was enacted by the said Act made in the fourteenth Year of the 'Reign of his present Majesty, That the said Commissioners for discovering the Longitude, or any five or 'more of them, should have full Power to apply such Part of the said Sum of two thousand Pounds men- 'tioned in the said first recited Act, as had not then been laid out in Experiments, as they should think 'necessary for the making such Survey, and determining the Longitude and Latitude of the chief Ports 'and Head Lands on the Coasts of *Great Britain* and *Ireland*, and the Islands and Plantations thereto 'belonging; and that such Sum or Sums, Part of the said two thousand Pounds, which the said Commis- 'sioners, or any five or more of them, should think necessary, should be paid immediately by the Trea- 'surer of the Navy to such Person or Persons as should be appointed by the said Commissioners for the 'Discovery of the Longitude to make such Survey, and determine such Longitude and Latitude, out of 'the Money that should be in the Hands of such Treasurer unapplied for the Use of the Navy: And 'whereas a competent Number of the said Commissioners for the Discovery of the said Longitude have '(by virtue of the Powers vested in them by the said Act made in the twelfth Year of the Reign of Queen '*Anne*) heard and received several Proposals made to them at different Times for discovering the said Lon- 'gitude, and were so far satisfied of the Probabilities of such Discoveries, that they thought it proper to 'make Experiments thereof, and accordingly certified the same from Time to Time to the Commissioners 'of the Navy for the Time being, together with the Name of Master *John Harrison*, who was Author of 'the said Proposals; whereupon Bills were made out for several Sums of Money, amounting in the Whole 'to one thousand two hundred and fifty Pounds, all which respective Sums were paid to the said *John Har- 'rison* by the Treasurer of the Navy, pursuant to the Directions of the said last-mentioned Act of Parlia- 'ment, as Parts of the said two thousand Pounds therein mentioned; which the said Commissioners for 'discovering the said Longitude thought necessary for making the said Experiments: And whereas a like 'competent Number of the said Commissioners for the Discovery of the said Longitude did (by virtue and 'in pursuance of the Powers vested in them by the said above-mentioned Acts of Parliament) 'appoint Master *William Whiston* to survey and determine the Longitude and Latitude of the chief Ports 'and Head Lands on the Coasts of *Great Britain* and *Ireland*, and the Islands and Plantations thereto be- 'longing; and did also apply the further Sum of five hundred Pounds (other Part of the said Sum of two 'thousand Pounds mentioned in the said Act made in the twelfth Year of the Reign of Queen *Anne*) which 'they thought necessary for the making such Survey, and determining the said last-mentioned Longitude 'and Latitude, and which said Sum of five hundred Pounds was paid to the said *William Whiston* accord- 'ingly by the Treasurer of the Navy: And whereas by reason of the several Payments made by the Trea- 'surer of the Navy to the said *John Harrison* and *William Whiston* respectively as aforesaid, amounting in 'the Whole to one thousand seven hundred and fifty Pounds, the said Commissioners for discovering the 'said Longitude have at present, by virtue of the said Acts of Parliament, Power only to apply the Sum of 'two hundred and fifty Pounds, and no more (being the Remainder of the said two thousand Pounds) 'towards making any further Experiments which they may think proper and necessary to be made, in order 'to discover the said Longitude: And whereas from the Experiments which have already been made in pur- 'suance of the Powers vested in the said Commissioners as aforesaid, there is great Reason to expect, that 'by continuing to encourage ingenious Persons to invent and make further Improvements and Experiments, 'in order to discover the said Longitude, such Discoveries may at length be produced, as will effectually 'answer that End, and thereby contribute very much to the Advantage of the Trade and Honour of this 'Kingdom;' Therefore for enabling the said Commissioners to cause such further Experiments to be made as they shall think proper for the Purposes aforesaid; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this pre- sent Parliament assembled, and by the Authority of the same, That the said Commissioners constituted by the said Act of Parliament made in the twelfth Year of the Reign of the late Queen *Anne*, for the Dis- covery of the Longitude at Sea, and for examining, trying and judging of all Proposals, Experiments and Improvements relating to the same, or any five or more of them, have full Power to hear and receive any Proposal or Proposals that have been or shall hereafter be made to them for discovering the said Longitude at Sea, and in case the said Commissioners, or any five or more of them, shall be so far satisfied of the Pro- bability

The Commissioners constituted by 12 Ann. c. 15. impowered to receive Proposals for discovering the Longitude, and where they think proper to make Experiments, they are to certify the

same, and the Author's Name, to the Commissioners of the Navy,

who are to make out a Bill for such a limited Sum as shall be thought necessary,

to be paid to the Person making the Experiment.

bability of any such Proposal or Discovery as to think it proper to make Experiment thereof, they shall certify the same under their Hands and Seals to the Commissioners of the Navy for the Time being, together with the Persons Names who shall be the Authors of such Proposals; and upon producing such Certificate, the said Commissioners of the Navy are hereby authorized and required to make out a Bill or Bills for any such Sum or Sums of Money not exceeding two thousand Pounds, over and above the aforesaid Sum of two hundred and fifty Pounds, being the Remainder of the two thousand Pounds mentioned in the said Act made in the twelfth Year of the Reign of the late Queen *Anne*, as the said Commissioners for the Discovery of the Longitude, or any five or more of them shall think necessary for making any Experiments in pursuance of this Act, or either of the said former Acts above-mentioned, payable by the Treasurer of the Navy; which Sum or Sums the Treasurer of the Navy for the Time being is hereby required to pay immediately to such Person or Persons as shall be appointed by the Commissioners for the Discovery of the said Longitude to make those Experiments, out of any Money that shall be in his the said Treasurer's Hands unapplied for the Use of the Navy.

Additional Commissioners appointed.

'II. And whereas many of the Commissioners appointed by the said Act made in the twelfth Year of 'the Reign of her late Majesty Queen *Anne* are deceased;' Be it therefore enacted by the Authority aforesaid, That the Governor of the Royal Hospital for Seamen at *Greenwich* for the Time being, the Judge of the High Court of Admiralty for the Time being, the Secretaries of the Treasury for the Time being, the Secretary of the Admiralty for the Time being, and the Comptroller of the Navy for the Time being, shall be, and they are hereby added to and joined with such of the Commissioners appointed by the said Act for discovering the Longitude as are surviving; and the said Persons hereby appointed Commissioners, shall and may act, to all Intents and Purposes, for putting in Execution the said former Acts and this present Act, as fully and effectually as if they had been appointed Commissioners by the said Act made in the twelfth Year of the Reign of her late Majesty Queen *Anne*.

See farther 2 Geo. 3. c. 18.

CAP. XXVI.

An Act to permit Persons professing the *Jewish* Religion to be naturalized by Parliament; and for other Purposes therein mentioned. REP.

7 Jac. 1. c. 2.

'WHEREAS by an Act made in the seventh Year of the Reign of King *James* the First, intituled, '*An Act that all such as are to be naturalized or restored in Blood, shall first receive the Sacrament of the 'Lord's Supper, and the Oath of Allegiance, and the Oath of Supremacy*; every Person who shall apply to be 'naturalized by Act of Parliament, being of the Age of eighteen Years or upwards, is required to receive 'the Sacrament of the Lord's Supper within one Month before the Bill for such Naturalization be exhi- 'bited, whereby many Persons of considerable Substance professing the *Jewish* Religion are prevented from 'being naturalized by Bill to be exhibited in Parliament for that Purpose: And whereas by an Act made in

13 Geo. 2. c. 7.

'the thirteenth Year of his present Majesty's Reign, intituled, *An Act for naturalizing such foreign Pro- 'testants, and others therein mentioned, as are settled, or shall settle in any of his Majesty's Colonies in* America, 'Persons professing the *Jewish* Religion who have inhabited and resided, or shall inhabit and reside for the 'Space of seven Years or more in any of his Majesty's Colonies in *America*, and shall not have been absent 'out of some of the said Colonies for a longer Space than two Months at any one Time during the said 'seven Years, are naturalized upon their complying with the Terms therein mentioned, without their 'receiving the Sacrament of the Lord's Supper;' Be it therefore enacted, *&c.*

"*Jews*, upon Application to Parliament, may be naturalized without taking the Sacrament. Clause to "be inserted in every Bill, subjecting the Person to the Disabilities expressed in 1 *Geo.* 1. *c.* 4. No Person "to be naturalized who has not resided in *Great Britain* or *Ireland* for three Years, without being absent "more than three Months at one Time, and who shall not bring Proof of his having professed the *Jewish* "Religion for three Years before. *Jews* disabled from purchasing or inheriting any Advowson or Right of "Patronage, *&c.* Repealed 27 *Geo.* 2. *c.* 1."

CAP. XXVII.

An Act to confirm certain Acts and Orders made by Justices of the Peace being of the *Quorum*, notwithstanding any Defect in not expressing therein that such Justices of the Peace are of the *Quorum*.

'WHEREAS Authority is given by divers Acts of Parliament to two or more Justices of the Peace, 'whereof one or more are to be of the *Quorum*: And whereas divers Acts, Orders, Adjudications, 'Warrants, Confirmations of Indentures, and other Instruments done, made and executed, by two or more 'Justices of the Peace, without expressing that they are, or that one of them is, of the *Quorum*, have been, 'and may be, for that Reason only impeached, set aside and vacated;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* in the Year one thousand seven hundred and fifty-three, no Act, Order, Adjudication, Warrant, Indenture of Apprenticeship, or other Instrument already made, done or executed, or hereafter to be made, done or executed, by two or more Justices of the Peace, which doth not express that one or more of the Justices is or are of the *Quorum*, shall be impeached, set aside or vacated, for that Defect only; any Law, Statute or Usage to the contrary notwithstanding.

No Act or Order of two or more Justices to be vacated for Defect only, in not expressing that one or more of such Justices are of the Quorum.

Concerning Justices of the Peace see farther 27 Geo. 2. c. 16 & 20. 1 Geo. 3. c. 13.

CAP.

CAP. XXVIII.

An Act for the preventing of the Inconveniencies and Dangers that may arise from the present Methods of digging Gravel, Sand, Stone, Chalk, and other Materials, on the several Commons and Waste Grounds within this Kingdom, for the Repair of the Highways, and for other Purposes.

For former Laws refer to 13 *Ed.* 1. *st.* 2. *c.* 5. 2 & 3 *P. & M. c.* 8. 5 *El. c.* 13. 20 *El. c.* 5. 13 & 14 *Car.* 2. *c.* 6.

22 *Car.* 2. *c.* 12. 3 *W. & M. c.* 12. 7 *W.* 3. *c.* 29. 8 & 9 *W.* 3. *c.* 16. 7 *Geo.* 2. *c.* 9. 8 *Geo.* 2. *c.* 20. 14 *Geo.* 2. *c.* 42. 24 *Geo.* 2. *c.* 43.

'WHEREAS it is become a common Practice to get Materials out of Commons, Heaths and Waste Grounds, for the Repairs of the Highways of this Kingdom, and for other Purposes, and to leave the Pits and Holes thereby occasioned open and dangerous:' For Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-three, if any Person or Persons shall by reason of getting any Gravel, Sand, Stones or Chalk, or other Materials, for repairing any Highway, or for any other Purpose whatsoever, make or cause to be made any Pit or Hole in any Common, Heath or Waste Ground, such Person or Persons shall forthwith cause the same to be sufficiently fenced off during such Time as the said Pit or Hole shall be continued open; and shall within fourteen Days after digging for such Materials in such Pit or Hole, cause the same to be filled up, sloped down or fenced off, and so continued; and in case such Person or Persons shall not fill up, slope down or fence off the same within the said Time, and keep the said Fence from Time to Time in good Repair, it shall and may be lawful for any one or more Justice or Justices of the Peace, upon his or their View, or upon the Information of any one or more Witness or Witnesses, to order the Person or Persons making or causing to be made such Pit or Hole, to fill up, properly slope down, or fence off the same; and in Cases where any Fence shall be set up, to order the same to be repaired from Time to Time, as Occasion shall require; and in case such Person or Persons shall refuse or neglect to comply with such Order within ten Days after the Receipt thereof, or the same being left at his or their usual Place or Places of Abode, and due Proof being made upon Oath, before any one or more Justice or Justices of the Peace, of the Offence committed, of the Service of such Order, and of the Refusal or Neglect to comply therewith, which Oath the said Justice or Justices is and are hereby impowered to administer, such Person or Persons shall forfeit and pay any Sum not exceeding ten Pounds, nor less than forty Shillings, to be laid out and applied in the filling up, sloping down or fencing off such Hole or Pit, and towards the Repair of the Roads in the Parish or Place where the Offence shall be committed, and in such Manner as the said Justice or Justices shall direct and appoint; which Forfeiture, in case the same be not forthwith paid, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices of the Peace, rendering the Overplus (if any be) to the Person or Persons whose Goods and Chattels shall be so distrained and sold, the Charges of such Distress and Sale being first deducted.

Gravel Pits, &c. to be fenced during the Time the same shall be kept open;

and within 14 Days after to be filled up, sloped down or fenced off;

and on Neglect Justice to make Order concerning the same,

and on Refusal to comply therewith, the Party to forfeit not more than 10 *l.* nor less than 40 *s.*

to be applied in filling up the Pits, &c. and Repair of the Roads;

and to be levied by Distress and Sale.

Concerning Highways see farther chap. 30; *and likewise* 28 *Geo.* 2. *c.* 17. 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

CAP. XXIX.

An Act to explain, amend and continue the Provisions made by two Acts of Parliament of the nineteenth and twenty-first Years of his Majesty's Reign, for the more effectual disarming the Highlands in *Scotland*, and to make Provision for the more speedy ascertaining the lawful Debts or Claims upon the Lands and Hereditaments that some Time belonged to *Alexander Robertson* of *Strowan*, which, with other forfeited Estates, are by an Act of the twenty-fifth Year of his Majesty's Reign annexed to the Crown unalienable.

'WHEREAS by an Act made in the first Year of the Reign of his late Majesty King *George* the First, of glorious Memory, intituled, *An Act for the more effectual securing the Peace in the Highlands of* Scotland, it was enacted, That the Inhabitants within the Bounds and Shires therein mentioned should be disarmed from and after the first Day of *November* which was in the Year of our Lord one thousand seven hundred and sixteen: And whereas by an Act made in the nineteenth Year of his present Majesty's Reign, intituled, *An Act for the more effectual disarming the Highlands in* Scotland; *and for more effectually securing the Peace of the said Highlands*; *and for restraining the Use of the Highland Dress*; *and for further indemnifying such Persons as have acted in Defence of his Majesty's Person and Government during the Unnatural Rebellion*; *and for indemnifying the Judges and other Officers of the Court of Justiciary in* Scotland, *for not performing the Northern Circuit in* May *one thousand seven hundred and forty-six*; *and for obliging the Masters and Teachers of private Schools in* Scotland, *and Chaplains, Tutors and Governors of Children or Youth, to take the Oaths to his Majesty, his Heirs or Successors, and to register the same*; further Provisions were made for the more effectual disarming the Highlands in *Scotland*, or the Inhabitants of the said Bounds and Shires, which Provisions were to continue in force for seven Years from and after the first Day of

1 Geo. 1. c. 54.

19 Geo. 2. c. 39.

'*August* one thousand seven hundred and forty-six, and from thence to the End of the next Session of Parliament, and no longer: And whereas by an Act made in the twenty-first Year of his present Majesty's Reign, (intituled, *An Act to amend and enforce so much of an Act made in the nineteenth Year of his Majesty's Reign as relates to the more effectual disarming the Highlands in* Scotland, *and restraining the Use of the Highland Dress; and to Masters and Teachers of private Schools and Chaplains; and to explain a Clause in another Act made in the same Year relating to Letters of Orders of Episcopal Ministers in* Scotland; *and to oblige Persons allowed to carry Arms, and the Directors of the Bank there, and certain Persons belonging to or practising in the Courts of Session and Justiciary to take the Oaths; and to repeal some Clauses in an Act made in the first Year of the Reign of his late Majesty King* George *the First, whereby certain Encouragements are given to Landlords and Tenants in* Scotland, *who should continue in their Duty and Loyalty to his said late Majesty; and for other Purposes therein mentioned*; further Provisions were made to amend and enforce so much of the Act made in the nineteenth Year of his Majesty's Reign, as relates to the more effectual disarming the Highlands in *Scotland*, or the said Bounds and Shires: And whereas it may be necessary or expedient for the publick Welfare, that the Provisions made by the Acts of the nineteenth and twenty-first of his Majesty's Reign should be continued;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Acts of the nineteenth and twenty-first of his Majesty's Reign, as relates to the more effectual disarming the Highlands in *Scotland*, shall be further continued and remain in full Force for the Term of seven Years, from and after the first Day of *August* one thousand seven hundred and fifty-three, and from thence to the End of the then next Session of Parliament.

21 Geo. 2. c. 34.

So much of the recited Acts as relates to the more effectual disarming the Highlands in Scotland, further continued for 7 Years.

'II. And whereas a Doubt hath been entertained with respect to certain Bounds within the Shire of *Stirling*, that were intended to be disarmed by all or any of the said recited Acts;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-three, all and every the Parts or Places of the Shire of *Stirling*, lying or being on the North or North-west Side of an imaginary straight Line from the Place called *Ballamachall* upon *Loch Loman*, in the Parish of *Buchanan*, to the Kirk or Bridge of *Aberfoyl* upon the River of *Forth*, shall be subject to all and every the Provisions made by the said recited Acts of the first of his late Majesty, and of the nineteenth and twenty-first of his present Majesty, and by this present Act, in the same Manner as if the Boundary herein described had been mentioned or inserted in the said several former Acts relating to the disarming the Highlands in *Scotland*.

Shire of Stirling subject to the Provisions for disarming the Highlands.

'III. And whereas by an Act made in the twenty-fifth Year of his present Majesty's Reign, (intituled, *An Act for annexing certain forfeited Estates in* Scotland *to the Crown unalienably, and for making Satisfaction to the lawful Creditors thereupon, and to establish a Method of managing the same, and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of* Scotland, *and preventing Disorders there for the future)* it is among other Things enacted, That the Barony of *Strowan*, and other the Lands, Tenements and Hereditaments which formerly belonged to *Alexander Robertson* of *Strowan*, and became forfeited to the Crown by Decree or Sentence of Forfeiture passed in the Parliament of *Scotland* in the Year one thousand six hundred and ninety, be and the same are thereby annexed to the Imperial Crown of this Realm, and declared to be and remain for ever unalienable from the same, and that the lawful Debts thereon shall be paid in the same Manner as is provided concerning the Lands and Premisses in the said Act mentioned: And whereas by an Act made in the twentieth Year of his present Majesty's Reign, intituled, *An Act for vesting in his Majesty the Estates of certain Traitours, and for more effectually discovering the same, and applying the Produce thereof to the Use of his Majesty, and for ascertaining and satisfying the lawful Debts and Claims thereupon*; sundry Provisions are made for the more effectual and speedy ascertaining the lawful Debts and Claims upon the forfeited Estates which are thereby vested in his Majesty, of which the said Barony of *Strowan* and other Lands and Hereditaments which formerly belonged to *Alexander Robertson* of *Strowan* are no Part: And whereas it is necessary or expedient to make some further Provision for the more speedy and effectual ascertaining the lawful Debts and Claims upon the said Barony of *Strowan* and other Hereditaments which formerly belonged to *Alexander Robertson* of *Strowan*:' Be it therefore enacted by the Authority aforesaid, That all and every Person or Persons whatsoever, Bodies Politick and Corporate, having any lawful Claim to, upon or out of the said Barony or other Estates of *Strowan* before-mentioned, shall on or before the first Day of *December* next to come, enter and present before the Court of Session in *Scotland* his, her or their Claims or Demands; or in default thereof, every such Debt, Claim or Demand, shall be and is hereby declared to be null and void to all Intents and Purposes whatsoever: And all such Claims and Demands shall be made and entered, tried and determined in the Manner and according to the Rules and Provisions made in the said Act of the twentieth Year of his Majesty's Reign, concerning the Debts and Claims upon the Estates thereby vested in his Majesty, as if the said Directions, Rules and Provisions, had been herein at length repeated; any Law, Statute or Usage to the contrary in any wise notwithstanding.

25 Geo. 2. c. 41.

20 Geo. 2. c. 41.

Claims upon the Barony or other Estates of Strowan to be entered in the Court of Session on or before 1 December next, and in Default thereof to be void.

CAP.

CAP. XXX.

An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto.

For former Laws refer to 13 *Ed.* 1. *st.* 2. *c.* 5. 2 & 3 *P. & M. c.* 8. 5 *El. c.* 13. 29 *El. c.* 5. 13 & 14 *Car.* 2. *c.* 6. 22 *Car.* 2. *c.* 12. 3 *W. & M. c.* 12. 7 *W.* 3. *c.* 29. 8 & 9 *W.* 3. *c.* 16. 7 *Geo.* 2. *c.* 9. 8 *Geo.* 2. *c.* 20. 14 *Geo.* 2. *c.* 42. 21 *Geo.* 2. *c.* 28. 24 *Geo.* 2. *c.* 43. 26 *Geo.* 2 *c.* 28.

'WHEREAS by the great Number of Waggons and other Wheel Carriages passing, travelling and used in and upon the publick Highways and Turnpike Roads of this Kingdom, and the excessive Weights and Burdens loaded and carried in and upon the same, and the small Breadth and narrow Dimensions of the Fellies of the Wheels of such Waggons and other Carriages respectively, great Part of the said Highways and Roads are become ruinous, and almost impassable, and unless a speedy Remedy be had in the Premisses, all the Provisions made by Law for amending the Highways and Roads, and for maintaining and keeping the same in Repair, will in great measure be rendered ineffectual, and the Trade and Commerce of this Kingdom be thereby greatly prejudiced and obstructed:' Wherefore for remedying and preventing the said Mischiefs and Inconveniencies for the future; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-four, it shall not be lawful for any Waggon, Wain, Cart or Wheel Carriage whatsoever, (other than and except as herein after mentioned) to travel, pass or be drawn upon any Turnpike Road, unless the Fellies of the Wheels of every such Waggon, Wain, Cart or Wheel Carriage respectively, be of the Breadth or Gage of nine Inches from Side to Side, at the least: And every Owner or Owners of such Waggon, Wain, Cart or Wheel Carriage driven, drawn or conveyed in or upon any Turnpike Road, contrary to the Directions, Tenor and true Meaning of this Act, shall for every such Offence forfeit and pay the Sum of five Pounds, to be recovered and applied in such Manner as herein after mentioned; or otherwise shall forfeit and lose any one of the Horses or Beasts of Draught drawing such Waggon, Cart or Wheel Carriage, not being the Shaft or Thill-horse, together with all Geers, Bridles, Halters and Accoutrements to such Horse or Beast of Draught respectively belonging, to the sole Use and Benefit of the Person or Persons who shall seize or distrain the same.

The Fellies of the Wheels of Waggons travelling on Turnpike Roads to be 9 Inches broad, under Penalty of 5 *l.* or Forfeiture of one of the Horses, &c.

II. And it is hereby enacted and declared, That the Person or Persons making such Seizure or Distress as aforesaid, shall deliver the Horse, Beast and Things so seized and distrained, into the Custody of the Constable, or some other Parish Officer, of any Town, Parish or Place, in or near the Place where such Seizure or Distress shall be made; and every such Constable or Parish Officer respectively is and are hereby required to take and receive the same into his and their Custody, and safely keep the same, till the Person or Persons making such Seizure or Distress shall make Proof, upon Oath, before some Justice or Justices of the Peace, of the Offence committed; and the said Justice or Justices before whom such Proof shall be made, is and are hereby required to issue his or their Precept to such Constable or Parish Officer immediately, to deliver the Horse, Beast and other Things so forfeited, to the Party or Parties who seized or distrained the same, to and for his and their own Use and Benefit, paying such reasonable Charges for keeping and securing the same as such Justice or Justices shall allow or direct; but in case no such Proof shall be made within three Days next after such Seizure or Distress, that then such Horse, Beast or other Thing seized or distrained, shall be returned back to the Owner or Owners thereof, such Owner or Owners paying reasonable Charges for keeping and securing the same.

the Distress to be delivered to the Constable, who is to take Charge thereof till Proof be made of the Offence; and the Justice to issue his Precept for the Delivery. If Proof be not made within 3 Days, the Distress to be returned.

III. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any Chaise Marine, or to any Coach, Landau, Berlin, Chaise or Calash; nor shall any Thing extend, or be construed to extend, to any Waggon drawn by less than five Horses or Beasts of Draught; or to any Wain, Cart or other two Wheel Carriages, drawn by less than four Horses or Beasts of Draught; or to any Waggon, Wain, Cart or other Wheel Carriage, drawn by Oxen or neat Cattle only.

Carriages exempted.

IV. Provided always, and it is hereby enacted and declared, That from and immediately after the passing this Act, it shall and may be lawful to and for any Carriage loaden with or carrying one Tree or Piece of Timber, or one Stone or Block of Marble only, having the Fellies of the Wheels thereof of the Breadth or Gage of nine Inches or upwards, to travel, pass or be driven in or upon any Turnpike Road with any Number of Horses or Beasts of Draught; and also for any Waggon, or other four Wheel Carriage, having the Fellies of the Wheels thereof of such Breadth or Gage as aforesaid, to travel, pass or be driven upon any Turnpike Road as aforesaid, with any Number of Horses or Beasts of Draught not exceeding eight; and for any Cart, or other two Wheel Carriage, having the Fellies of the Wheels thereof of such Breadth or Gage as aforesaid, with any Number of Horses or Beasts of Draught not exceeding five, without being subject and liable to be weighed at any Crane, Machine or Engine, or to the additional Toll of twenty Shillings, granted and made payable for every Waggon or other Carriage drawn by six Horses, in and by an Act passed in the twenty-fourth Year of the Reign of his present Majesty, intituled, *An Act for the more effectual Preservation of the Turnpike Roads in that Part of* Great Britain *called* England; *and for the Disposition of Penalties given by Acts of Parliament, relating to the Highways in that Part of* Great Britain *called* England; *and for enforcing the Recovery thereof; and for the more effectual preventing Mischiefs occasioned by the Drivers riding upon Carts, Drays, Cars and Waggons, in the City of* London, *and within ten Miles thereof*; notwithstanding any Thing contained in the said last-mentioned Act, or any other Law or Statute to the contrary.

Carriages laden with 1 Tree, or a Block, having the Fellies 9 Inches broad, may be drawn with any Number of Horses; and other four Wheel Carriages with any Number not exceeding 8; and Carts with any Number not exceeding 5; without being liable to be weighed, 24 Geo. 2. c. 43.

V. Provided always, and it is hereby further declared and enacted, That it shall and may be lawful for any Waggon, Wain, Cart or other Carriage, having the Fellies of the Wheels thereof of such Breadth or Gage as aforesaid, to travel, pass or be driven upon any Turnpike Road, without being subject or liable to forfeit and lose any one of the Horses drawing the same, together with the Geers, Bridles and Halters there-

or without being liable to forfeit any of the Horses, by 5 Geo. 1. c. 6.

with uſed; any Thing contained in an Act paſſed in the ſixth Year of the Reign of his late Majeſty King *George*, intituled, *An Act for preventing the Carriage of exceſſive Loads of Meal, Malt, Bricks and Coals, within ten Miles of the Cities of* London *and* Weſtminſter, to the contrary thereof notwithſtanding.

Waggons, &c. with broad Wheels may be drawn with any Number of Horſes not exceeding 8; and Carts, &c. with any Number not exceeding 5.

VI. And to encourage all Perſons to uſe broad Wheels, in order to preſerve all the Highways of this Kingdom in good Repair; Be it further enacted, That from and immediately after the paſſing of this Act, it ſhall and may be lawful for any Waggon or other four Wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gage of nine Inches, or upwards, to travel, paſs or be driven on any Highway within *Great Britain*, with any Number of Horſes or Beaſts of Draught not exceeding eight; and for any Cart or other two Wheel Carriage, having the like Wheels, with any Number of Horſes or Beaſts of Draught not exceeding five, without being ſubject to any Penalties or Forfeitures for cauſing the ſame to travel, paſs or be driven by a greater Number of Horſes or Beaſts of Draught than are now allowed by Law; any Thing contained in any Statute to the contrary notwithſtanding.

Truſtees for the Roads to leſſen the extraordinary Tolls on Carriages with broad Wheels drawn by more than a certain Number of Horſes;

'VII. And whereas in and by ſeveral Acts of Parliament made and paſſed for amending and repairing 'particular Highways and Roads within this Kingdom, ſeveral high and extraordinary Tolls and Duties are 'granted and directed to be levied and paid for Waggons and other Wheel Carriages drawn by more than a 'certain Number of Horſes or Beaſts of Draught therein reſpectively mentioned, with an Intent in effect to 'prohibit the Paſſage of ſuch Carriages, and thereby the better to preſerve the ſaid Roads:' Now it is hereby further enacted, That it ſhall and may be lawful to and for the Truſtees appointed or to be appointed in or by virtue of any Act of Parliament now in force, or now depending in Parliament reſpectively, for repairing and amending ſuch particular Highways or Roads as aforeſaid, or any nine or more of ſuch Truſtees reſpectively within their reſpective Diſtricts; and they are hereby authorized and required to mitigate, leſſen and reduce the ſaid high and extraordinary Tolls and Duties for or in reſpect of ſuch Waggons or other Wheel Carriages only, having Wheels of the Breadth or Gage herein before preſcribed, in ſuch manner as no greater Toll or Duty be demanded or taken for the ſame than is provided and directed by the ſaid Acts reſpectively to be paid and taken for Waggons and other four Wheel Carriages drawn by five or four Horſes or Beaſts of Draught; and the ſaid Truſtees within their ſeveral Diſtricts, or any nine or more of them reſpectively, are hereby authorized and required to give Directions in Writing to the ſeveral Collectors within ſuch their reſpective Diſtricts, to take and receive ſuch Tolls or Duties, and no other; any Law or Statute to the contrary notwithſtanding.

Truſtees for the Roads to meet, and to order the Surveyors to cauſe all the Ruts, &c. to be levelled, and the Roads to be widened where neceſſary, on or before 29 Sept. 1754.

VIII. And for the facilitating and more ſpeedy accompliſhing and effecting the good Ends and Purpoſes intended by this preſent Act, it is hereby further enacted by the Authority aforeſaid, That the ſeveral Truſtees appointed by any Act or Acts of Parliament for the ſurveying, ordering, amending and keeping in Repair the ſeveral Turnpike Roads of this Kingdom, or any five or more of them reſpectively, ſhall and may, and they are hereby authorized and required to meet from Time to Time, as there ſhall be Occaſion, at ſome convenient Place within their reſpective Diſtricts, ſome Time on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-four, and to cauſe Notice of ſuch Meetings reſpectively to be affixed in Writing on the ſeveral Toll-gates within their ſaid ſeveral Diſtricts at leaſt ten Days before ſuch Meeting: And the ſaid Truſtees reſpectively, or any five or more of them at ſuch their Meetings, are hereby authorized and required, by Writing under their Hands, to order and direct their Surveyor or Surveyors of the ſaid Turnpike Roads reſpectively to cauſe all the Rutts and Wheel Tracks in the ſaid Roads to be beat down, thrown in and levelled; and the ſaid Roads to be widened where it ſhall be neceſſary, on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-four.

Charges to be paid out of the Tolls.

IX. And it is hereby enacted and declared, That the Charges and Expences of ſuch Work ſo to be ordered and directed, ſhall be paid and defrayed out of the Tolls and Duties ariſing or to be raiſed by virtue or upon the Credit of the ſaid ſeveral Acts made for repairing the ſaid Roads reſpectively.

Surveyors to cauſe the Rutts, &c. to be beat down between different Turnpike Roads.

Perſons refuſing to do their Statute work thereon, to bear their Proportion of the Charge,

Juſtices to impower the Surveyors to levy the ſame.

X. And it is hereby further enacted, That the Surveyors of the Highways of the ſeveral Pariſhes, Townſhips and Places, wherein any Highway or Road intervening between and communicating with two different Turnpike Roads doth reſpectively lie, do and ſhall, and they are hereby authorized and required to cauſe all the Ruts and Wheel Tracks in ſuch intervening Roads reſpectively, to be beat down, thrown in, and levelled as aforeſaid, on or before the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-four: And in caſe any Perſon or Perſons liable to and chargeable with the repairing the Highways within any of the ſaid Pariſhes, Townſhips or Places reſpectively, ſhall neglect or refuſe to do and perform his and their Statute-work in and upon the ſame, at ſuch Times and in ſuch Manner as the ſaid Surveyor or Surveyors reſpectively ſhall direct or appoint, or ſhall refuſe to pay and contribute his or their Proportion of the Charges and Expences of the ſame; then and in ſuch Caſe it ſhall and may be lawful to and for any two or more Juſtices of the Peace of the County, Riding, Liberty or Place, where ſuch intervening Roads do lie, upon Complaint to them made upon Oath of ſuch Neglect or Refuſal, by Warrant under their Hands and Seals to authorize and impower the Surveyor or Surveyors of the Highways to raiſe and levy ſuch Proportions of the Charges and Expences of the ſaid Works of and from the Perſon and Perſons ſo refuſing, and to enforce the Payment thereof by ſuch Ways and Means, and in ſuch Manner, as the Rates and Aſſeſſments for repairing the Highways in this Kingdom are by Law to be raiſed, levied and enforced.

The Truſtees may order the Fellies of the Wheels of Waggons, &c. to be meaſured at any Turnpike;

XI. And, for the better diſcovering and detecting the Offenders againſt this Act, it is hereby further enacted, That it ſhall and may be lawful to and for all Truſtees appointed or to be appointed by any Act or Acts of Parliament made or to be made for the repairing or amending any Highway or Highways within this Kingdom, or any two or more of them, and they are hereby authorized and required, by Writing under their Hands, to order the Fellies of the Wheels of all Waggons, Wains, Carts or other Carriages, which are or ought to be of the Breadth or Gage herein before directed and preſcribed, to be meaſured and gaged at

at any Turnpike or Toll-gate erected or to be erected upon any Part of the Highway or Road in or upon which such Waggon, Wain, Cart or Carriage respectively shall travel, pass or be drawn.

XII. Provided always, That in case it shall appear to the Satisfaction of the Surveyor or Surveyors, Gate-keeper or Gate-keepers of any Turnpike Road, that the Fellies of the Wheels of any Waggon or Wheel Carriage, travelling or passing upon any such Turnpike Road were originally and when first made of the Breadth of nine Inches, and by long Usage and Wearing shall have been reduced to, and become of less Breadth or Gage; then, and in such Case, it shall and may be lawful for such Waggon or Wheel Carriage to travel, pass or be drawn upon, any such Turnpike Road, so as the Fellies of all the Wheels thereof, respectively, be of the full Breadth of eight Inches at least; and the Owner or Owners of such Waggon or Wheel Carriage shall not in such case be subject or liable to the Penalties herein before inflicted and directed to be levied for driving or causing to be drawn, Waggons and Carriages, the Fellies of the Wheels whereof are under the Breadth or Gage of nine Inches as aforesaid; any Thing herein contained to the contrary notwithstanding. and where the same shall appear to have been originally 9 Inches broad, and by Use reduced to not less than 8, they are exempted from the Penalty.

XIII. And it is hereby further enacted and declared, That if any Person or Persons shall hinder, or attempt to prevent or obstruct the measuring or gaging the Fellies of such Wheels, or the seizing or distraining of any Horse or Beast of Draught hereby directed to be forfeited, for the Offences herein before-mentioned, or shall use any Violence to any Person or Persons employed or concerned in such measuring, gaging, seizing or distraining, as aforesaid, every Person so offending shall, for every such Offence, forfeit and pay the Sum of ten Pounds. Penalty of obstructing the measuring the Fellies, or making Distress.

XIV. And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall, after the said twenty-ninth Day of *September*, drive, or act as the Driver or Drivers of any Waggon, Wain, Cart or Carriage, not having Wheels thereto, according to the Direction and true Intent and Meaning of this Act, or drawn with more than the Number of Horses hereby respectively appointed (except as herein before is excepted) upon any Turnpike Road, that then and in every such Case, it shall and may be lawful to and for the Constable, Tythingman, or Surveyor of the Highways, or any other Inhabitant of the Parish or Place where the Offence shall be committed, and to and for the Surveyor or Surveyors of the said Turnpike Road, and to and for any Person or Persons to be appointed by the Trustees, or any five or more of them, to apprehend and take, or cause to be apprehended and taken, such Person or Persons so driving or acting as Driver or Drivers as aforesaid, before one or more Justice or Justices of the Peace for the County, Riding or Division, where the said Offence shall be committed, and upon Conviction thereof, either by the Confession of the Party, or by the Oath of one or more credible Witness or Witnesses, before such Justice or Justices of the Peace (which Oath the said Justice or Justices are hereby impowered and required to administer) every such Person or Persons so offending shall respectively forfeit and pay for every such Offence the Sum of five Pounds, to be laid out, applied and recovered, in such manner as other Penalties hereby imposed are hereby directed and appointed to be recovered and applied; and in case the Person or Persons so offending and convicted, shall have no Goods and Chattels, whereon immediate Distress may be had and made for the same, then it shall and may be lawful to and for such Justice or Justices of the Peace, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit the Offender or Offenders to the House of Correction, there to remain for the Space of one Month, or until he or they shall have paid the said Sum of five Pounds. Where Waggons, &c. shall travel on Turnpike Roads with Wheels not of the Breadth required, or with more Horses, the Driver to be carried before a Justice, and to forfeit 5l. and for want of Distress to be committed.

XV. And it is hereby further enacted by the Authority aforesaid, That if any Owner or Owners of any Waggon, Wain or Cart, travelling for Hire, shall, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-four, drive, or cause to be driven, drawn or conveyed, such Waggon, Wain or Cart, in or upon any Turnpike Road, not having his and their Christian and Surnames, and Place of Abode, written or painted in large legible Letters upon the Tilt or other conspicuous Place of such Waggon, every Person so offending shall, for every such Offence, be subject and liable to such and the same Penalties and Forfeitures, as the Owners of Waggons or Carriages, having the Fellies of the Wheels thereof under the Breadth or Gage afore-mentioned, are made subject and liable by this Act; and if any Person or Persons shall so write or paint, or cause to be written or painted, any false or fictitious Name on such Waggon, Wain or Cart, as aforesaid, every Owner of such Waggon, Wain or Cart, publickly used on any Turnpike Road, as aforesaid, with such false or fictitious Name, shall for every such Offence forfeit and pay the Sum of fifty Pounds. Penalty on Owners of Waggons, &c. who shall not have their Names on the Tilt, &c. or using a false Name.

XVI. And be it further enacted, That the several Penalties and Forfeitures inflicted and directed to be forfeited and paid by this Act, and not hereby otherwise provided for, shall and may be recovered by any Person or Persons who shall sue, inform and prosecute for the same, either by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record at *Westminster*, with treble Costs of Suit; in which no Protection, Wager of Law or more than one Imparlance shall be allowed; or by a summary Way or Proceeding before any two or more Justices of the Peace for the County, Riding or Place where such Offence shall be committed, at the Option of the Person or Persons who shall prosecute for the same; and for which Purpose it shall and may be lawful to and for such Justices to hear and determine any of the Offences against this Act; and they are hereby authorised and required, upon any Information exhibited, or Complaint made in that Behalf within ten Days after such Offence committed, to summon the Party or Parties accused, and also the Witnesses on either Side; and in case the Party accused shall not appear upon such Summons, then, upon Oath made of the committing any of the Facts above-mentioned by one or more credible Witness or Witnesses, to issue a Warrant or Warrants for apprehending the Party offending, within the Jurisdiction of such Justices; and upon the Appearance, or Contempt of the Party accused in not appearing (upon Proof of Notice given) to proceed to the Examination of the Witness or Witnesses Penalties may be recovered by Action, &c. with treble Costs; or in a summary Way before two Justices. Method to be observed by the Justices on Complaint made of the said Offences,

nesses on Oath, and which such Justices are hereby authorized, impowered and required to administer, to give Judgment or Sentence accordingly; and where the Party accused shall be convicted of such Offence, either by the View of such Justices, or any of them, or upon such Information as aforesaid, or on Confession of the Party accused, to award and issue Warrants for the levying any pecuniary Penalties so adjudged, together with the Costs of such Prosecution, on the Goods of the Offender, and to cause Sale to be made thereof, in case they shall not be redeemed within five Days, rendering to the Party the Overplus (if any there be) and where Goods of such Offenders cannot be found, to commit such Offender to Prison, there to remain for the Space of three Months, or until such pecuniary Penalty or Penalties shall be paid; and if any Person or Persons shall find himself or themselves aggrieved, or remain unsatisfied in the Judgment of the said Justices, it shall and may be lawful to and for such Person and Persons to appeal to the Justices of the Peace at the next Quarter-Sessions for the County, City, Liberty or Place where the Matter in question shall arise; and the said Justices are hereby authorized and required to take Cognizance thereof, and to hear the Complaint or Complaints of the Person or Persons so aggrieved; so as such Person or Persons so complaining do give Notice in Writing of such his, her or their Intention to bring and prosecute any such Appeal, unto the Person and Persons complained of, at least fourteen Days before the Quarter-Sessions; and shall within five Days after such Notice given enter into a Recognizance with two sufficient Sureties, before one or more Justice or Justices of the Peace of and for such County, Riding, Liberty or Place where such Appeal shall lie, to try such Appeal at the Quarter-Sessions of the Peace to be held for such County, Riding, Liberty or Place next and immediately after such Notice given; and the said Justices, upon hearing the Matter of the said Complaint, or upon due Proof made to them of such Notice given by the Party or Parties complaining (although he or they shall not prosecute the said Appeal) shall and may, at their Discretions, mitigate the Penalties or Forfeitures incurred by the Party complaining, or vacate or set aside the Conviction or Convictions, or set the Party or Parties at Liberty, or otherwise may ratify and confirm the same, with such Costs, as to them shall seem reasonable; and also by their Order or Warrant to cause such Costs to be levied by Distress and Sale of the Goods of the Person so giving such Notice of Appeal as aforesaid; and for want of sufficient Distress to commit the Party or Parties to the common Gaol of the County, Riding, Liberty or Place wherein such Appeal shall be heard and determined, for any Time not exceeding two Months, or until Payment of such Costs shall be made; and if the Person ordered to pay such Costs shall happen to live in any County, Riding, Liberty or Place without the Jurisdiction of the said Court, it shall and may be lawful for any Justice of the Peace of the County, Riding, City, Liberty or Place wherein such Person shall inhabit, and every such Justice is hereby authorized and required, upon Request to him for that Purpose made, and upon a true Copy of the Order for Payment of such Costs produced and proved by some credible Witness upon Oath, by Warrant under his Hand and Seal, to cause the Money mentioned in that Order to be levied by Distress and Sale of the Goods of the Person ordered to pay the same; and if no sufficient Distress can or may be had, to commit such Person to the common Gaol of that County, Riding, City or Liberty for any Time not exceeding two Months, or until Payment of such Costs as aforesaid.

Persons aggrieved may appeal to the Quarter-Sessions.

Notice of Appeal to be given,

and Recognizance with Sureties to be entered into.

Person ordered to pay Costs living out of the Jurisdiction of the Court, Justice for the County, &c. may levy the same by Distress and Sale, &c.

XVII. And it is hereby further enacted and declared, That all the pecuniary Penalties and Forfeitures recovered and levied by virtue and in pursuance of this Act shall be paid, applied and disposed of in manner following; that is to say, one Moiety thereof to the Person or Persons who shall inform and sue for the same, and the other Moiety thereof to the Trustees for the repairing the Road where the said Offence shall be committed, or to such Person or Persons as they, or any five or more of them, shall by Writing under their Hands order, direct or appoint, in order that the same may be applied for and towards the repairing the said Road.

Application of the Forfeitures.

'XVIII. And whereas many wise Provisions have been made by several Acts of Parliament for punish-
'ing Offences committed upon the Turnpike Roads in this Kingdom, but the same have been so much
'neglected, that Offences against the said Laws are daily committed with Impunity for want of making it
'the Duty of proper Persons to take care that Prosecutions are effectually carried on against Offenders:'
To the end therefore that Offenders against the said Laws should not go unpunished, Be it enacted by the Authority aforesaid, That all the Laws made, or hereafter to be made by any Act or Acts of Parliament, whereby Toll-gates or Turnpikes are or shall be enacted to be made and erected for collecting Tolls for Amendment of any Roads, and all other Laws relating thereto, shall from henceforth be put in due Execution; and for that Purpose the Trustees impowered to act under the Authority of the said several Acts respectively, or any five or more of them, are hereby required at the next and other publick Meetings, from Time to Time, to make proper Rules and Orders for the more effectual putting the said Laws in Execution, and to appoint such Person or Persons as they shall think fit effectually to carry on Prosecutions for Offences committed against this Act, or any of the said Laws, within their respective Limits and Districts; and to give strict Charge and Commands to their Surveyor or Surveyors to be diligent in visiting frequently the said Roads, and in taking due Care to see and inquire if any Offence or Offences are or have been committed upon the said Roads respectively, and by whom the same hath or have been committed: And all the Officers belonging to the said Turnpike Roads respectively are hereby required, as often as any Offence or Offences against any of the said Laws shall come to his or their knowledge to have been committed upon the said Turnpike Roads within their respective Districts, to give immediate Notice thereof to some one of the Trustees of the said Roads, who shall forthwith procure a Meeting of the Trustees belonging to the said Roads, or any five or more of them, who shall give immediate Directions for prosecuting such Offences.

Laws relating to Turnpike Roads to be put in due Execution,

and the Trustees to make Orders for that Purpose.

and to appoint Persons to carry on Prosecutions.

Surveyors to give Notice of all Offences.

XIX. And

XIX. And be it enacted by the Authority aforesaid, That this Act shall be openly and publickly read in the Presence of the said Officers as often as there shall be a Meeting of the said Trustees, or any five or more of them: And if any such Officer shall be found to have been negligent in his Duty required by this Act, or to have omitted giving Notice as aforesaid, every such Officer shall be forthwith removed from his Office by the said Trustees respectively, or any five or more of them, and is hereby for ever after rendered incapable of holding any Office whatsoever under the said Trust.

Officer found negligent in his Duty, to be removed.

XX. And it is hereby further enacted, That no Person or Persons who shall keep any Victualling-house, Alehouse or other House of publick Entertainment, or who shall sell any Wine, Cyder, Beer, Ale, Spirituous or other strong Liquors by Retail, shall be capable of taking, holding or enjoying any Place or Places of Trust or Profit under the Trustees of any Act of Parliament made or to be made for erecting Turnpikes respectively, or of farming the Tolls thereby granted and made payable, during such Time as he shall keep such Victualling-house, Alehouse or other House of publick Entertainment, or shall sell any Wine, Cyder, Beer, Ale, Spirituous or other strong Liquors by Retail.

Victuallers disabled from holding any place of Trust under the Tolls; or of farming the same.

XXI. And be it enacted by the Authority aforesaid, That in case any Action or Prosecution shall be commenced and prosecuted in pursuance of this Act, under the Authority and by the Direction of the said Trustees, or any five of them, in every such Case the Trustees of such Turnpikes respectively, or any five or more of them shall, out of the Profits arising by the Tolls of such Turnpike Road, allow and pay to the Prosecutor so much as the Costs allowed by Law shall fall short of reimbursing him his just and reasonable Expences.

When the Trustees prosecute, the Charges to be paid out of the Tolls.

XXII. Provided, That nothing in this Act shall be construed to oblige the said Trustees to commence or prosecute, or cause to be commenced or prosecuted any Action or Proceeding for any such Offences, unless upon the Confession of the Offender, or that one or more Witness or Witnesses can be had and produced, to prove the Commission of such Offence.

Trustees not obliged to prosecute, unless upon Confession of the Offender, or one or more Witnesses produced.

XXIII. And it is hereby further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done or acted in pursuance of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within six Calendar Months next after the Fact committed, and not afterwards; and the same and every such Action or Suit shall be brought in the County, Riding or Place where the Person against whom such Action or Suit shall be commenced doth ordinarily inhabit and reside, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance of and by the Authority of this present Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time herein before limited for bringing the same, or be brought or laid in any other County or Place than as afore-mentioned, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action, after the Defendant or Defendants shall have appeared; or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for Recovery thereof, as any Defendant or Defendants hath or have in any other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs. *Amended by* 28 Geo. 2. c. 17.

And see further c. 34.

30 *Geo.* 2. *c.* 28. 31 *Geo.* 2.

CAP. XXXI.

An Act for regulating the Manner of licensing Alehouses in that Part of *Great Britain* called *England*; and for the more easy convicting Persons selling Ale and other Liquors without Licence.

For former Provisions refer to 5 *Ed.* 6. *c.* 25.

1 *Jac.* 1. *c.* 9. 4 *Jac.* 1. *c.* 4 & 5. 7 *Jac.* 1. *c.* 10. 21 *Jac.* 1. *c.* 7. 1 *Car.* 1. *c.* 4. 3 *Car.* 1. *c.* 3.

'WHEREAS the Laws concerning Alehouses, Inns and Victualling-houses, and the licensing thereof, are defective and insufficient for correcting and suppressing the Abuses and Disorders frequently done and committed therein, and also for the Conviction and due Punishment of Persons taking upon themselves to sell Ale, Beer or other Liquors by Retail without Licence;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon granting Licences by Justices of the Peace to any Person to keep an Alehouse, Inn, Victualling-house or to sell Ale, Beer and other Liquors by Retail, every such Person shall enter into a Recognizance to the King's Majesty, his Heirs and Successors, in the Sum of ten Pounds, with two sufficient Sureties, each in the Sum of five Pounds, or one sufficient Surety in the Sum of ten Pounds, under the usual Condition, for Maintenance of good Order and Rule within the same; and in case the Person applying for such Licence shall be hindered through Sickness or Infirmity, or any other reasonable Cause, to be allowed by the said Justices of the Peace to attend in Person at the Meetings of the same Justices for granting the said Licences, then that it shall and may be lawful for them to grant such Licence, upon two sufficient Sureties entering into such Recognizance, each in the Penalty of ten Pounds, for Performance of the Condition of the said Recognizance; which said Recognizance, with the Condition thereof, fairly written or printed, shall forthwith, or at the next General or Quarter-Session of the Peace at farthest, after granting such Licences, be sent or returned to the Clerks of the Peace, or Persons acting as such, for every County, Riding, City, Liberty or Town Corporate in that Part of *Great Britain* called *England*, wherein such Licences shall be granted, under the Hands of the Justices of the Peace before whom such Recognizances were taken, with

Justices licensing Alehouses, &c. to take Recognizance in the Sum of 10 l. for the Maintenance of good Order;

and to send the Recognizances to the Clerks of the Peace, on Penalty of 3 l. 6 s. 8 d.

to be by the said Clerks of the Peace, or such other Person acting as such, duly entered or filed amongst the Records of the Sessions of the Peace; and that for every such Licence granted without taking such Recognizance, and for every such Recognizance taken, and not sent or returned as aforesaid, every Justice of the Peace signing such Licence shall forfeit the Sum of three Pounds six Shillings and eight Pence.

Licences to be granted to none not licensed the Year preceding, unless such as shall produce Certificates of their good Fame.

II. And for the better preventing Disorders in Alehouses, be it further enacted, That no Licence to keep the same shall be granted to any Person not licensed the Year preceding, unless such Person produce at the General Meeting of the Justices in *September* a Certificate under the Hands of the Parson, Vicar or Curate, and the major Part of the Churchwardens and Overseers, or else of three or four reputable and substantial Householders and Inhabitants of the Parish or Place where such Alehouse is to be, setting forth that such Person is of good Fame and of sober Life and Conversation; and it shall be mentioned in such Licence, that such Certificate was produced, otherwise such Licence shall be null and void.

Licensed Person dying or removing, the Successor, upon obtaining such Certificate, may keep on the House for the Residue of the Term of the Licence, &c.

III. Provided nevertheless, That if any licensed Person shall die or remove from an Alehouse, it shall be lawful for the Person succeeding to such House to keep on the said Alehouse during the Residue of the Term of such Licence, on condition that within thirty Days after such Death or Removal such Person obtain such Certificate as aforesaid, to be signed by some neighbouring Justice, in order to its being produced at the next General Meeting in *September*; and if such Certificate be not so obtained and signed within the said thirty Days, then immediately from and after the Expiration thereof, such Licence shall be null and void; and no Licence shall intitle any Person to keep an Alehouse in any other Place than that in which it was first kept by virtue of such Licence, and such Licence, with regard to all other Places, shall be null and void.

2 Geo. 2. c. 28. §. 11.

'IV. Whereas by an Act made in the second Year of his present Majesty's Reign, intituled, *An Act to revive the Laws therein mentioned*; amongst other Things it was enacted, That no Licence shall be granted to any Person to keep a common Inn or Alehouse, or to retail any Brandy or strong Waters, but at a General Meeting of the Justices of the Peace acting in the Division where the said Person dwells, to be holden on the first Day of *September* yearly, or within twenty Days after; or at any other General Meeting of the said Justices to be holden for the Division wherein the said Person resides; which Regulation, by reason of the last-mentioned Provision, has been found by Experience not to have the Effect intended by the said Regulation;' Be it therefore enacted by the Authority aforesaid, That the last before-mentioned Provision shall be and is hereby repealed; and that from henceforth no Licence for the Purposes aforesaid shall be granted, but on the first Day of *September* yearly, or within twenty Days after; and that such Licence shall be made for one Year only, to commence on the twenty-ninth Day of the said *September*; and that the Day and Place for granting such Licences shall be appointed by two or more of the Justices acting for the Division, by a Warrant under their Hands and Seals, at least ten Days before such Meeting, directed to the High Constable or High Constables of the said Division, requiring him or them to order his or their respective Petty Constables or other Peace Officers, to give Notice to the several Innkeepers and Alehouse-keepers within their respective Constablewicks, of the Day and Place of such Meeting; and all Licences hereafter granted at any other Time or Place shall be null and void to all Intents and Purposes whatsoever.

Last Provision in the said Clause repealed.

Licenses to be granted on 1 Sep. or 20 Days after, and the same to be made but for 1 Year;

Notice to be given of the Time and Place for granting them.

Clerks of the Peace to deliver Copies of the Recognizances to the Justices at their General Meetings for granting Licences, yearly.

V. And be it further enacted, That the Clerks of the Peace shall keep a Register or Calendar of all the Recognizances so sent or returned, and shall deliver or cause to be delivered to the Justices of the Peace at their General Meetings in *September* every Year, for granting Licences in each Division or Place, a true Copy of such Register or Calendar; and that for every Recognizance there shall be paid by the Clerk or Clerks of the Justices taking such Recognizances to the said Clerks of the Peace, as their Fee for filing or recording the said Recognizance, and for making and delivering Copies of the said Register or Calendar thereof, as aforesaid, the Sum of one Shilling, and no more; which shall be paid to the Clerks of the said Justices by the Persons licensed, over and above the Fees payable to the said Justices Clerks.

Recovery of the Forfeitures for granting Licences without taking a Recognizance.

VI. And be it enacted by the Authority aforesaid, That the said Forfeitures for granting Licences, without taking Recognizances, shall and may be sued for and recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, for the Use of the Person or Persons who shall sue or prosecute for the same, together with Costs of Suit; wherein no Essoin, Wager of Law, or more than one Imparlance shall be allowed.

Where a Justice shall adjudge the Recognizance to be forfeited, he is to summon the Party to the Quarter-Sessions, &c.

VII. And be it farther enacted by the Authority aforesaid, That any Justice of the Peace of any County, Riding, City, Liberty or Town Corporate, wherein such Licence shall be granted, upon Complaint or Information that such licensed Person hath done or committed any Act, Offence or Misdemeanor, whereby in the Judgment of the same Justice such Recognizance may be forfeited, or the Condition thereof broken, may by Summons under his Hand and Seal require such Person so complained of, or informed against, to appear at the next General or Quarter-Session of the Peace for the said County, Riding, City, Liberty or Town Corporate, then and there to answer to the Matter of such Complaint or Information; and also may bind the Person or Persons who shall make such Complaint or Information, or any other Person or Persons, in a Recognizance to appear at such General or Quarter-Session, and give Evidence against such Person so complained of or informed against; and the Justices of the Peace in their General or Quarter-Sessions shall have Power to direct the Jury which shall attend at such Sessions for the Trial of Traverses, or some other Jury of twelve honest and substantial Men, to be then and there impanelled by the Sheriff, without Fee or Reward, to inquire of the Misdemeanor charged in the said Complaint or Information; and if such Jury shall find that the Person so complained of, or informed against, hath done any Act whereby the Condition of his Recognizance is broken, such Act being specified in such Complaint or Information, it shall and may be lawful for the Court at such General or Quarter-Sessions to adjudge such Person guilty of the Breach of such Recognizance; which Verdict and Adjudication shall be final to all Intents and Purposes; and thereupon

and the Jury finding him guilty, the Re-

thereupon the said Justices shall order the Recognizance entered into by such Offender to be estreated into his Majesty's Court of *Exchequer*, to be levied to his Majesty's Use; and that the said Person, the Condition of whose Recognizance shall be so adjudged to be broken and forfeited, shall, from and after such Adjudication, be utterly disabled to sell any Ale, Beer, Cyder, Perry, Spirituous Liquors or Strong Waters, for the Space of three Years; and any Licence or Licences granted or to be granted to such Person during such Term, shall be void, and of none Effect.

Recognizance is to be estreated,

and he is disabled from selling Beer, &c. for 3 Years.

VIII. Provided, That the said Justices may at the Request of the Prosecutor or Party so complained of, or informed against, or either of his or her Sureties, if they shall see just, adjourn the Hearing and Trial of the said Complaint or Information to the then next General or Quarter-Sessions of the Peace, where the same shall be finally determined.

Justices may adjourn the Trial to next Sessions.

'IX. And whereas many Persons presume to sell Ale, Beer, Cyder, Perry or other Liquors, without 'such Licence as is required by Law for selling the same; and it is difficult by reason of many Evasions 'that are made use of, and by some Defects in former Laws, to convict such Offenders;' Be it therefore enacted, That where any Justice of the Peace shall suspect that any Alehouse-keeper, Victualler or Retailer, sells Ale, Beer, Cyder or Perry, without such Licence, it shall and may be lawful for such Justice to call such suspected Person before him, and also any Excise Officer or Gauger, to produce before such Justice his Stock Book, or other Account which such Officer keeps, of the Charge or Survey of such suspected Person, in respect of any of the Liquors aforesaid; and likewise to examine such Excise Officer or Gauger upon Oath, touching the manner in which such Officer surveys or charges such suspected Person in respect of any of the Liquors aforesaid, or how or in what manner such suspected Person actually pays the Duties for any of the said Liquors; and if it shall appear by such Stock Book or other Account, or by the Examination of the said Officer or Gauger, that such Person so suspected of selling any of the Liquors aforesaid, is surveyed as a Victualler or Retailer, and is charged with the same Duties that Victuallers and Retailers, are usually charged with, and pay for any of the Liquors aforesaid, and is not intitled to the Allowance or Abatement given to common Brewers, then and in such Case such suspected Person shall be deemed an Alehouse-keeper, Victualler, Retailer or Seller of any of the Liquors aforesaid, to all Intents and Purposes, as if the same had been proved by two Witnesses.

Where a Justice shall suspect that any Victualler sells Ale, &c. without Licence, he may summon him, and the Officer who surveys him, and examine such Officer upon Oath.

X. And be it further enacted, That if any Person shall make Information before any one Justice of the Peace, and shew probable Cause that he suspects that any Person sells Ale, Beer or other Liquors without a Licence from two Justices, it shall and may be lawful to and for such Justice to call such suspected Person before him, and also to summon any other Person or Persons as Evidence, to prove the Charge against such suspected Person; and if such Person so summoned shall refuse to appear, or when appearing shall refuse to be examined upon Oath, and give Evidence as aforesaid, such Person or Persons shall forfeit the Sum of ten Pounds, to be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders, by Warrant under the Hand and Seal of such Justice, rendering to him or them the Overplus, after Charges of the said Distress and Sale deducted, to be paid to the Overseers for the Use of the Poor of the Parish or Place where such Person or Persons so offending shall live.

Justice upon Information that any Person is reasonably suspected of selling Ale, &c. without Licence, is to summon the Party and Evidence.

Persons summoned not appearing, forfeit 10 l.

XI. And be it further enacted, That if any Person shall be disabled by Conviction to sell Ale, Beer, Cyder or Perry, such Person shall by the same Conviction be also disabled to sell any Spirituous Liquors or Strong Waters, any Licence before obtained for that Purpose notwithstanding; and every Licence granted to the Person so convicted, to sell Ale, Beer, Cyder, Perry, Spirituous Liquors, Strong Waters, or any of them, from the Time of such Conviction shall be null and void; and every Person selling Ale, Beer, Cyder, Perry, Spirituous Liquors, Strong Waters, or any of them, during the Term of such Disability, shall be subject to all or such of the Penalties, as are respectively inflicted by Law for selling Ale, Beer, Cyder, Perry, Spirituous Liquors, Strong Waters, or any of them, by Retail without a Licence; and in all Prosecutions of such Offenders, a Certificate from the Clerk of the Peace (or Person acting as such) of any such Conviction, shall be legal Evidence; which Certificate such Clerk of the Peace or Person shall grant on Demand without Fee or Reward.

Persons disabled by Conviction to sell Ale, &c. disabled also from selling Spirituous Liquors, &c.

XII. And be it further enacted, That every Person so convicted of the Offence of selling Ale, Beer, or other Liquors, without a Licence from two Justices of the Peace, shall for every such first Offence, forfeit the Sum of forty Shillings; and for every such second Offence shall forfeit the Sum of four Pounds; and for every such third Offence shall forfeit the Sum of six Pounds; all which said respective Forfeitures shall and may be levied by Distress and Sale of the Goods and Chattels of every such Offender (rendering to him the Overplus, after Charges of the said Distress and Sale deducted) by Warrant under the Hand and Seal of the Justice convicting such Offender; and shall be paid one Moiety thereof to the Informer, and the other Moiety thereof to the Overseers of the Poor, for the Use of the Poor of the Parish or Place where such Offence was committed; and if no sufficient Distress shall be found, whereon to levy the said respective Forfeitures, then the said Justice of the Peace shall and may commit every such Offender so respectively convicted as aforesaid, to the Common Gaol, or other Prison, or House of Correction, within his Jurisdiction, without Bail or Mainprize, for the Space of one Month, for the first Offence; and for the second Offence, for the Space of two Months; and for the third Offence, until such Offender shall be discharged by Order of the Court of General Quarter-Sessions.

Penalty of selling Ale, &c. without a Licence from two Justices; to be levied by Distress and Sale; one Moiety to the Informer, and the other to the Poor; For want of Distress, the Person to be committed. *Explained by* 28 *Geo.* 2. *c.* 19. §. 2.

XIII. And be it further enacted, That every Conviction of any Offender for selling Ale, Beer, or other Liquors without such Licence, or after being disabled to sell, as aforesaid, shall be certified by the Justice of the Peace making the same, to the next General or Quarter-Session of the Peace, to be filed or entred amongst the Records of the said Session; and that such Conviction shall and may be drawn up and certified in the following Form of Words, as the Case shall happen, or in any other Form of Words to the same Effect, *mutatis mutandis*, that is to say,

Conviction to be certified to the next Quarter Sessions, and filed.

Middlesex. } *A. B.* is convicted on his or her own Confession (*or*, on the Oath of) Form of Conviction.
} of having sold Ale, Beer, or other Liquors, in the Parish of

' in this County, on the Day of without being licensed thereto according to Law
' (*or*, after being disabled to sell, *as the Case may be*). Given under my Hand and Seal this
' Day of

And there shall be added, That the same is the first, second, or third Conviction; which said Conviction, in the same or the like Form of Words, shall be good and effectual in Law to all Intents and Purposes, and shall not be quashed, set aside, or adjudged void or insufficient, for want of any other Form or Words whatsoever.

Offender not liable to double Punishment for the same Offence.

XIV. Provided always, That such Offender who shall be punished by virtue of this Act, shall not be punished again for the same Offence by any former Act; and that such Offender who shall be punished by virtue of any former Act, shall not be punished again for the same Offence, by virtue of this present Act, or any Thing herein contained.

Rights of the Universities to grant Licences reserved.

XV. Provided always, That this Act, or any Thing herein contained, shall not in any wise be prejudicial to the Privilege of licensing Taverns and other Publick Houses, claimed by the two Universities of that Part of *Great Britain* called *England*, or either of them, nor to the Chancellor, Masters and Scholars, or any Officers of the same, or their Successors, but that they may use and enjoy such Privilege as they have heretofore lawfully used and enjoyed; any Thing herein contained to the contrary notwithstanding.

The Times of granting Licences for Common Inns, not altered, &c.

XVI. Provided always, That nothing herein contained shall extend or be construed to extend to alter the Time or Times of granting such Licences for keeping of Common Inns or Ale-Houses, or to oblige Persons not licensed the Year preceding to produce Certificates, in any City or Town Corporate.

Inhabitant of the Parish deemed a competent Witness.

See farther 28 *Geo.* 2. *c.* 19. *and* 29 *Geo.* 2. *c.* 12.

XVII. Provided always, and be it enacted by the Authority aforesaid, That any Person shall be deemed a competent Witness, and be admitted to give Evidence upon any Information or Complaint for any Offence committed against this Act, notwithstanding such Person be an Inhabitant of or charged or liable to be charged to the Payment of any Rates or Assessments for the Relief of the Poor of any Parish or Place where such Offence shall be committed.

CAP. XXXII.

An Act for continuing several Laws relating to the Punishment of Persons going armed or disguised in defiance of the Laws of Customs or Excise; to the Drawback of the Duties upon Copper Bars exported; and to the Duties upon Foreign-made Sail Cloth; and also for Encouragement of the Silk Manufactures; and for taking off several Duties on Merchandizes exported; and for encouraging the Trade of the Sugar Colonies in *America*; and for vacating the Security for the Duty on Salt lost in any River, or in Port, after shipped; and for enlarging the Time for proving the Loss of Salt; and for Relief of Masters of Ships with respect to the Importation of Soap and Candles, contrary to an Act made in the twenty-third Year of his Majesty's Reign; and also for the more effectual Payment of the Bounties upon *British*-made Sail Cloth; and to impower the Commissioners of the Treasury to direct the Payment of the Bounty to *John Henniker*, and others, upon four Ships fitted out for the Whale Fishery, and lost in the *Greenland* Seas; and also to *Philip How*, and others, upon two Ships employed in the said Fishery, notwithstanding some of the Forms required by Law in fitting out such Ships, were not complied with.

' WHEREAS several Laws herein after mentioned, have by Experience been found useful and beneficial, and are near expiring;' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act made in the nineteenth Year of his present Majesty's Reign, intituled, *An Act for the further Punishment of Persons going armed or disguised in defiance of the Laws of Customs or Excise; and for indemnifying Offenders against those Laws upon the Terms in this Act mentioned; and for the Relief of Officers of the Customs in Informations upon Seizures*; which Act was to continue in Force for the Space of seven Years, and from thence to the End of the next Session of Parliament, as relates to the further Punishment of Persons going armed or disguised in defiance of the Laws or Customs of Excise; and to the Relief of Officers of the Customs in Informations upon Seizures, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament.

Clauses in 19 Geo. 2. c. 34. further continued to 24 June 1758. *Farther continued by* 32 *Geo.* 2. *c.* 18.

II. And be it further enacted by the Authority aforesaid, That the Clause contained in an Act made in the ninth and tenth Years of the Reign of his late Majesty King *William* the Third, intituled, *An Act to settle the Trade to* Africa, for allowing during a limited Time a Drawback of the Duties upon the Exportation of Copper Bars imported; and which Clause after the Expiration thereof was, by an Act made in the twelfth Year of the Reign of her late Majesty Queen *Anne*, revived and continued for fourteen Years, and from thence to the End of the then next Session of Parliament; and also the Proviso in the said last Act contained, that no Drawback shall be allowed on the Exportation of any Copper but such as had been or should be imported from the *East-Indies* and the Coast of *Barbary* only; and which said Clause and Proviso by another Act made in the thirteenth Year of the Reign of his late Majesty, were further continued for fourteen Years, and from thence to the End of the then next Session of Parliament; and which said Clause and Proviso by another Act made in the fifteenth and sixteenth Years of his present Majesty's Reign, were further continued

Clause in 9 & 10 W. 3. c. 26 §. 19.

12 Ann. stat. 1. c. 18. §. 5. further continued to 24 June 1758.

23 Geo. 1. c. 27.

25 Geo. 2. c. 35.

continued for fourteen Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament. *Farther continued by* 32 *Geo.* 2. *c.* 23.

III. And be it further enacted by the Authority aforesaid, That an Act made in the nineteenth Year of his present Majesty's Reign, intituled, *An Act for the more effectual securing the Duties now payable on foreign made Sail Cloth imported into this Kingdom; and for charging all foreign made Sails with a Duty; and for explaining a Doubt concerning Ships being obliged, at their first setting out to Sea, to be furnished with one compleat Set of Sails made of* British *Sail Cloth*; which was to continue in Force from the twenty-fourth Day of *June* one thousand seven hundred and forty-six, for the Term of seven Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament. 19 Geo. 2. c. 27. continued to 24 June 1758. *Farther continued by* 32 *Geo.* 2. *c.* 23.

IV. And be it further enacted by the Authority aforesaid, That the several Clauses contained in an Act made in the eighth Year of the Reign of his late Majesty, intituled, *An Act for Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; and for reducing the Duty upon Beaver Skins, Pepper, Mace, Cloves and Nutmegs imported; and for the Importation of all Furs of the Product of the* British *Plantations into this Kingdom only; and that the two Corporations of Assurance, on any Suits brought on their Policies, shall be liable only to single Damages and Costs of Suit, relating to the Encouragement of the Silk Manufactures of this Kingdom, and for taking off several Duties on Merchandizes exported*; which were to continue in Force for three Years from the twenty-fifth Day of *March* one thousand seven hundred and twenty-two, and from thence to the End of the then next Session of Parliament; and which Clauses were, by an Act made in the eleventh Year of his said late Majesty's Reign, continued from the Expiration thereof for three Years, and from thence to the End of the then next Session of Parliament; and by another Act made in the second Year of his present Majesty's Reign, were further continued from the Expiration thereof for three Years, and from thence to the End of the then next Session of Parliament; and by another Act made in the second Year of his present Majesty's Reign, were further continued from the Expiration thereof until the twenty-ninth Day of *September* one thousand seven hundred and thirty-four, and from thence to the End of the then next Session of Parliament; and which by another Act made in the eighth Year of his present Majesty's Reign, were further continued until the twenty-fifth Day of *March* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament; and which by an Act made in the fifteenth Year of the Reign of his present Majesty, were further continued until the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament; and which by an Act made in the twentieth Year of the Reign of his present Majesty, were further continued until the first Day of *June* one thousand seven hundred and fifty-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the twenty-fourth Day of *March* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament. Clauses in 8 Geo. 1. c. 15. further continued to 24 March 1758. 11 Geo. 1. c. 29. 2 Geo. 2. c. 28. 8 Geo. 2. c. 18. 15 Geo. 2. c. 35. 20 Geo. 2. c. 45 *Farther continued by* 32 *Geo.* 2. *c.* 23.

V. And be it further enacted by the Authority aforesaid, That an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in* America, which was to continue in Force for five Years, to be computed from the twenty-fourth Day of *June* one thousand seven hundred and thirty-three, and to the End of the then next Session of Parliament; and which by an Act made in the eleventh Year of his present Majesty's Reign, was further continued from the Expiration thereof for the further Term of seven Years, and from thence to the End of the then next Session of Parliament; and which by an Act made in the nineteenth Year of his present Majesty's Reign, was further continued from the Expiration of the said last mentioned Term for the further Term of seven Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the twenty-fourth Day of *June* one thousand seven hundred and fifty-six. 6 Geo. 2. c. 13. continued to 24 June 1756. *Farther continued by* 1 *Geo.* 3. *c.* 9. 11 Geo. 2. c. 18. 19 Geo. 2. c. 23.

'VI. And whereas by an Act passed in the second and third Years of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for the better securing and regulating the Duties upon Salt*, it is enacted, That where any Salt or Rock Salt (the Duties whereof shall have been paid, or secured to be paid, according to the Direction of the former Laws relating to the said Duties on Salt) shall be shipped or laid on Board any Ship or Vessel in any Port, River or Place within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*, in order to be exported to Parts beyond the Seas, or be carried Coastwise; and the said Salt or Rock Salt so shipped or laid on Board, shall happen to perish by the sinking of the Ship or Vessel on which the same shall be shipped or laid on Board, before the said Ship or Vessel shall go out of such Port or Place, and before the Exporter of such Salt shall be intitled to a Drawback or Allowance of the Duties thereof; that then and in such Case the Exporter or Proprietor of the said Salt or Rock Salt so perished shall, upon Proof made before the Justices of the Peace at the next General Quarter-Sessions of the Peace to be held for the County, City, Riding, Division or Place, next to the Place where the said Salt or Rock Salt shall so perish, of the Loss of the Salt or Rock Salt so shipped, receive from the said Sessions a Certificate that such Proof was made before them; and upon producing the said Certificate to any of her Majesty's Collectors or Officers appointed to collect the said Duties on Salt, the said Collectors and Officers are thereby required to let the said Exporter or Proprietor buy the like Quantity of Salt or Rock Salt as is expressed in the said Certificate to be so perished, without paying to her Majesty any Duty of Excise for the same, in the same manner as if such Salt or Rock Salt had so perished, going Coastwise from one Port of *England* to another: And whereas by an Act made in the eighth Year of 2 & 3 Ann. c. 14. 8 Geo. 1. c. 4.

'of the Reign of his Majesty King *George* the First, intituled, *An Act for taking off the Duty upon all Salt 'used in the curing of Red Herrings, and laying a proportionable Duty upon all Red Herrings consumed at Home 'only; and for ascertaining the Customs and Excise payable for the Sugar Houses in* Scotland; *and for making 'an Allowance for Salt lost in any Harbour or River of this Realm; and for the better securing the Duties 'on Salt delivered in* Scotland, it is among other Things enacted, That the Owners of any Salt, which 'after due Payment of the Duty shall perish or be lost in any of the Ports or Harbours, or Rivers 'of this Realm, by Storms or Rages of the Tides from Sea, or otherwise, shall upon such Proofs 'made thereof in all Points, and in manner as is directed by the afore-mentioned Act of the second and 'third Years of the Reign of her late Majesty Queen *Anne*, (that gives Relief in Cases of Salt lost by 'violent or stormy Weather at Sea) be intitled to such Certificate, and thereupon to such Right and Pri-'vilege, as any Owners of the like Salt lost at Sea in the like Case are intitled to by virtue of the said 'Act; which Privilege is to buy the like Quantity of Salt as is expressed in the Certificate to be lost, with-'out paying to his Majesty any Duty of Excise for the same: And whereas the Exporters of Salt to foreign 'Parts do give Bond for the Duty of the same, which Bond is discharged by a Debenture upon the Expor-'tation thereof, but in such Cases where the Salt is lost in carrying the same down the River in order to 'be shipt on Board the Vessel in which the same is to be exported, or lost in the Port after the same is ship-'ped, and before the Exporter is or can be intitled to a Debenture, the Exporter or Owner of the Salt 'so lost, upon Proof thereof in manner as directed by the afore recited Acts, obtains a Certificate of such 'Proof being made, which Certificate intitles him by the said Acts to buy the like Quantity of Salt as is 'expressed therein to have been lost, without paying any Duty for the same, but cannot be applied to the 'Discharge of the Bond given for the Duty of the Salt lost, the Exporter therefore must discharge the Bond 'in Money without any Abatement, and when he has so done, he cannot export the Salt delivered him Duty-'free, so as to be intitled to a Drawback thereupon, but must sell it for home Consumption greatly to his 'Disadvantage, as the Dealers in Salt for home Consumption have a Discount on prompt Payment of the 'Duty, and an Allowance for Waste on Salt carried Coastwise:' For Remedy whereof, be it enacted by the Authority aforesaid, That where any Salt or Rock Salt hath been lost or shall be lost in carrying the same down any River, in order to be shipt on Board the Vessel in which the same is to be exported, or hath been or shall be lost in the Port after the same is shipt, and before the Exporter is or can be intitled to a Debenture, and Proof thereof hath been or shall be made in all Points, and in manner as directed by the afore recited Acts, then and in every such Case the Certificate or Certificates for all such Salt or Rock Salt that hath been lost or shall be lost, shall and may be applied by the Collector of the Duties on Salt, for the Place where the Duty on such Salt or Rock Salt hath been or shall be secured to be paid, to discharge and vacate the Security given or to be given for the Duty of so much Salt as shall appear by such Certificate to have been lost; any Thing in the said in part recited Acts, or any other Act to the contrary in any wise notwithstanding.

Certificate for Salt lost, to vacate the Security given for Payment of the Duty.

See 2 *Geo.* 3. *c.* 24.

4 & 5 Ann. c. 12.

'VII. And whereas by an Act passed in the fourth and fifth Years of the Reign of her late Majesty Queen 'Anne, intituled, *An Act for laying further Duties on Low Wines; and for preventing the Damage to her Ma-'jesty's Revenue by Importation of foreign-cut Whalebone; and for making some Provisions as to the Stamp 'Duties, and the Duties on Births, Burials and Marriages, and the Salt Duties, and touching Million Lot-'tery Tickets; and for enabling her Majesty to dispose of the Effects of* William Kidd, *a notorious Pirate, 'to the Use of* Greenwich *Hospital; and for appropriating the Publick Monies granted in this Session of Par-'liament*; it is enacted, That the Exporter or Proprietor of Salt or Rock Salt which shall perish or be lost 'in the manner described in the said Act, shall, upon Proof made before the Justices of the Peace at the 'General Quarter-Sessions of the Peace to be held for the County, City, Riding, Division or Place from 'whence the same was so exported, of the Loss of such Salt so shipped or to be shipped, receive from 'the said Sessions a Certificate that such Proof was made before them; and upon producing the said Cer-'tificate to the Officer of the Place where the Duty on such Salt shall have been paid or secured to be paid, 'such Security shall be discharged, and so much Money as was actually paid for the Duty of the said Salt, 'shall be repaid upon Demand by the said Officer without Fee or Reward, provided such Proof be made as 'aforesaid by two credible Witnesses within six Months after such Loss or Taking as aforesaid: And 'whereas the making such Proof as aforesaid within the Time limited by the said Act has, in many Cases, 'been found impracticable, by reason of the Shortness of the said Time:' Be it therefore enacted by the Authority aforesaid, That the Time for making such Proof as aforesaid, shall from and after the passing of this Act be enlarged to two Years; any Thing in the said Act to the contrary notwithstanding.

Time for making Proof of Salt lost, in order to obtain a Certificate, enlarged to two Years.

'VIII. And whereas by an Act made in the twenty-third Year of his present Majesty's Reign, for en-'forcing the Laws against the clandestine Importation of Soap, Candles and Starch, into this Kingdom, a 'Penalty of fifty Pounds is laid upon the Master, Mate or other Person taking the Charge or Command 'of any Ship or Vessel wherein any Candles, Soap or Starch, shall be brought or imported contrary to the 'said Act; and Power is given to the Commissioners of Excise and Justices of the Peace before whom any 'Informations for the Penalties imposed by the said Act shall be heard and determined, to mitigate the same 'where they shall see Cause, so as such Mitigation do not reduce the Penalty to less than one fourth Part 'thereof, over and above the Costs and Charges of the Officers, as well in making the Discovery as in the 'Prosecution of the same: And whereas the Masters or other Persons, having the Charge of Ships or Vessels, 'are liable to the Penalty inflicted by the said Act for importing Candles, Soap or Starch, otherwise than by 'the said Act is prescribed, although such Candles, Soap or Starch, were put on Board without the Knowledge 'or Privity of such Masters or other Persons aforesaid, by the Mariners serving on Board such Ships or Vessels; 'and it is reasonable that such Masters or other Persons should be indemnified against the Penalty to which 'they are by the said Act made liable for the Offences committed by the said Mariners;' Be it therefore enacted

23 Geo. 2. c. 21. §. 27.

enacted by the Authority aforesaid, That when any Information shall be brought against the Master, Mate or other Person, having the Charge of any Ship or Vessel, for Recovery of the Penalty inflicted by the said Act for importing Candles, Soap, or Starch, otherwise than by the said Act is prescribed; it shall be lawful for such Master, Mate or other Person, to stop and detain the Wages of the Mariners and Men serving on Board such Ship or Vessel, until such Information shall be heard and determined; and if upon the Hearing and Determination thereof it shall appear that such Candles, Soap or Starch, were put on Board such Ship or Vessel by any of the Mariners or Men serving therein, without the Knowledge or Privity of the Master, Mate or other Person, having the Charge of such Ship or Vessel, it shall be lawful for such Master, Mate or other Person aforesaid, to keep and retain in his Hands so much of the Wages of the Mariners and Men serving on Board such Ship or Vessel, who shall be found guilty of or privy to such Offence, as will be sufficient to answer and satisfy the Penalty inflicted upon such Master, Mate or other Person aforesaid, who shall be and is hereby indemnified for so doing.

Upon Information brought for Recovery of the Penalty inflicted by the recited Act, the Wages of the Mariners to be detained till the same shall be determined,

and upon Conviction to be applied in Payment of the Forfeiture.

IX. 'And whereas the Provision contained in an Act made in the twenty-third Year of the Reign of his 'present Majesty, for the due and regular Payment of the Bounties granted upon the Exportation of *British*-'made Sail Cloth has proved ineffectual;' Be it therefore enacted by the Authority aforesaid, That the Bounties due since the first of *June* one thousand seven hundred and fifty, (being the Commencement of the said Provision) and which shall hereafter become due on the Exportation of *British*-made Sail Cloth, instead of being paid in the manner in the said Act directed, shall be, and the same are hereby charged upon, and shall be paid out of such Parts of the Old Subsidy as are applicable to the Payment of Incidents.

23 Geo. 2. c. 21. §. 26.

The Bounties on Sail Cloth charged on the Old Subsidy, applicable to Payment of Incidents.

X. 'And whereas by two Acts of Parliament made in the sixth and twenty-second Years of the Reign 'of his present Majesty, for the Encouragement of the Whale Fishery carried on by his Majesty's *Bri-* '*tish* Subjects, a Bounty of forty Shillings *per* Ton, under certain Regulations mentioned in the said Acts, 'is to be paid by the Receiver General of the Customs to the Master or Owners of Ships employed in the 'Whale Fishery in the *Greenland* Seas or *Davis's Streights*, on their Return to this Kingdom: And where- 'as *John Hennicker*, *Henry Bird* the Elder, *Henry Bird* the Younger, and *Conrad Lang* of *London*, Mer- 'chants, did fit out in the Year one thousand seven hundred and fifty-two, four Ships, called the *Merry* 'Jacks, *Sword Fish*, *Revolution*, and *Neptune*, for the Whale Fishery in the *Greenland* Seas, in the manner 'prescribed and appointed by the said Acts, and which said Ships were actually employed in the said Fishery, 'but were unavoidably lost in the said Seas;' Be it therefore enacted by the Authority aforesaid, That the Commissioners of his Majesty's Treasury for the Time being, or any three of them, shall be, and they are hereby impowered to direct, if they think fit, the Payment of the Bounties which the said *John Hennicker*, *Henry Bird* the Elder, *Henry Bird* the Younger, and *Conrad Lang*, would have been intitled to in case the said Ships had returned to this Kingdom; any thing in the said two several Acts contained to the contrary notwithstanding.

6 Geo. 2. c. 33.
22 Geo. 2. c. 45.

Treasury impowered to direct the Bounties to be paid to John Hennicker, Messr. Birds and Conrad Lang.

XI. And whereas by two Acts of Parliament made in the sixth and twenty-second Years of the Reign of 'his present Majesty, for the Encouragement of the Whale Fishery carried on by his *British* Majesty's Sub- 'jects, a Bounty of forty Shillings *per* Ton, under certain Regulations mentioned in the said Acts, is to be 'paid by the Receiver General of the Customs to the Master or Owners of Ships employed in the Whale 'Fishery in the *Greenland* Seas or *Davis's Streights*, on their Return to this Kingdom: And whereas *Philip* 'How, on the Behalf of himself and several other Persons, did in the Year one thousand seven hundred and 'fifty-two, fit out two Ships, called the *Argyle* and *Campletoun*, for the said Fishery, in the manner required 'by the said Acts; and which said Ships were actually employed in the said Fishery, and did return to this 'Kingdom with three Whales; but by reason of an Omission or Mistake in making the Affidavits, and 'giving the Security required by the said Acts, the said Owners have not been able to obtain the proper 'Certificates for the Payment of the said Bounty:' Be it therefore enacted by the Authority aforesaid, That the Commissioners of his Majesty's Treasury for the Time being, or any three of them, shall be, and they are hereby impowered to direct, if they think fit, the Payment of the Bounties which the said *Philip How* and others would have been intitled to in case they had complied with all the Forms and Regulations required by the said Acts of Parliament; any thing in the said two several Acts contained to the contrary notwithstanding.

And also to Philip How, &c.

CAP. XXXIII.

An Act for the better preventing of clandestine Marriages.

For former Laws relating hereto refer to 32 *H.* 8. *c.* 38. 2 & 3 *Ed.* 6. *c.* 27. 1 *Jac.* 1. *c.* 11. 10 *Ann. c.* 19. §. 176.

'WHEREAS great Mischiefs and Inconveniencies have arisen from Clandestine Marriages;' For preventing thereof for the future, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-four, all Banns of Matrimony shall be published in an audible manner in the Parish Church, or in some publick Chapel, in which publick Chapel Banns of Matrimony have been usually published, of or belonging to such Parish or Chapelry wherein the Persons to be married shall dwell, according to the Form of Words prescribed by the Rubrick prefixed to the Office of Matrimony in the Book of Common Prayer, upon three *Sundays* preceding the Solemnization of Marriage, during the Time of Morning Service, or of Evening Service (if there be no Morning Service in such Church or Chapel upon any of those *Sundays*) immediately after the second Lesson: And whensoever it shall happen that the Persons to be married shall dwell in divers Parishes or Chapelries, the Banns shall in like manner be published in the Church or Chapel belonging to such Parish or Chapelry wherein each of the said Persons shall dwell; and where both or either of the Persons to be married shall dwell in any Extraparochial Place, (having no Church or Chapel wherein Banns have been usually published) then the Banns shall in like manner

Publication of Banns.

3. Geo 4. c 75
4 ---- 17
- - - - 76
5 - - - - 32

ner be published in the Parish Church or Chapel belonging to some Parish or Chapelry adjoining to such Extraparochial Place: And where Banns shall be published in any Church or Chapel belonging to any Parish adjoining to such Extraparochial Place, the Parson, Vicar, Minister or Curate, publishing such Banns, shall, in Writing under his Hand, certify the Publication thereof in such manner as if either of the Persons to be married dwelt in such adjoining Parish; and that all other the Rules prescribed by the said Rubrick concerning the Publication of Banns, and the Solemnization of Matrimony, and not hereby altered, shall be duly observed; and that in all Cases where Banns shall have been published, the Marriage shall be solemnized in one of the Parish Churches or Chapels where such Banns have been published, and in no other Place whatsoever.

Minister to sign the Publication;

and the Marriage to be solemnized in one of the Churches where the Banns have been published.

II. Provided always, and it is hereby further enacted, That no Parson, Vicar, Minister or Curate shall be obliged to publish the Banns of Matrimony between any Persons whatsoever, unless the Persons to be married shall, seven Days at the least before the Time required for the first Publication of such Banns respectively, deliver or cause to be delivered to such Parson, Vicar, Minister or Curate, a Notice in Writing of their true Christian and Surnames, and of the House or Houses of their respective Abodes within such Parish, Chapelry or Extraparochial Place as aforesaid, and of the Time during which they have dwelt, inhabited or lodged in such House or Houses respectively.

Notice of the Names, Places of Abode and Time of Residence of the Parties to be given to the Minister 7 Days before Publication of Banns.

III. Provided always, and be it enacted by the Authority aforesaid, That no Parson, Minister, Vicar or Curate solemnizing Marriages after the twenty-fifth Day of *March* one thousand seven hundred and fifty-four, between Persons, both or one of whom shall be under the Age of twenty-one Years, after Banns published, shall be punishable by Ecclesiastical Censures for solemnizing such Marriages without Consent of Parents or Guardians, whose Consent is required by Law, unless such Parson, Minister, Vicar or Curate shall have Notice of the Dissent of such Parents or Guardians; and in case such Parents or Guardians, or one of them, shall openly and publickly declare, or cause to be declared in the Church or Chapel where the Banns shall be so published, at the Time of such Publication, his, her or their Dissent to such Marriage, such Publication of Banns shall be absolutely void.

Minister not punishable for solemnizing Marriage after Banns published where the Parents or Guardians give no Notice of Dissent; but where such Dissent shall be given, Publication of Banns to be void.

IV. And it is hereby further enacted, That no Licence of Marriage shall, from and after the said twenty-fifth Day of *March* in the Year one thousand seven hundred and fifty-four, be granted by any Archbishop, Bishop, or other Ordinary or Person having Authority to grant such Licences, to solemnize any Marriage in any other Church or Chapel, than in the Parish Church or Publick Chapel of or belonging to the Parish or Chapelry, within which the usual Place of Abode of one of the Persons to be married shall have been for the Space of four Weeks immediately before the granting of such Licence; or where both or either of the Parties to be married shall dwell in any Extraparochial Place, having no Church or Chapel wherein Banns have been usually published, then in the Parish Church or Chapel belonging to some Parish or Chapelry adjoining to such Extraparochial Place, and in no other Place whatsoever.

Licences to be granted to solemnize Matrimony in the Church or Chapel of such Parish only, where one of the Parties shall have resided for 4 Weeks before, &c.

V. Provided always, and be it enacted by the Authority aforesaid, That all Parishes where there shall be no Parish Church or Chapel belonging thereto, or none wherein Divine Service shall be usually celebrated every *Sunday*, may be deemed Extraparochial Places for the Purposes of this Act, but not for any other Purpose.

Places which may be deemed extraparochial by this Act.

VI. Provided always, That nothing herein before contained shall be construed to extend to deprive the Archbishop of *Canterbury* and his Successors, and his and their proper Officers, of the Right which hath hitherto been used, in virtue of a certain Statute made in the twenty-fifth Year of the Reign of the late King *Henry* the Eighth, intituled, *An Act concerning* Peter Pence *and Dispensations*; of granting Special Licences to marry at any convenient Time or Place.

Archbishop of Canterbury's Right to grant Special Licences reserved.

VII. Provided always, and be it enacted, That from and after the twenty-fifth Day of *March* in the Year one thousand seven hundred and fifty-four, no Surrogate deputed by any Ecclesiastical Judge, who hath Power to grant Licences of Marriage, shall grant any such Licence before he hath taken an Oath before the said Judge faithfully to execute his Office, according to Law, to the best of his Knowledge, and hath given Security by his Bond in the Sum of one hundred Pounds to the Bishop of the Diocese, for the due and faithful Execution of his said Office.

Surrogate deputed to grant Licences to take an Oath of Office, and give Security.

VIII. *And whereas many Persons do solemnize Matrimony in Prisons and other Places without Publication of Banns, or Licence of Marriage first had and obtained*; Therefore, for the Prevention thereof, Be it enacted, That if any Person shall, from and after the said twenty-fifth Day of *March* in the Year one thousand seven hundred and fifty-four, solemnize Matrimony in any other Place than a Church or Publick Chapel, where Banns have been usually published, unless by Special Licence from the Archbishop of *Canterbury*; or shall solemnize Matrimony without Publication of Banns, unless Licence of Marriage be first had and obtained from some Person or Persons having Authority to grant the same, every Person knowingly and wilfully so offending, and being lawfully convicted thereof, shall be deemed and adjudged to be guilty of Felony, and shall be transported to some of his Majesty's Plantations in *America* for the Space of fourteen Years, according to the Laws in Force for Transportation of Felons; and all Marriages solemnized from and after the twenty-fifth Day of *March* in the Year one thousand seven hundred and fifty-four, in any other Place than a Church or such Publick Chapel, unless by Special Licence as aforesaid, or that shall be solemnized without Publication of Banns, or Licence of Marriage from a Person or Persons having Authority to grant the same first had and obtained, shall be null and void to all Intents and Purposes whatsoever.

Persons convicted of solemnizing Matrimony without Banns or Licence, or in any other Place, &c. except by Special Licence,

to be transported,

and the Marriages to be null.

IX. Provided, That all Prosecutions for such Felony shall be commenced within the Space of three Years after the Offence committed.

Prosecutions for the same to be commenced within three Years.

X. Pro-

X. Provided always, That after the Solemnization of any Marriage, under a Publication of Banns, it shall not be necessary in support of such Marriage, to give any Proof of the actual Dwelling of the Parties in the respective Parishes or Chapelries wherein the Banns of Matrimony were published; or where the Marriage is by Licence, it shall not be necessary to give any Proof that the usual Place of Abode of one of the Parties, for the Space of four Weeks as aforesaid, was in the Parish or Chapelry where the Marriage was solemnized; nor shall any Evidence in either of the said Cases be received to prove the contrary in any Suit touching the Validity of such Marriage.

Proof of the Parties dwelling in the Parishes, &c. where Marriages shall have been solemnized, not necessary to the Validity of such Marriage.

XI. And it is hereby further enacted, That all Marriages solemnized by Licence, after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-four, where either of the Parties, not being a Widower or Widow, shall be under the Age of twenty-one Years, which shall be had without the Consent of the Father of such of the Parties, so under Age (if then living) first had and obtained, or if dead, of the Guardian or Guardians of the Person of the Party so under Age, lawfully appointed, or one of them; and in case there shall be no such Guardian or Guardians, then of the Mother (if living and unmarried) or if there shall be no Mother living and unmarried, then of a Guardian or Guardians of the Person appointed by the Court of *Chancery*; shall be absolutely null and void to all Intents and Purposes whatsoever.

Marriages solemnized by Licence without Consent of the Parents or Guardians, where either of the Parties (not being a Widower or Widow) shall be under Age, void.

'XII. And whereas it may happen, that the Guardian or Guardians, Mother or Mothers, of the Parties 'to be married, or one of them, so under Age as aforesaid, may be *Non compos mentis*, or may be in Parts 'beyond the Seas, or may be induced unreasonably, and by undue Motives to abuse the Trust reposed in 'him, her or them, by refusing or with-holding his, her or their Consent to a proper Marriage;' Be it therefore enacted, That in case any such Guardian or Guardians, Mother or Mothers, or any of them, whose Consent is made necessary as aforesaid, shall be *Non compos mentis*, or in Parts beyond the Seas, or shall refuse or with-hold his, her or their Consent to the Marriage of any Person, it shall and may be lawful for any Person desirous of marrying, in any of the before-mentioned Cases, to apply by Petition to the Lord Chancellor, Lord Keeper, or the Lords Commissioners of the Great Seal of *Great Britain* for the Time being, who is and are hereby impowered to proceed upon such Petition, in a summary Way; and in case the Marriage proposed, shall upon Examination appear to be proper, the said Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, shall judicially declare the same to be so by an Order of Court, and such Order shall be deemed and taken to be as good and effectual to all Intents and Purposes, as if the Guardian or Guardians, or Mother of the Person so petitioning, had consented to such Marriage.

Where Guardi Mother Non compos mentis, or in Parts beyond the Seas, or shall unreasonably with-hold their Consent, the Parties may apply to the Lord Chancellor, &c. and being approved by Order of the Court, shall be effectual.

XIII. And it is hereby further enacted, That in no Case whatsoever shall any Suit or Proceeding be had in any Ecclesiastical Court, in order to compel a Celebration of any Marriage in *facie Ecclesiæ*, by reason of any Contract of Matrimony whatsoever, whether *per verba de præsenti*, or *per verba de futuro*, which shall be entered into after the twenty-fifth Day of *March* in the Year one thousand seven hundred and fifty-four; any Law or Usage to the contrary notwithstanding.

No Suit to be in the Ecclesiastical Court to compel a Marriage in facie Ecclesiæ, by reason of a Contract.

XIV. And for preventing undue Entries and Abuses in Registers of Marriages; Be it enacted by the Authority aforesaid, That on or before the twenty-fifth Day of *March* in the Year one thousand seven hundred and fifty-four, and from Time to Time afterwards as there shall be Occasion, the Church-wardens and Chapel-wardens of every Parish or Chapelry shall provide proper Books of Vellum, or good and durable Paper, in which all Marriages and Banns of Marriage respectively, there published or solemnized, shall be registered, and every Page thereof shall be marked at the Top, with the Figure of the Number of every such Page, beginning at the second Leaf with Number one; and every Leaf or Page so numbered, shall be ruled with Lines at proper and equal Distances from each other, or as near as may be; and all Banns and Marriages published or celebrated in any Church or Chapel, or within any such Parish or Chapelry, shall be respectively entered, registered, printed, or written upon or as near as conveniently may be to such ruled Lines, and shall be signed by the Parson, Vicar, Minister or Curate, or by some other Person in his Presence, and by his Direction; and such Entries shall be made as aforesaid, on or near such Lines in successive Order, where the Paper is not damaged or decayed, by Accident or Length of Time, until a new Book shall be thought proper or necessary to be provided for the same Purposes, and then the Directions aforesaid shall be observed in every such new Book; and all Books provided as aforesaid shall be deemed to belong to every such Parish or Chapel respectively, and shall be carefully kept and preserved for publick Use.

Churchwardens to provide Books in which are to be registered all Marriages and Banns;

the same to be signed by the Minister;

and the Books to belong to the Parish, and to be kept for publick Use.

XV. And in order to preserve the Evidence of Marriages, and to make the Proof thereof more certain and easy, and for the Direction of Ministers in the Celebration of Marriages and registering thereof, Be it enacted, That from and after the twenty-fifth Day of *March* in the Year one thousand seven hundred and fifty-four, all Marriages shall be solemnized in the Presence of two or more credible Witnesses, besides the Minister who shall celebrate the same; and that immediately after the Celebration of every Marriage, an Entry thereof shall be made in such Register to be kept as aforesaid; in which Entry or Register it shall be expressed, That the said Marriage was celebrated by Banns or Licence; and if both or either of the Parties married by Licence, be under Age, with Consent of the Parents or Guardians, as the Case shall be; and shall be signed by the Minister with his proper Addition, and also by the Parties married, and attested by such two Witnesses; which Entry shall be made in the Form or to the Effect following; that is to say,

Marriages to be solemnized in the Presence of two Witnesses, besides the Minister, and to be registered,

and signed by the Minister, Parties and Witnesses.

A. B.

Form.

A. B. of [the / this] Parish
and *C. D.* of [the / this] Parish
were married in this [Church / Chapel] by [Banns / Licence] with Consent of [Parents / Guardians] this
Day of in the Year
by me *J. J.* [Rector / Vicar / Curate]
This Marriage was solemnized between us *A. B.* / *C. D.* in the Presence of *E. F.* / *G. H.*

Persons convicted of making a false Entry in the said Register,

or of forging, &c. any such Entry,

or of forging, &c. Licence,

or of destroying with an ill Intent such Register,

to suffer Death.

XVI. And be it further enacted by the Authority aforesaid, That if any Person shall, from and after the twenty-fifth Day of *March* in the Year one thousand seven hundred and fifty-four, with Intent to elude the Force of this Act, knowingly and wilfully insert, or cause to be inserted in the Register Book of such Parish or Chapelry as aforesaid, any false Entry of any Matter or Thing relating to any Marriage; or falsely make, alter, forge or counterfeit, or cause or procure to be falsely made, altered, forged or counterfeited, or act or assist in falsely making, altering, forging or counterfeiting any such Entry in such Register; or falsely make, alter, forge or counterfeit, or cause or procure to be falsely made, altered, forged or counterfeited, or assist in falsely making, altering, forging or counterfeiting any such Licence of Marriage as aforesaid; or utter or publish as true any such false, altered, forged or counterfeited Register as aforesaid, or a Copy thereof, or any such false, altered, forged or counterfeited Licence of Marriage, knowing such Register or Licence of Marriage respectively, to be false, altered, forged or counterfeited; or if any Person shall, from and after the said twenty-fifth Day of *March*, wilfully destroy, or cause or procure to be destroyed, any Register Book of Marriages, or any Part of such Register Book, with Intent to avoid any Marriage, or to subject any Person to any of the Penalties of this Act; every Person so offending, and being thereof lawfully convicted, shall be deemed and adjudged to be guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Marriages of the Royal Family,

and of Quakers and Jews, and of Persons in Scotland, or beyond the Seas, excepted.

XVII. Provided always, That this Act, or any Thing therein contained, shall not extend to the Marriages of any of the Royal Family.

XVIII. Provided likewise, That nothing in this Act contained shall extend to that Part of *Great Britain* called *Scotland*, nor to any Marriages amongst the People called *Quakers*, or amongst the Persons professing the *Jewish* Religion, where both the Parties to any such Marriage shall be of the People called *Quakers*, or Persons professing the *Jewish* Religion respectively, nor to any Marriages solemnized beyond the Seas.

This Act to be read in all Parish Churches and publick Chapels.

XIX. And be it further enacted by the Authority aforesaid, That this Act shall be publickly read in all Parish Churches and publick Chapels, by the Parson, Vicar, Minister or Curate of the respective Parishes or Chapelries, on some *Sunday* immediately after Morning Prayer, or immediately after Evening Prayer, if there shall be no Morning Service on that Day, in each of the Months of *September*, *October*, *November* and *December*, in the Year of our Lord one thousand seven hundred and fifty-three, and afterwards at the same Times, on four several *Sundays* in each Year, (that is to say,) The *Sundays* next before the twenty-fifth Day of *March*, twenty-fourth Day of *June*, twenty-ninth Day of *September*, and twenty-fifth Day of *December* respectively, for two Years, to be computed from and immediately after the first Day of *January* in the said Year one thousand seven hundred and fifty-four.

CAP. XXXIV.

An Act to explain, amend and continue several Laws more effectually to prevent the spreading of the Distemper which now rages amongst the horned Cattle in this Kingdom; for the more effectual paying the Expences of passing Vagrants; for obviating Doubts that may arise touching the keeping of Prisoners, until the Prison of the *Marshalsea* of the Court of King's Bench shall be rebuilt or repaired; and for amending so much of the Act of the twenty-fourth of his present Majesty for regulating the Commencement of the Year, and for correcting the Calendar now in Use, as relates to the Time of electing publick Officers of the City of *Chester*.

The Acts for preventing the spreading of the Distemper amongst horned Cattle, viz. 19 Geo. 2. c. 5.

'WHEREAS the contagious Distemper amongst the horned Cattle still continues to rage in this 'Kingdom: And whereas the several Laws made to prevent the spreading of the said Distemper '(which have been found useful and beneficial) are near expiring;' May it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the nineteenth Year of the Reign of his present Majesty, intituled, *An Act to enable his Majesty to make Rules, Orders and Regulations more effectually to prevent the spreading of the Distemper which now rages amongst the horned Cattle in this Kingdom*, which was to con-

tinue in force for the Space of eight Months, and to the End of the then next Session of Parliament; and which by an Act made in the twentieth Year of the Reign of his present Majesty was explained, amended and continued, and to be in force with the said last mentioned Act for the Space of eight Months, from the tenth Day of *January* one thousand seven hundred and forty-six, and from thence to the End of the then next Session of Parliament; and which said Acts, by an Act made in the twenty-first Year of the Reign of his present Majesty, were further continued until the twenty-fourth Day of *September* one thousand seven hundred and forty-eight, and from thence to the End of the then next Session of Parliament; and which by an Act made in the twenty-second Year of the Reign of his present Majesty, were further continued until the twenty-fourth Day of *September* one thousand seven hundred and forty-nine, and from thence to the End of the then next Session of Parliament; and also several Clauses in the said Act made in the twenty-second Year of his present Majesty's Reign, for amending, explaining and enforcing the said Acts made in the nineteenth and twentieth Years of his present Majesty's Reign; and for preventing the spreading of the Distemper amongst the horned Cattle; and for impowering his Majesty to prohibit the killing of Cow Calves; and which by an Act made in the twenty-third Year of the Reign of his present Majesty were further continued until the twenty-ninth Day of *September* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament; and also several Clauses in the said Act made in the twenty-third Year of the Reign of his present Majesty; and which by an Act made in the twenty-fourth Year of the Reign of his present Majesty were further continued until the first Day of *September* one thousand seven hundred ond fifty-one, and from thence to the End of the then next Session of Parliament; and also several Clauses in the said Act made in the twenty-fourth Year of his present Majesty's Reign, for explaining and enforcing the said Acts; and which by an Act made in the twenty-fifth Year of the Reign of his present Majesty were further continued until the first Day of *September* one thousand seven hundred and fifty-two, and from thence to the End of the then next Session of Parliament; and also several Clauses in the said Act made in the twenty-fifth Year of his present Majesty's Reign, for explaining and amending the said Acts, shall, except so much of an Act made in the twenty-third Year of the Reign of his present Majesty, intituled, *An Act to continue several Laws for preventing the spreading of the Distemper which now rages amongst the horned Cattle; and for impowering his Majesty to prohibit the killing of Cow Calves*, as relates to the impowering Justices of the Peace at their respective General Quarter-Sessions of the Peace, to license any Person residing within their respective Counties, Ridings or Divisions to buy and sell Cattle, be, and the same are hereby further continued until the first Day of *September* one thousand seven hundred and fifty-three, and from thence to the End of the then next Session of Parliament.

20 Geo. 2. c. 4.
21 Geo. 2. c. 38.
22 Geo. 2. c. 46.
23 Geo. 2. c. 25.
24 Geo. 2. c. 54.
25 Geo. 2. c. 31. further continued,
except a Clause in 23 Geo. 2.
to 1 Sept. 1753, &c.
Farther continued by 27 Geo. 2. c. 14. and see 30 Geo. 2. c. 20. § 19.

'II. And whereas by an Act made in the seventeenth Year of the Reign of his present Majesty, intituled, *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds and other idle and disorderly Persons, and to Houses of Correction*; it is enacted, That all Rogues, Vagabonds and incorrigible Rogues sent by Passes from one County, Riding, Division, Corporation or Franchise, into any other County, Riding, Division, Corporation or Franchise, shall be delivered to the Constable or other such Officer of the first Town, Parish or Place in the next County, Riding, Division, Corporation or Franchise, to be by him conveyed forward in such manner as by the said Act is directed; and that the Allowances to be made to the Constables and other such Officers for the conveying of such Rogues, Vagabonds and incorrigible Rogues, shall be paid by the High or Chief Constables, and that such High or Chief Constables shall be allowed the same by the Treasurer of the respective County, Riding, Liberty, Division, Corporation or Franchise, on his passing his Accounts: And whereas it frequently happens that the High or Chief Constables have not a Sum of Money in their Hands sufficient to answer the said Expences;' Be it therefore enacted by the Authority aforesaid, That all Rogues, Vagabonds and incorrigible Rogues sent by Passes from one County, Riding, Division, Corporation or Franchise, into any other County, Riding, Division, Corporation or Franchise, shall be delivered to the Constable or other such Officer of the first Town, Parish or Place in the next County, Riding, Division, Corporation or Franchise, and shall be by such Constable or other such Officer conveyed forward in the Manner by the said Act directed and prescribed, and not otherwise; and that it shall and may be lawful for the Treasurer of each County, Riding, Division, Corporation or Franchise, and he is hereby required to pay to such Constable or other Officer the Charges of conveying such Rogues, Vagabonds, and incorrigible Rogues, upon such Constable or other Officer producing to him the Certificate and such other Vouchers as are required by the said Act to be delivered to such High or Chief Constables; and the Sums so paid shall be allowed by the Justices of the Peace to such Treasurer in his Account, on his producing the Vouchers aforesaid, together with the Receipt of the said Constable; any Thing in the said Act contained to the contrary notwithstanding.

17 Geo. 2. c. 5.
Vagrants passed from one County to another, how to be conveyed,
the Expences to be paid by the Treasurer of the County,
and to be allowed in his Accounts.

'III. And whereas the Prison of the *Marshalsea* of the Court of King's Bench is in its present Condition 'unsafe for the Custody, and dangerous to the Health of the Prisoners, which Inconveniencies cannot be 'remedied, unless the said Prison be repaired or rebuilt: And whereas it will be necessary to have some 'proper and convenient Place or Places provided for the Reception of the Prisoners in the mean time, where'upon Doubts may arise concerning the Legality of the Imprisonment of such Prisoners in such other Place 'or Places;' Therefore to prevent such Doubts, be it enacted and declared by the Authority aforesaid, That until the said Prison shall be sufficiently repaired or rebuilt, it shall and may be lawful to and for the Marshal of the *Marshalsea* of the said Court of King's Bench for the Time being, to detain and keep the Prisoners committed or to be committed to his Custody, in such other proper and convenient Place or Places as shall from Time to Time be approved of for that Purpose by the said Court; any Law or Usage to the contrary notwithstanding.

Marshal of the King's Bench may secure the Prisoners in any Place approved by the Court, until the Prison be repaired.

'IV. And whereas within the City of *Cheſter* the uſual and accuſtomed Time of the annual Meeting and Aſſembly of the Citizens of the ſaid City, for the Election of the Mayor, Sheriffs, Treaſurers, Coroners and Leavelookers of the ſame City, hath been on the *Friday* next after the Feaſt Day of Saint *Dennis* yearly: And whereas by an Act of Parliament made in the twenty-fourth Year of the Reign of his preſent Majeſty, (intituled, *An Act for regulating the Commencement of the Year, and for correcting the Calendar now in Uſe*) it was amongſt other Things enacted, That all Meetings and Aſſemblies of any Bodies Politick or Corporate, either for the Election of any Officers or Members thereof, or for any ſuch Officers entering upon the Execution of their reſpective Offices, or for any other Purpoſe whatſoever, which by any Law, Statute, Charter, Cuſtom or Uſage within this Kingdom were to be holden and kept on any fixed or certain Day of any Month, ſhould from and after the ſecond Day of *September* one thouſand ſeven hundred and fifty-two, be holden or kept upon, or according to the ſame reſpective Nominal Days and Times whereon or according to which the ſame were at the Time of making the ſaid Act to be holden: And whereas by the ſaid recited Act it was further enacted, That the holding and keeping of all Markets, Fairs and Marts, whether for the Sale of Goods or Cattle, or for the hiring of Servants, or for any other Purpoſe, which are either fixed to certain Nominal Days of the Month, or depending upon the Beginning or any certain Day of any Month, and all Courts incident or belonging to, or uſually holden or kept with any ſuch Fairs or Marts fixed to ſuch certain Times as aforeſaid, ſhould not, from the ſaid ſecond Day of *September* one thouſand ſeven hundred and fifty-two, be continued upon or according to the Nominal Days of the Month, or the Time of the Beginning of any Month, to be computed according to the new Calendar in the ſaid recited Act mentioned, but that from and after the ſaid ſecond Day of *September* all ſuch Markets, Fairs and Marts as aforeſaid, and all Courts incident or belonging thereto, ſhould be holden or kept upon, or according to the ſame Natural Days, upon or according to which the ſame ſhould have been ſo kept or holden, in caſe the ſaid recited Act had not been made; that is to ſay, eleven Days later than the ſame would have happened, according to the Nominal Days of the ſaid new Supputation of Time, by which the Commencement of each Month, and the Nominal Days thereof, are anticipated or brought forward, by the Space of eleven Days; any Thing in the ſaid recited Act contained to the contrary thereof in any wiſe notwithſtanding: And whereas before the making of the ſaid recited Act, one of the annual Fairs within the ſaid City, commonly called *Michaelmas* Fair, was begun to be holden and kept yearly, on the twenty-ninth Day of *September*, and continued for ſeveral Days afterwards, and purſuant to the Directions of the ſaid recited Act, the ſame Fair will hereafter begin to be holden and kept on the tenth Day of *October* yearly, which is the Day next after the Feaſt of Saint *Dennis*, by which means the *Friday* next after the ſaid Feaſt will always hereafter happen, during the Time of holding and keeping the ſaid Fair; and therefore it would be very inconvenient to the Citizens of the ſaid City of *Cheſter*, if the annual Meeting and Aſſembly of the ſaid Citizens for the Election of the Mayor, and the aforeſaid other annual Officers of the ſaid City, ſhould continue to be holden on the *Friday* next after the ſaid Feaſt of Saint *Dennis*:' For preventing whereof, be it enacted by the Authority aforeſaid, That the annual Meeting and Aſſembly of the ſaid Citizens for the Election of the Mayor and other the aforeſaid annual Officers of the ſaid City of *Cheſter*, ſhall not at any Time hereafter be holden on the *Friday* next after the ſaid Feaſt of Saint *Dennis*, but the ſame, and all annual Meetings and Aſſemblies for that Purpoſe, ſhall at all Times hereafter be holden in the uſual and accuſtomed Manner on the *Friday* next after the twentieth Day of *October* in every Year, and not before; any Thing in the ſaid recited Act of Parliament, or any Law, Statute, Charter, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

24 Geo. 2. c. 23.

The annual Meeting for the Election of Mayor, &c. of the City of Cheſter, to be held on the Friday next after 20 Oct. yearly.

CAP. XXXV.

An Act for confirming an Agreement entered into between the Company of Proprietors of the Undertaking for recovering and preſerving the Navigation of the River *Dee*, and Sir *John Glynne* Baronet, Lord of the Manor of *Hawarden*, and ſeveral Freeholders and Occupiers of Land within the ſaid Manor; and for explaining and amending three ſeveral Acts of Parliament of the ſixth, fourteenth and ſeventeenth Years of his preſent Majeſty's Reign, for recovering and preſerving the Navigation of the ſaid River *Dee*. P R.

5 Geo. 2. c. 30.

'WHEREAS by an Act of Parliament made in the ſixth Year of his preſent Majeſty's Reign, intituled, *An Act to recover and preſerve the Navigation of the River* Dee *in the County Palatine of* Cheſter, reciting that the Sands, Soil and Ground, not being Graſs, commonly called *The White Sands*, from the City of *Cheſter* to the Sea, and lying between the County of *Cheſter* on the North Side, and the County of *Flint* on the South Side, were of great Breadth in moſt Places; and that the ſaid River not being navigable, was chiefly owing to the Breadth of the ſaid Sands, and to the ſhifting of the Channel from one Side thereof to the other, as the Winds and Tides varied; and that the ſaid Sand, Soil and Ground, commonly caled *The White Sands*, were not, nor was likely to be of any Advantage or Benefit to any Perſon whatſoever, unleſs the ſaid River was bounded in and made navigable by Sea Walls, Banks and Fences, which would require a very great Expence, as well to erect as to maintain and repair from Time to Time, as Occaſion ſhould require; but that yet nevertheleſs, if the ſaid Sands, Soil or Ground, commonly called *The White Sands*, were recovered from the Sea by Sea Walls, Banks and Fences as aforeſaid, and the Channel thereby confined to one certain Courſe, it would not only effectually make the ſaid River navigable, but that veſting the ſaid *White Sands* in the Undertakers would be a conſiderable Encouragement to the

'the undertaking thereof; *Nathaniel Kinderly* in the said Act named, his Heirs and Assigns, and such Person 'or Persons as he or they should nominate and appoint, were appointed Undertakers of the said Navigation, 'and authorized and impowered at their own Cost and Charges to make and keep the said River *Dee* navi-'gable from the Sea to a certain Point within the Liberties of the City of *Chester*, called *Wilcox Point*, in 'such manner, that there should be sixteen Foot Water in every Part of the said River, at a moderate 'Spring Tide, for Ships and Vessels to come and go to and from the said City; and as a Recompence for 'the same, certain Rates of Tonnage were on the Terms therein mentioned, granted by the said Act to the 'said *Nathaniel Kinderly*, his Heirs, Assigns or Nominees; and as a further Recompence for the Expence 'which the said Undertakers should be at in making the said River navigable, certain Lands, Marshes and 'Salt Grass, and other Lands therein mentioned were, so soon as the said River should be made navigable, 'vested in the said *Nathaniel Kinderly*, his Heirs, Assigns or Nominees for ever, to the Use of the said '*Nathaniel Kinderly*, his Heirs, Assigns or Nominees for ever, under the Provisoes and Conditions in the 'said Acts mentioned: And whereas the said *Nathaniel Kinderly*, and his Assigns or Nominees, Undertakers 'of the said Navigation, began the said Undertaking, and made a new Channel for the said River *Dee*, 'through the adjacent Sands and Marshes near ten Miles in Length; and the said River was in the Month 'of *April* one thousand seven hundred and thirty-seven turned into the said new Channel, and hath ever 'since continued to run through the same; and ever since that Time, Ships and Vessels of considerable 'Burthen have sailed and navigated through the said new Channel up to the said Point called *Wilcox Point*, 'and the said Undertakers did, before the twenty-first Day of *March* one thousand seven hundred and forty, 'finish the said Undertaking in making the said River navigable, according to the Intent and true Meaning 'of the said recited Act of the sixth Year of his Majesty's Reign: And whereas by one other Act of Par-'liament made in the fourteenth Year of his Majesty's Reign, intituled, *An Act for incorporating the Under-* 14 Geo. 2. c. 8.
'*takers of the Navigation of the River* Dee; it was amongst other Things enacted, That the several Persons 'therein named Proprietors of the Undertaking for recovering and preserving the Navigation of the said 'River *Dee*, and the Representatives of such of the Subscribers to the Indenture or Deeds Poll therein 'mentioned as were dead, their several and respective Successors, Heirs and Assigns, should be erected into 'one Company for the Purposes aforesaid, and be incorporated by the Name of *The Company of Pro-'prietors of the Undertaking for recovering and preserving the Navigation of the River* Dee, and have Power 'to do all such Acts as the said *Nathaniel Kinderly*, his Heirs, Assigns or Nominees might have done, or 'were impowered to do by virtue of the said Act of the sixth Year of his present Majesty, and to take and 'receive all such Duties, Tonnage Dues and Payments whatsoever, as the said *Nathaniel Kinderly*, his Heirs, 'Assigns or Nominees were impowered to do by the said Act, and to embank, inclose, improve and apply 'to the Use of the said Company the White Sand, Soil and Ground, other Lands whatsoever by the 'said Act vested in the said *Nathaniel Kinderly*, his Heirs, Assigns and Nominees, upon the Terms and 'Conditions in the said Act mentioned, in the same Manner as the said *Nathaniel Kinderly*, his Heirs, 'Assigns or Nominees might have done, subject to the Limitations, Conditions and Restrictions in the said 'Act mentioned: And whereas the Tonnage Rates and Duties appointed to be paid by the said Act of 'Parliament of the sixth Year of his present Majesty, being by Experience found to be too high, and to 'be a Discouragement to the Trade of the said City of *Chester*, by one other Act of Parliament made in 'the seventeenth Year of his present Majesty's Reign, intituled, *An Act for explaining and amending an Act* 17 Geo. 2. c. 28.
'*passed in the sixth Year of his present Majesty's Reign*, intituled, *An Act to recover and preserve the Naviga-'tion of the River* Dee *in the County Palatine of* Chester, and another Act passed in the fourteenth Year of 'his present Majesty's Reign, intituled, *An Act for incorporating the Undertakers of the Navigation of the 'River* Dee; *and for repealing the Tonnage Rates payable to the said Undertakers; and for granting to them 'other Tonnage and Keelage Rates in lieu thereof; and for other Purposes therein mentioned*; the said Tonnage 'Rates payable to the said Undertakers were repealed, and new Rates granted and appointed to be paid to 'them in lieu thereof, and it was by the same Act of the seventeenth Year of his present Majesty's Reign 'further provided and enacted, That nothing therein, or in the said Acts of the sixth and fourteenth Years 'of his present Majesty's Reign, or either of them contained, should extend or be deemed, or construed 'to extend to hinder or restrain Sir *John Glynne* Baronet, Lord of the Manor of *Hawarden* in the County 'of *Flint*, his Heirs or Assigns, or any other of the Proprietors of Lands, Grounds or Salt Marshes within 'the said Manor of *Hawarden*, or any other Person or Persons having or been intitled to Right of Com-'mon thereon, their Heirs or Assigns, from having, using or enjoying the Lands, Grounds or Salt Marshes 'lying on either Side of the Banks and Forelands of the said new Channel made by the said Undertakers, 'which were greensword or grassed over at the Time of passing the said Act of the sixth Year of his Ma-'jesty's Reign, and not vested in the said *Nathaniel Kinderley*, his Heirs or Assigns or Nominees, or in the 'said Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the 'River *Dee*, by virtue of the aforesaid Acts of the sixth and fourteenth Years of his present Majesty's Reign, 'or of that Act, or from taking all the Rents, Issues and Profits thereof, or from having and enjoying such 'Right of Common as aforesaid thereon, and all the Rights, Liberties and Privileges thereto belonging, 'according to his and their respective Estate, Right, Title or Interest therein, in such Manner and with 'the like Benefit and Advantage, as he or they could, might or ought to have had or done, in case that or 'the said before-mentioned Acts had never been made, so as such Enjoyments, Rights, Liberties and Pri-'vileges did not infringe upon, or derogate from the Powers given to the said Undertakers, for completing 'and preserving the said Navigation, and recovering from the Sea the said White Sands by that Act, or 'by the said Act of the sixth Year of his present Majesty: And whereas since the making of the said last-'mentioned Act several Doubts and Differences have arisen between the said Company and the said Sir

'*John Glynne*, and ſeveral other of the Proprietors of Lands, and Perſons intitled to Common in the Salt 'Marſhes within the ſaid Manor of *Hawarden*, touching the Extent of the Lands, Grounds or Salt Marſhes 'lying on the North Side of the ſaid new Channel made by the ſaid Undertakers, which were greenſword 'or graſſed over at the Time of paſſing the ſaid Act of the ſixth Year of his Majeſty's Reign, and not veſted 'in the ſaid Company, and ſeveral Suits were in or about the Year one thouſand ſeven hundred and forty-'ſeven commenced, and are ſtill depending between the ſaid Parties in relation thereto: And whereas in 'order to put an end to all Diſputes that have or otherwiſe might ariſe between the ſaid Company and the 'ſaid Sir *John Glynne*, and the Freeholders and other Perſons intitled to Common within the ſaid Manor, 'in relation to the Premiſſes, and to any Damages which have been or may be occaſioned to all or any 'Part of the Lands or Marſhes within the ſaid Manor on the South Side of the ſaid new Channel, by reaſon 'of the ſaid Works of Navigation, Articles of Agreement have been lately made and entered into, by and 'between the ſaid Company of Proprietors of the Undertaking for recovering and preſerving the Naviga-'tion of the River *Dee*, of the one Part, and the ſaid Sir *John Glynne* of *Hawarden* in the County of *Flint*, 'Baronet, Lord of the Manor of *Hawarden*, and the ſeveral other Perſons whoſe Hands and Seals are there-'unto ſubſcribed, Freeholders and Occupiers of Land, within the ſaid Manor, on behalf of themſelves and 'all other Perſons having a Right of Commoning upon the Waſte Lands, Commons and Salt Marſhes, 'within the ſaid Manor, of the other Part, in the Words or to the Effect following; that is to ſay, Articles 'of Agreement, *&c.* And whereas the executing and effecting the ſaid Agreement would be for the mutual 'Benefit of the ſaid Company, and of all Perſons intereſted in, or intitled unto, the ſaid Lands, Grounds, 'or Salt Marſhes within the ſaid Manor, or to the Right of Common therein, and the great Expences 'which would neceſſarily attend the further Proſecution of the Suits that have ariſen, and are ſtill depend-'ing between the Parties, will thereby be prevented; but ſuch Agreement cannot be rendered effectual to 'anſwer the Intention of the Parties, without the Aid and Authority of an Act of Parliament;' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted, *&c.*

"The recited Articles of Agreement confirmed. Right of Common to ceaſe when the Undertakers ſhall "give Notice of their Intention of taking Poſſeſſion of the waſte Lands on the North Side of the new "Channel. Undertakers to pay 200 *l. per Annum* in Conſideration thereof, for the Benefit of the Lord "and Freeholders of *Hawarden*. The annual Sums of 200 *l.* and 50 *l.* charged on the Lands of the Under-"takers; and which may be diſtrained on for the ſame, *&c.* Undertakers to preſerve the Navigation of "the River on the South Side. Expences of preparing the Articles, and of paſſing this Act, to be paid "out of the annual Sum of 200 *l.* No Perſon to ride or drive Cattle over the Banks, but at the Ferries, on "Penalty of 5 *s.* The Articles of Agreement to be lodged with the Clerk of the Peace at *Cheſter*, and kept "amongſt the Records, and the Notice of the Undertakers for taking Poſſeſſion of the Commons, *&c.* "Undertakers impowered to make a Call of 20 *l. per Cent.* upon their Capital, excluſive of the 8 *l.* 10 *s.* re-"maining to be called for. Shares of the Defaulters to be ſtopt, and may be ſold after Three Months. "The Money called in and paid, to be deemed a Capital Stock. Committed to lay before the Company "a State of the Accounts yearly. Act to be expounded in the moſt beneficial Manner for the Purpoſes "aforeſaid. Roads to be ſet out."

CAP. XXXVI.

An Act for erecting ſeveral Publick Buildings in the City of *Edinburgh*, and to impower the Truſtees therein mentioned to purchaſe Lands for that Purpoſe; and alſo for widening and enlarging the Streets of the ſaid City, and certain Avenues leading thereunto.

'WHEREAS the City of *Edinburgh*, the Metropolis of that Part of the United Kingdom called '*Scotland*, is by reaſon of its Situation, and the Steepneſs of the Aſcent, and by the narrow and 'confined Avenues leading to the principal Street thereof, rendered difficult of Acceſs, and the Publick 'hath not hitherto been poſſeſſed of proper Areas, either for erecting Buildings, or opening Streets and 'Places of Reſort, as well for the Convenience as Ornament of the ſaid City: And whereas at preſent 'there is no convenient Repoſitory ſufficient to contain the publick Archives, Land Rights, and other 'valuable Securities, tranſmitted by the ſeveral Clerks to the Office under the Care and Keeping of the 'Lord Clerk Regiſter: And whereas many of the Offices of the ſeveral Clerks of the Supreme Courts of 'Judicatory are ſcattered in different Parts of the City, to the great Interruption of Buſineſs; and the 'Writings under their Cuſtody are expoſed to the Danger of Fire and other Accidents: And whereas there 'is no publick Place or Exchange for the Reſort of Merchants or Men of Buſineſs, nor any Town Houſe, 'Hall or Borough Room, for the annual Convention of the Boroughs of *Scotland*, nor Council Chamber 'for the Magiſtrates, fit for the daily Diſcharge of publick Buſineſs, nor any Hall for the Clerks of his 'Majeſty's Signet, or convenient Room for the Library belonging to the Faculty of Advocates: And 'whereas it will be advantageous not only to the City of *Edinburgh*, but to that Part of the United King-'dom called *Scotland*, and to the Publick in general, that a more commodious Place be provided for keep-'ing the publick Regiſters of that Part of the United Kingdom, and a Hall built for the Clerks to his 'Majeſty's Signet, and that Offices for the Director of the *Chancery*, the Keepers of the Records of the

'Great

'Great Seal, the Privy Seal and Signet, the Clerks of Session of Justiciary and Commission for Plantation 'of Kirks and Valuation of Teinds, as also Offices for the accommodating the Court of *Exchequer*, the 'General Register of Seisins, Hornings and Inhibitions, and for the Clerks of the High Court of Admi- 'ralty, and Commissaries of *Edinburgh*, be provided contiguous to the House commonly called the Parlia- 'ment House, where the Courts of Session and Exchequer do now sit; and also that a proper House be 'prepared for the Advocates Library, a large Hall or Borrow Room for the Use of the Borrows of *Scot-* 'land, and other publick Meetings, with a Council Chamber for the Use of the Magistrates; and that an 'Exchange for the Merchants and Men of Business be also provided near the Center of the City, and con- 'venient Communications opened to the High Street thereof, from the North, South and West: And 'whereas the Magistrates and Council of the City of *Edinburgh* have purchased several decayed Houses 'adjacent to the House commonly called the Parliament House, where the Courts of Session and Exche- 'quer do now sit, with a View of providing a proper Repository for the publick Records, and for the 'Advocates Library, and proper Offices for the Director of the *Chancery*, the Keepers of the Great Seal, 'Privy Seal and Signet, and Clerks aforesaid, and they have also purchased several decayed Houses in a 'publick Place most proper for an Exchange, and have also purchased several Houses in order to make 'the Passage to the High Street of the City, from the Fields on the North and South, more commodious: 'And whereas several Noblemen, many of the Members of the College of Justice, and other Gentlemen, 'and also the most considerable of the Incorporations of *Edinburgh*, sensible of the great Benefit that would 'accrue to the Publick by carrying on the said Works, and at the same Time being sensible, that the City 'of *Edinburgh* is unable out of its proper Funds to undertake and accomplish the same, have for carrying 'on the said Design, under the Direction herein after-mentioned, agreed to contribute certain Sums of 'Money, and they and others may hereafter be induced to subscribe further Sums of Money for that Pur- 'pose, but such intended Improvements of the City cannot be carried into Execution without the Autho- 'rity of Parliament;' Your Majesty's most dutiful and loyal Subjects, the Provost, Magistrates and Council of the City of *Edinburgh*, in Behalf of themselves and the Community of the said City, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the most Noble *Archibald* Duke of *Argyle*, the most Noble *James* Duke of *Athole*, the most Honourable *John* Marquis of *Tweddale*, the Right Honourable *James* Earl of *Morton*, the Right Honourable *John* Earl of *Hopeton*, the Right Honourable *Charles Areskine*, Lord Justice Clerk; the Honourable *Andrew Fletcher* of *Milton*, one of the Senators of the College of Justice; Sir *Alexander Dick* of *Preston Field* Baronet, *James Dewar* of *Vogrie* Esquire, Master *John Forrest* of *West Grange*, the Right Honourable *Robert Dundas*, Lord President of the Court of Session; the Honourable Sir *Gilbert Elliot* of *Minto*, and the Honourable *Hugh Dalrymple* of *Drummore* Esquire, Senators of the College of Justice; the Right Honourable *John Idle*, Lord Chief Baron of his Majesty's Court of *Exchequer*; the Honourable *John Maule* Esquire, one of the Barons of his Majesty's *Exchequer*, *William Alexander* Esquire, Lord Provost of *Edinburgh*; and the Lord Provost of *Edinburgh* for the Time being; the Right Honourable *William Grant* of *Preston Grange* Esquire, his Majesty's Advocate for *Scotland*; the Honourable *Henry Home* of *Kaimes* Esquire, one of the Senators of the College of Justice; *Robert Craigie* of *Glendock* Esquire, Advocate; *George Drummond* Esquire, one of his Majesty's Commissioners of Excise; *David Flint* Esquire, Dean of *Gild*; and the Dean of *Gild* of *Edinburgh* for the Time being; Master *John Brown*, Master *James Stewart*, Merchants in *Edinburgh*; *James Kerr* of *Boughtriggs* Esquire, Master *William Keir*, Deacon Convener of the Trades of *Edinburgh*; and the Deacon Convener of *Edinburgh* for the Time being; Master *Alexander Sharp*, and Master *Gavin Hamilton*, Merchants in *Edinburgh*; *Robert Dundas* the Younger of *Arniston* Esquire, Dean of the Faculty of Advocates; *Alexander Boswall* of *Auchinleik*, Esquire, and *Gilbert Elliot* the Younger of *Minto* Esquire, Advocates; Master *Alexander Mac Millan*, Deputy Keeper of his Majesty's Signet; Master *Hugh Crawfurd*, and Master *John Mac Kenzie*, Clerks to the Signet, and their Successors, shall be, and they are hereby constituted and appointed Commissioners for designing, ordering and causing to be erected, or otherwise provided, in convenient Places within the said City, such Buildings as they shall judge proper for the keeping and preserving of the publick Records, which are under the Custody, Care and Keeping of the Lord Clerk Register; and for a proper Library-house to the Faculty of Advocates; a Hall for the Clerks to the Signet; a Town-house, a Hall or Borrow-room, for the annual Convention of the Commissioners of the Royal Burrows of *Scotland*, and for the Use of the City of *Edinburgh*, or other publick Occasions; and a Council Chamber for the Use of the Magistrates; as also for building and providing Offices for the Director of the *Chancery*, the Keepers of the Records of the Great Seal, the Privy Seal and Signet, the Clerks of Session of Justiciary and Commission of Tiends; as also Offices for accommodating the Court of *Exchequer*; and Offices for the General Register of Seisins, Hornings and Inhibitions, and for the Clerks of the High Court of Admiralty and Commissaries of *Edinburgh*; and for erecting an Exchange for Merchants, and other People of Business to resort to; and for making easy and commodious Access between the High Street of the City and the Country, Northward, Southward and Westward, to the utmost Extent of the present Royalty of the said City.

Commissioners Names.

Publick Buildings to be designed and erected.

II. And be it further enacted by the Authority aforesaid, That in case of the Death or Resignation of any of the ten Commissioners herein after named, that is to say, *Archibald* Duke of *Argyle*, *James* Duke of *Athole*, *John* Marquis of *Tweddale*, *James* Earl of *Morton*, *John* Earl of *Hopeton*, *Charles Areskine*, *Andrew Fletcher*, *Alexander Dick*, *James Dewer*, or *John Forrest*, such of the said ten Commissioners as shall survive

Method of chooſing Commiſſioners in the Room of ſuch as ſhall die or reſign,

Or reſign,

or remain, or the major Part of them, shall and may, from Time to Time, at some publick Meeting to be held for that Purpose, elect and nominate a Commissioner to supply such Vacancy; and in case of the Death or Resignation of the said *Robert Dundas*, Sir *Gilbert Elliot*, or *Hugh Dalrymple*, the Senators of the College of Justice shall and may in like manner elect a Commissioner in his Stead; and in case of the Death or Resignation of the said *John Idle* or *John Maule*, the Barons of his Majesty's Court of Exchequer in *Scotland* shall and may in like manner elect a Commissioner in his Stead; and in case of the Death or Resignation of the said *Robert Dundas*, *Alexander Boswall*, or *Gilbert Elliot*, the Dean and Faculty of Advocates shall and may in like manner elect a Commissioner in his Stead; and in case of the Death or Resignation of the said *Alexander Mac Millan*, *Hugh Crawfurd*, or *John Mac Kenzie*, the Clerks of the Signet shall and may in like manner elect a Commissioner in his Stead; and in case of the Death or Resignation of the said *William Alexander*, *William Grant*, *Henry Home*, *Robert Craigie*, *George Drummond*, *David Flint*, *John Brown*, *James Stewart*, *James Kerr*, *William Keir*, *Alexander Sharp*, or *Gavin Hamilton*, the Magistrates and Council of the City of *Edinburgh* shall and may in like manner elect a Commissioner in his Stead; and in case of the Death or Resignation of any of the Persons so elected as aforesaid, that then and in every such Case, such of the said ten Persons as shall survive or remain, the said Senators of the College of Justice, the said Barons of Exchequer, the said Faculty of Advocates, the said Clerks of the Signet, the said Magistrates and Council of the City of *Edinburgh*, shall respectively from Time to Time, as often as any such Vacancy shall happen, and in like manner elect a Commissioner in his Place or Stead.

Meeting of the Commissioners.

III. And be it enacted by the Authority aforesaid, That the Commissioners aforesaid, or any seven or more of them, shall meet together at the Room called *The laigh Council House* in *Edinburgh*, the third *Monday* in *June*, which shall be in the Year of our Lord one thousand seven hundred and fifty-three, and shall then and afterwards from Time to Time adjourn themselves to the same or any other Place within the said City of *Edinburgh*, which the said Commissioners, or any seven or more of them, shall think proper or convenient, as often as it shall be necessary for putting this Act, or any of the Powers therein contained, into Execution; and if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said Commissioners a sufficient Number of Commissioners to act at such Meeting, then and in such Case the major Part of the Commissioners so met (though not a *Quorum*) shall by publick Notice in any of the *Edinburgh* News Papers, to be given at least Ten Days before the next Meeting, appoint the said Commissioners to meet at the Place where the Meeting of the said Commissioners was so appointed to be held, within fifteen Days at furthest next after the Day on which such last Meeting of the said Commissioners, when there was no *Quorum*, was appointed to be held; and the said Commissioners shall at all and every their Meetings bear and pay their own Charges and Expences.

Adjourned Meetings.

Commissioners may contract for Land to build an Exchange,

IV. And to the Intent that an Exchange may be erected near the Centre of the City; Be it enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such Houses and Grounds as lie on the North Side of the High Street, bounded by the Entry to the Tenement or Land commonly called the *Writer's Court* on the West, the Stone-land immediately below *Allen's Close*, commonly called *Fair-holme's Land* on the East; the High Street of the said City on the South, and the Lake commonly called the *North Loch*, on the North Parts, being one hundred and fifty Feet from East to West on the South Boundary fronting the High Street, comprehending the whole Houses and Ground Northward from the said South Boundary to the *North Loch*, and to purchase the same at such Prices as shall be agreed on between the said Commissioners, or any seven or more of them, and the said Owners and Occupiers respectively; and being so purchased, with Power to the said Commissioners to order the said Houses to be pulled down, and an Exchange to be erected in such Form and Manner as the said Commissioners, or any seven or more of them regularly convened, shall appoint and direct.

and for opening a more commodious Access to the High Street of the City from the Fields on the North;

V. And for the more commodious Access to the High Street of the said City from the Fields on the North, Be it enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such Houses and Grounds as lie on the North Side of the High Street of the said City, bounded by the great Tenement or Land opposite to the *Trone Church* commonly called *Milns Square*, and the lower Flesh Market on the West, the Veinel or Passage called *Halkerston's Wynd*, on the High Street of the said City on the South, and the Park or Inclosure, commonly called Lord *Forglen's Park*, on the North Parts, including within the said Boundaries the Range of Houses commonly called *Kincaid's Lands*, the House or Tenement commonly called *Howies's Land*, the Houses on the Side of the *North Loch*, belonging to the Heirs of *Charles Robertson*, with some ruinous Houses or Stables on the West Side of *Halkerston Wynd*, belonging to the Heirs of *Robert Reid* Sadler in *Edinburgh*; and measuring forty Feet from East to West on the South Boundary fronting the High Street, and widening to the Northward to about sixty Feet, and to purchase the Premisses at such Prices as shall be agreed on between the said Commissioners, or any seven or more of them, and the said Owners and Occupiers respectively, and to order the said Houses so purchased to be pulled down, and the Ground or Area to be employed in such manner as the said Commissioners, or any seven or more of them, shall appoint, for rendering the Access to the said City and High Street thereof from the North Parts more easy and commodious.

and for opening convenient Entries from the High Street to the South;

VI. And for opening convenient Entries from the High Street to the South, Be it enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, after agreeing with the Owners and Occupiers in manner herein after mentioned, shall have full Power and Authority to cause a commodious Passage to be made for Coaches and Wheel Carriages from the High Street to the Cowgate, not exceeding twenty Feet in Breadth, beginning under the Building to be erected on that Area where the House

House commonly called *Elphingston's Land* lately stood, near the Cross, and comprehending within the said Passage, the three Buildings belonging to the Heirs of *George Marshal* and the Heirs of *William Hunter*; as also the Houses or Buildings in *Bothwick's Close* after mentioned; *videlicet*, the Middle and Lower Tenements belonging to the Heirs of the said *George Marshall*, and several Houses betwixt that Tenement and the Street of the Cowgate, comprehending the House belonging to *Alexander Hutton*, the House some Time belonging to the Heirs of *Corson* or *Johnston*, and now to the said *Alexander Hutton*, the House belonging to *Robert Bowie*, and the House some Time belonging to the Heirs of the said *Corson* or *Johnston*, and now to *John Rattery*; and for that Purpose, if it shall be found necessary, to cause the Gavel of the House called *Arthur Reid's Land*, on the East of the said Area, to be taken down and rebuilt; as also to open a Street from the Head of *Peeble's Wynd* on the North, to the Head of *Hastie's Close* on the South, not exceeding sixty Feet in Breadth from East to West; and that the said Commissioners, or any seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such Houses or Areas as fall within the Limits of the said Street and Passage, and to purchase the same at such Prices as shall be agreed on betwixt the said Commissioners, or any seven or more of them, and the said Owners and Occupiers respectively, and to order the said Houses so purchased to be pulled down, the Areas to be cleared, and the said Street and Passage to be laid or paved in such manner as the said Commissioners, or any seven or more of them, shall appoint.

and for a more commodious Access to the High Street from the West.

VII. And for the more commodious Access to the High Street of the said City from the West, Be it enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such Houses and Grounds as stretch from the House and Stabling at the Foot of the West Bow, known by the Name of *The Drovers Tryste*, in a straight Line Eastward, to the Top of *Henderson's Stairs*, at the Back of the Parliament or Session House, not exceeding one hundred Feet in Breadth, and then in a straight Line from the Top of the said Stairs to the High Street at the Head of the *Bess Wynd*, not exceeding forty Feet in Breadth, and to purchase the Premisses at such Prices as shall be agreed on between the said Commissioners, or any seven or more of them, and the said Owners and Occupiers respectively, and to order the said Houses so purchased to be pulled down, and the Ground or Area to be employed in such manner as the said Commissioners, or any seven or more of them shall appoint, for rendering the Access to the High Street of the said City, from the West Parts, more easy and commodious, and otherways improving the said City within the said Boundaries.

Magistrates and Council of the City may dispone of Lands purchased by them for the Purposes aforesaid.

VIII. And be it declared by the Authority aforesaid, That it shall and may be lawful to the Magistrates and Council of the City of *Edinburgh*, and their Successors, to give, grant, alien and dispone to the said Commissioners, or any seven or more of them, or to such Person or Persons as they shall nominate and appoint in their Behalf, all or any such Houses, Lands or Premisses, purchased or which may be purchased by the said City, or belonging to them, which may be proper or convenient for carrying on the aforesaid Works.

Commissioners may agree with the Proprietors of other Houses and Grounds.

IX. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such other Houses and Grounds as they shall find necessary for carrying on the said Works, and to purchase the same at such Prices as shall be agreed on between the said Commissioners and the said Owners and Occupiers respectively, and to order the said Houses so purchased to be pulled down, rebuilt or employed, for the Purposes aforesaid.

Bodies Politick, and others, impowered to sell to the Commissioners.

'X. And whereas it may happen that some Person or Persons, or Bodies Politick, Corporate or Collegiate, or Trustees, or others who are seised of or intitled to some Houses or Ground which may be necessary to be purchased, pulled down, converted or disposed of, for the Purposes of this Act, may be willing to treat and agree to sell such Houses or Ground, in order to perfect so useful and necessary a Work, but are incapable of granting and conveying the same, by reason of Infancy or other Disability by Tailies or otherwise;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Trustees, Tutors or Curators for Infants or Minors, Idiots or furious Persons, or other Persons for whom they are Trustees, and for all and every other Person or Persons whatsoever who are or shall be seised, possessed of or interested in any House or Houses, or Grounds, which the said Commissioners shall judge necessary for the Purposes aforesaid, whether by Titles held in Fee-simple or taillied, to sell and convey to the said Commissioners, or any seven or more of them, or their Successors, or to such other Person or Persons as they shall appoint, all or any such Houses and Grounds, or any Part thereof, for the Purposes aforesaid; and that all Contracts, Agreements, Sales or other Conveyances that shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding: And that all Trustees, Tutors or Curators, Corporations, Proprietors or Incumbrancers, subject to Tailies, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue of or in pursuance of this Act.

Houses, &c. under Entail, the Price to be settled to the same Uses.

XI. Provided, That where Houses, Shops or Grounds, under Entail, are purchased for the Purposes aforesaid, the Price of the Premisses shall by Authority of the Court of Session be laid out upon Lands, or other heretable Security, and the Rights and Securities devised and taken to the same Series of Heirs as are contained in the original Title Deeds of the Subjects under Entail, purchased for the Uses aforesaid: And if it shall happen that any Person or Persons, Bodies Politick, Corporate or Collegiate, whether the City of *Edinburgh*, or others, or any Persons, Proprietors or Occupiers of Houses or Grounds where the Exchange is to be built, or the Passages to the South, West and North opened, lying within the

Persons refusing to treat with the Commissioners, the Purchase to be settled by a Jury.

the Boundaries deſcribed as aforeſaid reſpectively, ſhall refuſe to treat and agree to ſell the ſame as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, and they are hereby impowered to iſſue out a Warrant or Warrants, Precept or Precepts, directed to the Sheriff Depute of the County of *Edinburgh*, or his Subſtitute, commanding him, and he is hereby authorized and required to impannel and return a competent Number of ſubſtantial and diſintereſted Perſons, not leſs than twenty-five, nor more than thirty-ſix; and out of ſuch Perſons ſo to be ſummoned and returned, a Jury of fifteen Perſons ſhall be choſen by the ſaid Commiſſioners, or any ſeven or more of them; which Perſons ſo to be ſummoned and returned, are hereby required to come and appear before the ſaid Commiſſioners, or any ſeven or more of them, at ſuch Times and Places as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen: And the ſaid Commiſſioners, or any ſeven or more of them, are hereby authorized, by Warrant or Warrants under their Hands, from Time to Time, as Occaſion ſhall require, to call before them all and every Perſon or Perſons whatſoever, who ſhall be thought proper or neceſſary to be examined as Witneſſes before them touching or concerning the Premiſſes, and to ſend their Precept or Precepts for all ſuch Perſon or Perſons, who are hereby required to produce ſuch Books, Papers, Deeds and Writings, as the ſaid Commiſſioners ſhall think neceſſary for their Information in any Thing relating to this Act; and ſhall and may adminiſter Oaths for the better Diſcovery of the Truth of the Inquiry by them to be made to any Perſon or Perſons therein concerned, or to any other Perſon or Perſons whatſoever; and ſhall and may likewiſe authorize the ſaid Jury to view the Place or Places, or Matters in Queſtion, as they the ſaid Commiſſioners, or any ſeven or more of them, ſhall think fit: And the ſaid Jury upon their Oaths, to be adminiſtered by the ſaid Commiſſioners, or any ſeven or more of them, which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, or to be examined before the Commiſſioners, or any ſeven or more of them, they are hereby impowered and required to adminiſter, ſhall enquire of and aſſeſs ſuch Damage and Recompence as they ſhall judge fit to be awarded to the Owners and Occupiers, or any of them, of any ſuch Houſes or Ground, or any Part thereof, for their reſpective Eſtates and Intereſts in the ſame, as by the ſaid Commiſſioners, or any ſeven or more of them, ſhall be judged fit to be pulled down or converted to the Purpoſes aforeſaid; and the ſaid Commiſſioners, or any ſeven or more of them aſſembled together, ſhall and may give Judgment for ſuch Sum or Sums of Money ſo to be aſſeſſed by ſuch Jury or Juries reſpectively; which ſaid Verdict or Verdicts, and the Judgment, Decree or Determination thereupon declared and pronounced by the ſaid Commiſſioners, or any ſeven or more of them aſſembled together, and the Value or Recompence ſo to be aſſeſſed and declared, (Notice in Writing being firſt given of their Meeting at leaſt twenty Days before, declaring the Time and Place of their Meeting, to any Perſon concerned, or being left at the Dwelling-houſe of ſuch Perſon concerned, or at his or their uſual Place of Abode, or with ſome Tenant or Occupier of the Lands, Grounds or Tenements, to be pulled down, converted or affected by this Act, in caſe ſuch Party cannot otherways be found out to be ſerved with ſuch Notice) ſhall be binding and concluſive to all Intents and Purpoſes whatſoever againſt all and every Perſon and Perſons, Bodies Politick and Corporate, having or claiming any Right, Title, Truſt or Intereſt in, to or out of the ſaid Houſe, Grounds, Tenements and Premiſſes, to be affected by this Act, either in Fee or Life-rent, or Expectancy, as well Infants, Minors, Idiots or furious Perſons, Proprietors by Tailly, Life-renters, Leſſees or Tenants, his, her and their Heirs, Succeſſors, Executors and Adminiſtrators; and the ſaid Verdicts, Judgments, Orders, Sentences and Decrees, and the other Proceedings of the ſaid Commiſſioners ſo to be made, given and pronounced as aforeſaid, ſhall be fairly written on a Paper or Parchment by the Commiſſioners Clerk, and ſigned by any ſeven or more of the Commiſſioners preſent at the making and pronouncing the ſame, and ſhall be recorded in the Town-court Books of *Edinburgh*; and the ſame, or Extracts thereof, ſhall be deemed and taken as good and effectual Evidence and Proof in any Court of Law or Equity whatſoever.

Witneſſes may be ſummoned and examined on Oath.

Jury to aſſeſs the Damage and Recompence on Oath;

and Commiſſioners to give Judgment thereon,

which ſhall be binding;

the ſame to be in Writing, and ſigned by the Commiſſioners;

XII. And be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any ſeven or more of them acting in the Premiſſes, ſhall have Power to impoſe any reaſonable Fine or Fines, not exceeding five Pounds lawful Money of *Great Britain*, on any of the Perſons who ſhall be ſummoned and returned on any ſuch Jury or Juries, and ſhall not appear, and who ſhall refuſe to be ſo ſworn on the ſaid Jury or Juries, or being ſo ſworn, ſhall not give his or their Verdict, or in any other manner wilfully neglect his or their Duty in the Premiſſes, contrary to the true Intent and Meaning of this Act; and likewiſe upon ſuch Perſon or Perſons ſummoned as aforeſaid to give Evidence, and who ſhall neglect or refuſe to appear to give Evidence accordingly at ſuch Time or Times, Place or Places, as ſhall be limited or appointed for that Purpoſe as aforeſaid, or appearing, ſhall refuſe to be ſworn, give Evidence, or be examined by or before the ſaid Commiſſioners, or any ſeven or more of them; and alſo on ſuch Perſon or Perſons ſummoned as aforeſaid to produce Books, Papers, Deeds and Writings, before the ſaid Commiſſioners, or any ſeven or more of them, for their Information in any Thing relating to this Act, who ſhall neglect or refuſe to appear before the ſaid Commiſſioners, or appearing, ſhall refuſe to be ſworn or produce ſuch Books, Papers, Deeds or Writings as aforeſaid; and which reſpective Fines to be impoſed as aforeſaid, ſhall be levied in a ſummary Way, by Diligence iſſued from the Court of Seſſion, in the ſame Way that is competent upon Decrees of that Court; and when levied, ſhall be paid in to the Caſhier of the Bank of *Scotland*, or the Royal Bank of *Scotland*, and ſhall be applied by the ſaid Commiſſioners, or any ſeven or more of them, to the Purpoſe of this Act, and to no other Uſe or Purpoſe whatſoever.

Jury, &c. may be fined for Neglect of Duty.

Application of the Fines.

XIII. And

XIII. And it is hereby enacted and declared, That upon Payment of such Sum or Sums of Money so to be awarded or adjudged to the Party or Parties concerned, or legal Tenders thereof made to him, her or them respectively, at his, her or their Dwelling-house, in case such Party or Parties can be met with, and on Refusal of the same, or if he, she or they have no such Dwelling-house in *Edinburgh*, then upon Payment thereof into the Bank of *Scotland*, or into the Royal Bank of *Scotland*, for the Use of the Party or Parties interested as aforesaid, and to be issued to him, her or them, by Order of the said Commissioners, or any seven or more of them, and Notice of such Payment left in Writing at the Dwelling-house of some Tenant and Occupier of the Premisses, it shall then, and not before, or otherwise, be lawful to and for the said Commissioners and their Successors, and to and for their Agents and Workmen, to remove, pull down, order, convert and dispose of such Houses, Tenements, Buildings, Ground and Premisses, for the Purposes of this Act, in such manner as the said Commissioners, or any seven or more of them, shall see fit and expedient; and the said Commissioners shall be indemnified therein, and quieted in the Possession of the Premisses so to be ordered, converted and disposed of, by Virtue and under the Authority of this present Act; provided that previous Notice shall be given to the Tenants and Occupiers of such Houses so to be pulled down, three Calendar Months at least before the Term of *Whitsunday*, at which the said Tenants or Occupiers are to be removed, by affixing a Schedule to that Effect upon the most patent Door of such House or Houses, or delivering the same to the principal Tenant or Occupier of the same; which Schedule shall be ordered and appointed, and so delivered and affixed by Order of the said Commissioners, or any seven or more of them, and an Advertisement thereof shall be inserted in any of the *Edinburgh* News Papers; and in case any Dispute shall arise between the Parties claiming or intitled to different Interest in the Houses, Grounds, Tenements and Hereditaments, necessary to be purchased, pulled down, converted or disposed of, for the Purposes of this Act, or in case the Title to the same Premisses shall not appear sufficient and effectual to the Satisfaction of the said Commissioners, or any seven or more of them, then and in such Case after such Damage and Recompence assessed or awarded by the Verdict of a Jury, and such Decree, Judgment and Determination of the Commissioners thereupon as aforesaid, it shall and may be lawful to and for the said Commissioners, or any seven or more of them, to pay or direct the Money so to be awarded or adjudged for the Purchase of the Premisses into either of the aforesaid Banks, or otherwise at the Request of the Person or Persons who shall then be in Possession of the same, or into the Hands of the Magistrates and Town Council of *Edinburgh*, and their Treasurer for the Time being, in the Terms, and upon the Conditions mentioned in an Act of the Parliament of *Scotland*, made in the Year one thousand six hundred and ninety-five, intituled, *Act relating to Sale and Payment of Bankrupts Estates*, but with Interest as hereafter mentioned; there to remain until the Matters in Dispute between the Parties interested shall be settled and adjusted, or the Title of the Premisses cleared up or made out to the Satisfaction of the said Commissioners, or any seven or more of them; and after the same shall be so settled, adjusted, and made up, the Money consigned as aforesaid, shall be paid by the City of *Edinburgh* or its Treasurer, with Interest thereof, at the Rate of one *per Centum* below the legal Interest, or by the said Bank, or their Cashier, to the Order of the said Commissioners, or any seven or more of them; and after such Payment into either of the said Banks, or Consignation thereof as aforesaid, it shall then, and not before, or otherways, be lawful for and to the said Commissioners and their Successors, or any seven or more of them, and for and to their Agents and Workmen, to remove, pull down, order, convert, and dispose of such Houses, Tenements, Buildings, and Premisses, pursuant to and by the Authority of, and for the Purposes of this Act; and the said Commissioners shall be indemnified therein, and quieted in the Possession thereof, and shall not be answerable or accountable in any Court of Law or Equity, for the Money so deposited or applied as aforesaid, any otherways than according to the Tenor, Purport, and true Meaning of this Act; and if there shall be no Challenge for five Years, from and after the Consignation of such Price, it shall and may be lawful for the said Commissioners, or any seven or more of them, to issue their Warrant in Writing for Payment of such Price and Interest, as shall be due thereon, to the Person or Persons who were in Possession as Proprietor or Proprietors of such House or Houses, at the Time the same were pulled down.

Upon Payment or Tender of the Sum awarded.

the Commissioners may enter and pull down the Houses, &c.

Previous Notice to be given to the Occupiers.

Disputes between the Claimants how to be adjusted.

Act in the Year 1695.

The Money to be paid with Interest.

After Payment, Commissioners may enter, &c.

XIV. And be it declared and enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall have the sole Administration of the Money contributed and subscribed for, or that may be contributed or subscribed for, and they are hereby authorized and impowered to call for the same from the Subscribers at such Time, and by such Moieties, as they shall judge proper, with Power to them, or any seven or more of them, to employ the same in making Purchases for the Purposes aforesaid, and to take the Rights and Conveyances of the Purchases so to be made to the said Commissioners and their Successors in Office, or to such Person or Persons, Bodies Corporate or Collegiate, as the said Commissioners, or any seven or more of them shall direct, for carrying the Purposes of this Act into Execution, after deducting the reasonable Charges expended, or to be expended in or about, or by reason of passing this Act, and for the Uses and Purposes therein mentioned, and no otherways.

Commissioners to have the Administration of the Money subscribed, and to call for the same.

'XV. And whereas divers Houses, or other Hereditaments, lying and situated within the Limits and 'Boundaries above described, or some of them, have been, and are insured with and by the Corporation 'called and known by the Name of *The* Edinburgh *Friendly Insurance against Losses by Fire*; and the Pre- 'miums of Insurance for some of them are or may be paid, as the Premiums for others of them are, at the 'Time of the Demolition thereof in consequence of this present Act, may be owing, and the Bonds for such 'Premiums are made a real Burden on the Premisses insured, by virtue of a Clause in an Act of Parliament 'passed in the first Year of his present Majesty's Reign, intituled, *An Act to explain the Acts of the third and* 1 Geo. 2. c. 22. 'ninth Years of his late Majesty's Reign, for continuing the Duty of two Pennies* Scots *on every Pint of Ale and* 'Beer *sold in the City of* Edinburgh, *in relation to the Payment of Petty Port Customs, and for the more effec-*

'tual securing the Payment of such Money, as hath been or shall be contributed towards a charitable Fund for Re-'lief of such as shall suffer by Fire in the said City, and the Suburbs and Liberties thereof:' Now for the preventing all Disputes and Questions touching the said Premiums, or touching the Application and Explanation of some of the Articles of the said friendly Insurance, upon the Demolition of any such insured Premisses, Be it enacted, That in all Cases where the Premium for Insurance of any House, or other Subject insured with the said Corporation, and which shall be pulled down in consequence of the Powers and Authorities hereby given, shall have been paid before such Demolition, the said Premium shall, notwithstanding of such Demolition, remain with the said Corporation; and no Action shall lie in Law or Equity for Repetition thereof, or of any Interest arising thereon; and that in all Cases where such Premium shall be owing at the Time of such Demolition, the same, and all the Interest due thereupon for the Time, shall be payable and shall be paid out of the first and readiest of the Price assessed or payable for such House, or other Hereditament, immediately after the same is settled, before demolishing the Hereditament insured, and notwithstanding of any Dispute which may arise concerning the Title thereunto, or the Payment or Distribution of the Remainder of the said Price.

Premium paid or due for Insurance of Houses, which shall be pulled down, to stand good.

XVI. Provided always, and it is hereby declared, That if the Person intitled to any Policy of Insurance by the said Corporation, for any such demolished House or other Hereditament, shall chuse to insure with the said Corporation any House or other Hereditament, whether rebuilt on the same Foundation with the one demolished, or built elsewhere, then and in such Case, the said Corporation shall be obliged to allow the Premium paid or to be paid as aforesaid, for the demolished House or other Hereditament, as and for the Premium in Terms of their Articles of Copartnery of the like Value, to be insured on such new or other House, or other Hereditament; and that the proportional Interest in the Stock of the said Corporation and Profits thereof, which was annexed to and would have gone along with the demolished House, or other Hereditament, shall be annexed to and go along with the House, or other Hereditament so to be anew insured; any thing to the contrary in the Articles of the said Corporation notwithstanding.

If the Person intitled to the Policy shall chuse to insure any other House, the Corporation to allow the Premium.

XVII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any seven or more of them, and they are hereby required to lett, sell, and dispose of the Buildings, to be by them erected at the intended *Exchange*, or elsewhere, (other than those that are to be Rent-free as afore-mentioned) and they are hereby impowered to lett, sell, and dispose of the same to such Person or Persons as shall be willing to contract, agree for, or purchase the same, in Whole or in Part, and to apply the Price or Rents arising from the Premisses to the Purposes of this Act, and not otherwise.

Commissioners may lett or sell the Buildings erected by them;

'XVIII. And whereas by means of the Purchases which the Commissioners are hereby impowered to 'make by virtue of this Act, they may be possessed of some Piece or Parcel of Ground, over and above 'what may be necessary for the opening and widening of Ways, Streets, and Passages to and from the 'High Street, and other Purposes of this Act;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any seven or more of them, to lett, sell, or dispose of such Piece or Pieces of Ground, either together or in Parcels, as they shall find most advantageous and convenient, to such Person or Persons as shall be willing to contract, agree for, or purchase the same; and to design, assign, and lay out, in what manner the new Houses or Structures to be built thereon shall be erected, and of what Breadth and Extent the Streets and Passages shall be, and to sell and dispose of the Materials of such House or Houses, as the said Commissioners shall purchase and cause to be pulled down as aforesaid.

and such Ground as shall not be necessary to be taken into the Streets; and may assign in what Manner the Houses shall be erected, and the Breadth of the Streets.

XIX. Provided always, That the Monies arising by the Sale or letting of such Ground, and selling the Materials of the Houses to be purchased and pulled down, shall be employed towards the Purposes of this Act, and to no other Use, Intent, or Purpose whatsoever.

Application of the Monies arising by Sale, &c. of such Ground, or of the Materials.

XX. And be it further enacted by the Authority aforesaid, That the Monies to be called for by the said Commissioners, or any seven or more of them as aforesaid, from the Subscribers and Contributors, and all other Sums of Money arising by Sale or otherways, in Consequence of this Act, shall be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, to be issued out by Order of the said Commissioners, or any seven or more of them as aforesaid, for the Uses and Purposes of this present Act

Contributions, and other Monies, to be paid into the Bank.

XXI. Provided always, That nothing in this Act contained, shall extend to abridge or prejudice the Power of the Lord Clerk Register in the Custody of the Records committed to his Care.

Lord Clerk Register not to be prejudiced.

XXII. And be it further enacted by the Authority aforesaid, That the Buildings to be erected for the keeping the Records, under the Custody of the Lord Register, and for the Advocates Library, and Hall to the Clerks to the Signet, the Town-house or Room for the Meeting of the Convention of Royal Borrows and Council Chamber, shall be the Property of the City of *Edinburgh*; nevertheless subject to the Uses for which the same shall be erected, and Rent-free; provided that the Magistrates and Town Council of the City of *Edinburgh*, and their Successors in Office, shall be and are hereby obliged to uphold in good and sufficient Repair, the said Buildings to be erected for the Purposes aforesaid.

Buildings erected for the publick Offices to be the Property of the City.

XXIII. And that no Delay may be occasioned by the said Commissioners or their Quorum not meeting or omiting to make a regular Adjournment, Be it further enacted by the Authority aforesaid, That the said Commissioners shall and may, and they are hereby required and directed to meet at least four Times in every Year; *videlicet*, on the third *Mondays* of the Months of *June* and *July*, *November* and *February*, with Power to adjourn themselves, from Time to Time, as they shall see Cause.

Commissioners to meet four Times at least in the Year;

XXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any seven or more of them, at their first Meeting, which shall be on the third *Monday*

their first Meeting.

Monday in *June* in the Year of our Lord one thousand seven hundred and fifty-three, or at any After-meeting in virtue of the Powers of Adjournment in this Act contained, to determine and choose which of the Purposes aforesaid shall be first begun and carried into Execution, and with Power to them and their Successors in virtue of this Act, from time to time to regulate the Order of carrying on the several Purposes mentioned in this Act, or such of these Purposes as they shall find themselves in Condition to undertake, during the Continuance of this Act. Order of carrying on the Purposes of this Act to be settled.

XXV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners and their Successors, and they are hereby authorized and required to keep a Record of their Proceedings, and to cause a distinct Entry to be made of the Whole Sums that are or may be contributed towards the Purposes of this Act; and to nominate a Clerk and Book-keeper for that Purpose, and allow them for their Trouble and Expence a yearly Salary, to be proportioned as the said Commissioners shall judge proper, not exceeding twenty-five Pounds, lawful Money of *Great Britain*, for the Allowance to both, for themselves and Servants employed in Writing; and the said Commissioners are hereby required before the Expiration of this Act, to cause their Books to be ballanced; and in case there shall be any Sum or Sums of Money, Buildings, Houses, Grounds, or other Effects undisposed of, then and in that case the said Commissioners are hereby authorized and required to appoint the Purposes to which the same shall be applied for the further Improvements of the said City, or any other Purpose in or about the City, they shall think fit; and to make over the said Excrescence and Premisses remaining with them, if any then be, to the Magistrates and Council, of the City of *Edinburgh*, for the Use of the Community; and the said Magistrates and Council, and their Successors in Office, are hereby appointed and required to employ and dispose of the Premisses and Sums so conveyed to them by the Commissioners, in the precise manner, and according to the Order that the same shall be appointed by the said Commissioners, or any seven or more of them, to be expressed in Writing under their Hands, which shall be put upon Record in the Books of Council and Session, or Town Court Books of *Edinburgh*, and be deemed, held, and taken by the said Magistrates and Council, as the Rule of their Procedure. Commissioners to make an Entry of their Proceedings, and of the Sum contributed; Clerk and Book-keeper to be chosen, and a Salary to be allowed. Books to be ballanced before the Expiration of this Act, and the Balance, &c. to be laid out in further Improvements, &c.

XXVI. And it is hereby declared, That this Act is a publick Act, and shall be deemed and taken Notice of as such, by all Judges, Justices, and others, in all Courts and Places, without specially pleading the same. Publick Act.

XXVII. And be it further enacted by the Authority aforesaid, That this Act shall continue and be in Force until the third *Monday* in *June* in the Year of our Lord one thousand seven hundred and fifty-five, so far as relates to the purchasing of Houses, Buildings and Grounds, and no longer; but that this Act, as to all other the Powers and Matters therein contained, shall continue and be in Force, until the third *Monday* in *June* in the Year of our Lord one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, and no longer. Continuance of this Act.

CAP. XXXVII.

An Act for repairing the Road leading from the Town of *Penrith* in the County of *Cumberland*, by *Hutton Hall*, over *Skelton* and *Castlesowerby Pastures*, and *Sebraham Bridge*, to *Chalkbeck* in the said County; and also the Road which branches and separates from the same Road upon *Castlesowerby Pasture* aforesaid, and leads from thence through *Hesket*, otherwise *Hesket New Market*, to *Caldbeck* in the said County. PR.

CAP. XXXVIII.

An Act to enable the Parishioners of the Parish of *Stone*, in the County of *Stafford*, to rebuild the Church of the said Parish. PR.

CAP. XXXIX.

An Act for repairing and widening several Roads leading from the Town of *Bewdley*, in the County of *Worcester*, to the several Places therein mentioned in the Counties of *Worcester* and *Salop* respectively. PR.

CAP. XL.

An Act for repairing the Roads from the City of *Carlisle* to the Town of *Penrith* in the County of *Cumberland*, and from the said Town of *Penrith*, to *Emont Bridge*, which divides the Counties of *Cumberland* and *Westmorland*. PR.

CAP. XLI.

An Act for continuing and making more effectual three Acts of Parliament passed in the ninth and twelfth Years of the Reign of her late Majesty Queen *Anne*, and the fifth Year of the Reign of his present Majesty, for repairing the Highways between *Dunstable* and *Hockliffe* in the County of *Bedford*; and also for repairing the Road from the Sign of the *White Horse* to the Sign of the *King's Arms* in *Hockliffe* aforesaid. PR.

CAP. XLII.

An Act for repairing and widening the Road from the West End of *Seend Street*, in the County of *Wilts*, to the *Horse and Jockey* in the Parish of *Box* in the said County. PR.

CAP. XLIII.

An Act for enlarging the Church-yard of the Parish of *Paddington* in the County of *Middlesex*. PR.

CAP. XLIV.

An Act for laying a Duty of two Pennies *Scots*, or one sixth Part of a Penny Sterling, on every *Scots* Pint of Ale and Beer which shall be brewed for Sale, brought into, tapped or sold within the Town of *Dysart* and Liberties thereof, and all Places adjacent, lying within three hundred Yards of the Boundaries of the said Liberties, for repairing, improving and preserving the Harbour of the said Town. PR.

CAP. XLV.

An Act for building a new Church within the Town of *Manchester* in the County Palatine of *Lancaster*. PR.

CAP. XLVI.

An Act for repairing the Road from the Borough of *Leicester*, in the County of *Leicester*, to the Town of *Ashby de la Zouch* in the said County. PR.

CAP. XLVII.

An Act for repairing and widening several Roads leading from the Market-house in *Stourbridge*, and other Roads therein mentioned, in the Counties of *Worcester*, *Stafford*, *Salop* and *Warwick* respectively. PR.

CAP. XLVIII.

An Act for enlarging the Term and Powers granted by an Act passed in the twentieth Year of the Reign of his present Majesty, for repairing the High Road leading from the City of *Durham*, in the County of *Durham*, to *Tyne Bridge* in the said County. PR.

CAP. XLIX.

An Act for repairing the Road from the City of *Carlisle*, in the County of *Cumberland*, to the Market and Sea-port Town of *Workington* in the said County. PR.

CAP. L.

An Act for repairing and widening the Roads leading from *Redstone Ferry* in the County of *Worcester*, to the *Hundred House*; and from thence to *Monckbridge* in the Road to the Town of *Tenbury*; and from the said *Hundred House* to the said Town of *Tenbury* in the said County. PR.

CAP. LI.

An Act for repairing and widening the Roads leading from a Place called *Basing-stone*, near the Town of *Bagshot* in the Parish of *Windlesham* in the County of *Surrey*, through *Frimley* and *Farnham* in the same County; and from thence through *Bentley*, *Hollyborn*, *Alton*, *Chawton*, *Ropley*, *Bishop's Sutton*, *New Alresford* and *Mattingley*, otherwise *Matterley Lane*, to the City of *Winchester* in the County of *Southampton*. PR.

CAP. LII.

An Act for widening and repairing the High Road leading from *Heron Syke*, which divides the Counties of *Lancaster* and *Westmoreland*, to the Town of *Kirkby in Kendal*; and from the said Town of *Kirkby in Kendal*, through the Town of *Shapp*, to *Emont Bridge* in the said County of *Westmoreland*. PR.

CAP. LIII.

An Act to continue and render more effectual three Acts of Parliament passed in the eleventh Year of the Reign of his late Majesty King *George* the First, and in the third and twenty-second Years of the Reign of his present Majesty, for repairing the Road from *Sherbroke Hill*, near *Buxton* and *Chapel in the Frith* in the County of *Derby*, through the Town of *Stockport* in the County of *Chester*, to *Manchester* in the County of *Lancaster*, and other Roads in the said Act mentioned; and for repairing the Road from the *School House* in *Didsbury*, to the Bridge in *Wimslow* in the County of *Chester*; and for erecting a Bridge over the River *Mersey*. PR.

CAP. LIV.

An Act for repairing and widening the Road leading from *Flimwell Vent* in the Parish of *Ticehurst* in the County of *Sussex*, to the Town and Port of *Hastings* in the said County. PR.

CAP. LV.

An Act for enlarging the Term and Powers granted by an Act made in the eleventh Year of his present Majesty's Reign, intituled, *An Act for repairing the Road from* Shoreditch Church, *through* Hackney *to* Stanford Hill, *and cross* Cambridge Heath, *over* Bethnal Green, *to the Turnpike at* Mile End *in the County of* Middlesex. PR.

CAP. LVI.

An Act for continuing and giving further Powers to the Trustees for putting in Execution two Acts of Parliament for repairing the Roads from the Parish of *Enfield* in the County of *Middlesex*, to the Town of *Hertford*, and other Roads in the said Acts mentioned. PR.

CAP.

CAP. LVII.

An Act for raising a Sum of Money by a County Rate, for purchasing a proper Prison for Debtors in the County of *Devon*. PR.

CAP. LVIII.

An Act for building a Chapel on the Common, in the Parish of *Portsea* in the County of *Southampton*, and for vesting Power in certain Trustees for the Regulation thereof. PR.

CAP. LIX.

An Act for repairing and widening the Road from the West End of the Town of *Burton upon Trent* in the County of *Stafford*, through the said Town, to the South End of the Town of *Derby* in the County of *Derby*. PR.

CAP. LX.

An Act for repairing and widening the Road from the Top of *White Sheet Hill* in the Parish of *Donhead*, *Saint Andrew* in the County of *Wilts*, through the Towns of *Shaftesbury*, *Milbourne Port* and *Sherbourne* in the Counties of *Dorset* and *Somerset*, to the *Halfway House* in the Parish of *Nether* otherwise *Lower Compton* in the said County of *Dorset*, and several other Roads near the Towns of *Shaftesbury* and *Sherbourne* aforesaid. PR.

CAP. LXI.

An Act for enlarging the Term and Powers granted by an Act passed in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for repairing the Road leading from* Ealand *to the Town of* Leeds *in the West Riding of the County of* York. PR.

CAP. LXII.

An Act for repairing and widening the Roads from *Hensballs Smithy* upon *Cranage Green*, through the Town of *Nether Knutsford*, and by the South Guide Post in *Mere* and *Bucklow Hill*, to the Town of *Altrincham* in the County Palatine of *Chester*; and from the said Guide Post to *Warrington* in the County of *Lancaster*; and from *Bucklow Hill* aforesaid to *Penny's Lane* near *Northwich* in the said County of *Chester*. PR.

CAP. LXIII.

An Act for repairing and widening the Roads from a certain Place in the Town of *Salford*, to the Towns of *Warrington* and *Bolton*, and through *Wardley Lane*, to the Town of *Wigan*, and to the Stocks in the Townships of *Duxbury*, and to a Place called the *Broad Oak* in *Worseley* in the County Palatine of *Lancaster*. PR.

CAP. LXIV.

An Act for repairing and widening the Road from *Tadcaster* through *Newton*, *Collingham*, *Harewood*, *Arthington* and *Pool*, to *Otley* in the West Riding of the County of *York*. PR.

CAP. LXV.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, one passed in the twelfth Year of the Reign of his late Majesty, King *George* the First, and the other passed in the nineteenth Year of the Reign of his present Majesty, for repairing the Road from *Liverpoole* to *Prescot*, and other Roads therein mentioned, in the County Palatine of *Lancaster*; and also for repairing the Road from *Prescot* through *Whiston*, *Rain-hill*, *Bold* and *Sankey*, to the Town of *Warrington*, and also the Road from *Saint Helen* to *Ashton* in the said County Palatine. PR.

CAP. LXVI.

An Act for repairing and widening the Roads leading from *Lobcomb Corner* in the Parish of *Winterslow*, to *Harnham Bridge* in the County of *Wilts*; and from the West Corner of Saint *Anne's Street* in the City of *New Sarum*, to the Parishes of *Landford* and *Brook*; and from thence to *Ealing*, and from *Landford* aforesaid, through *Ower* and *Testwood*, to *Ealing* aforesaid in the County of *Southampton*. PR.

An Act for repairing and widening the Roads from the East End of *Brough under Stainmore* in the County of *Westmoreland*, by the End of *Appleby Bridge*, to *Emont Bridge* in the said County. PR.

CAP. LXVIII.

An Act for amending, widening and repairing the Road leading from *Dover* to *Barham Downs* in the County of *Kent*. PR.

CAP. LXIX.

An Act for repairing and widening the Road from the *Halfway House* in the Parish of *Lower Compton* in the County of *Dorset*, through the Towns of *Yeovil*, *Crewkerne* and *Chard*, to the East End of the Town of *Axminster* in the County of *Devon*, and several other Roads, round the said Town of *Yeovil* in the County of *Somerset*. PR.

CAP.

CAP. LXX.

An Act for repairing and widening the Road from the *Hand and Post* in *Upton Field* in the Parish of *Burford* in the County of *Oxford*, through the several Parishes within mentioned, to a Place in the Parish of *Preston* in the County of *Glocester*, called *Dancy's Fancy*. PR.

CAP. LXXI.

An Act for repairing and widening the Roads therein mentioned leading to and from the Town of *Shepton Mallet* and *Ivelchester* in the County of *Somerset*. PR.

CAP. LXXII.

An Act for continuing and making more effectual two Acts of Parliament for repairing the Roads leading from *Ipswich* to *Cleydon* in the County of *Suffolk*, and other Roads in the said Acts mentioned; and for repairing the Road from *Cleydon* aforesaid, to *Codenham Beacon* in the said County. PR.

CAP. LXXIII.

An Act to continue and render more effectual two Acts of Parliament, one passed in the tenth Year of the Reign of his late Majesty King *George* the First, and the other passed in the thirteenth Year of the Reign of his present Majesty, for repairing the Road from *Dunchurch*, to the Bottom of *Meredon Hill* in the County of *Warwick*, and for repairing the Road from the Bottom of *Meredon Hill* aforesaid, to *Stone Bridge* in the said County. PR.

CAP. LXXIV.

An Act for amending several Roads leading from the City of *Exeter*. PR.

CAP. LXXV.

An Act for widening and repairing the High Road leading from *Northallerton*, to the South Wall of the Church-yard of the Town of *Thirsk*, and from the South East End of the Street called *Finkell Street* in *Thirsk* aforesaid, to and through the Town of *Easingwold* in the County of *York*, to a Place called *Burton Stone*, near the City of *York*; and also the Road from *Thirsk* aforesaid, to *Topcliffe* in the North Riding of the County of *York*. PR.

CAP. LXXVI.

An Act for repairing and widening the Road leading from *Piper's Inn* in the Parish of *Ashcott* in the County of *Somerset*, to and through *Glaston* otherwise *Glastonbury*, and *Wells* to the Direction or White Post in the great Western Road to the City of *Bath*; and also from *Wells* to *Rush Hill* leading to the City of *Bristol*. PR.

CAP. LXXVII.

An Act to explain and make more effectual an Act passed in the fourteenth Year of his present Majesty's Reign, *For repairing the Roads from* Doncaster *through* Ferry Bridge *to the South Side of* Tadcaster Cross; *and also from* Ferry Bridge *to* Wetherby, *and from thence to* Borough Bridge *in the County of* York. P. R.

CAP. LXXVIII.

An Act to widen and repair the Road from the Guide Post near the End of *Drayton Lane* near *Banbury* in the County of *Oxford*, to the House called the *Sun Rising* at the Top of *Edge Hill* in the County of *Warwick*. PR.

CAP. LXXIX.

An Act for laying a Duty of two Pennies *Scots*, or a sixth Part of a Penny Sterling, upon every *Scotts* Pint of Ale and Beer which shall be brewed for Sale, brought into, tapped or sold within the Town and Parish of *Preston Pans* in the Shire of *East Lothian*, otherwise *Haddingtoun*, for repairing the Harbour of the said Town; and for other Purposes therein mentioned. PR.

CAP. LXXX.

An Act to continue and render more effectual several Acts of Parliament for repairing the Highways leading to *Highgate Gatehouse* and *Hampstead*, and other Roads in the said Acts mentioned, in the County of *Middlesex*. PR.

CAP. LXXXI.

An Act for repairing the Roads from *Livingstoun* by the Kirk of *Shotts* to the City of *Glasgow*, and by the Town of *Hamilton* to the Town of *Strathaven*. PR.

CAP. LXXXII.

An Act for repairing the Road from the Turnpike Road at *Buckton Bourn* in the County of *Durham* through *Berwick upon Tweed*, to *Lamerton Hill*, and also the several other Roads therein mentioned, lying in the said County and within the Liberties of the said Town of *Berwick*. PR.

CAP. LXXXIII.

An Act for repairing and widening the Roads from *Kighley* to *Wakefield* and *Halifax*, and from *Dudley Hill* to *Killinghall*, and the South West Corner of *Harrowgate* Inclosures, and more effectually to repair the Roads from *Leeds* to *Halifax* and *Bowling Lane* and *Little Horton Lane*, and for building a Bridge over the River *Wharf* at *Poole* in the West Riding of the County of *York*. PR.

CAP. LXXXIV.

An Act for repairing and widening the Roads from *Span Smithy* in the Townſhip of *Elton*, through the Town of *Middlewich*, and by *Spittle Hill* in *Stanthorne*, to *Winsford Bridge*; and from *Spittle Hill* to the Town of *Northwich* in the County Palatine of *Cheſter*. PR.

CAP. LXXXV.

An Act for repairing the Road from *Aſhby de la Zouch* in the County of *Leiceſter*, through *Burton upon Trent* in the County of *Stafford*, and to the *Cock Inn* in *Tutbury* in the ſaid County. PR.

CAP. LXXXVI.

An Act for repairing, amending and widening the Road from *Kieghley* in the Weſt Riding in the County of *York*, to *Kirkby* in *Kendal* in the County of *Weſtmorland*. PR.

CAP. LXXXVII.

An Act for repairing and widening the Road from the Stones End near *Shoreditch* Church, to the Centre of the Bridge in *Old Street* Road, and through *Old Street* in the Pariſh of Saint *Luke*, *Middleſex*, to the Weſt End of the ſaid Street next the Pavement in *Goſwell Street*. PR.

CAP. LXXXVIII.

An Act for repairing the Road leading from *Oundle* in the County of *Northampton*, to *Alconbury cum Weſton* in the County of *Huntingdon*, from *Barnwell* in the ſaid County of *Northampton*, to *Alconbury cum Weſton* aforeſaid, and from the *Mile Brook* in *Hamerton*, to *Wood Lane* End next the Pariſh of *Great Gidding* in the ſaid County of *Huntingdon*. PR.

CAP. LXXXIX.

An Act for explaining, amending and making more effectual two Acts of Parliament, the one paſſed in the twentieth Year of his preſent Majeſty's Reign, intituled, *An Act for repairing the high Road leading from the Town of* Stockton upon Tees *in the County of* Durham, *to* Darlington, *and from thence through* Winſtone *to* Bernard Caſtle *in the ſaid County*; and the other paſſed in the twenty-ſecond Year of his ſaid Majeſty's Reign, intituled, *An Act for enlarging the Term and Powers granted by the ſaid firſt-mentioned Act, and for the effectual amending of the ſaid Road*. PR.

CAP. XC.

An Act for repairing ſeveral Roads leading into the City of *Glaſgow*. PR.

CAP. XCI.

An Act for repairing the Road from *North Queen's Ferry* through the Towns of *Inverkeithing* and *Kinroſs*, to the Town of *Perth*; and alſo the Road from the ſaid *Queen's Ferry*, to the Towns of *Dumfermline*, *Torryburn* and *Culroſs*; and alſo the Road from the ſaid *Queen's Ferry*, through *Inverkeithing* to *Bruntiſland* and *Kirkaldie*. PR.

CAP. XCII.

An Act for repairing, amending and widening the ſeveral Roads leading from the *Red Poſt* in the Pariſh of *Fivehead*, through the Towns of *Langport* and *Somerton*, to *Butwell*; and alſo from *Curry Rivel* to *Puckington Lane*, and from *Cary Bridge* to *Street Croſs* in the County of *Somerſet*. PR.

CAP. XCIII.

An Act for repairing and widening the ſeveral Roads in the County of *Peebles* leading from *Tweed Croſs* towards the City of *Edinburgh* by *Blythe Bridge*, *La Mancha* and *Wheam*, and by *Linton* and *Carlops*, and from *Ingleſton* through *Carlops*, until all the ſaid Roads join the Limits of the County of *Edinburgh*. PR.

CAP. XCIV.

An Act to enable the Owners of Houſes and Lands in the Pariſh of Saint *Botolph* without *Alderſgate*, and the Inhabitants thereof, to repair the Church and Steeple belonging to the ſaid Pariſh. PR.

CAP. XCV.

An Act to explain and amend an Act paſſed in the twentieth Year of his preſent Majeſty's Reign, intituled, *An Act for repairing the Road leading from* Catherick Bridge *in the County of* York, *to* Yarm *in the ſaid County*; *and from thence to* Stockton *in the County of* Durham; *and from thence through* Sedgefield *in the ſaid County of* Durham, *to the City of* Durham. PR.

CAP. XCVI.

An Act for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny Sterling, on every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped or ſold within the Town of *Paiſley* and Liberties thereof, in the County of *Renfrew*, for improving the Navigation of the River *Cart*, and for other Purpoſes. PR.

CAP.

CAP. XCVII.

An Act for the better Relief and Employment of the Poor in the Parish of Saint *George*, *Hanover Square*, within the Liberty of the City of *Westminster*, and for cleansing the Streets and repairing the Highways within the said Parish. PR.

CAP. XCVIII.

An Act more effectually to enable the Parishioners of the Parish of *Christ Church* in the County of *Middlesex* to purchase, hire or erect a Workhouse for the employing and maintaining the Poor of the said Parish, and for the more effectual Support and Employment of the Poor therein. PR.

CAP. XCIX.

An Act for the better Relief and Employment of the Poor, and for enlightening the Streets, Passages and open Places within the City of *Chichester* and several Places adjoining thereto, and the Close within the said City. PR.

CAP. C.

An Act for the better Relief and Employment of the Poor in the Parish of *East Greenwich* in the County of *Kent*, and for repairing the Highways and cleansing the Streets thereof. PR.

CAP. CI.

An Act to enable *James Mallors* to open a Street from the West Side of *King's Street* in the Parish of Saint *Margaret* in the City of *Westminster*, to the Back Part of the Houses, Gardens and Yards on the West Side of *Delahay Street* in the same Parish, and for other Purposes therein mentioned.

Anno Regni GEORGII II. Regis Magnæ Britanniæ, Franciæ & Hiberniæ, vicesimo septimo.

'AT the Parliament begun and holden at *Westminster*, the tenth Day of *November*, *Anno Domini* one thousand seven hundred and forty-seven, in the twenty-first Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, &c. and from thence continued by several Prorogations to the fifteenth Day of *November* one thousand seven hundred and fifty-three. Being the seventh Session of this present Parliament.'

CAP. I.

An Act to repeal an Act of the twenty-sixth Year of his Majesty's Reign, intituled, *An Act to permit Persons professing the* Jewish *Religion to be naturalized by Parliament*; *and for other Purposes therein mentioned.*

26 Geo. 2. c. 26.

'WHEREAS an Act of Parliament was made and passed in the twenty-sixth Year of his Majesty's Reign, intituled, *An Act to permit Persons professing the* Jewish *Religion to be naturalized by Parliament*; *and for other Purposes therein mentioned:* And whereas Occasion has been taken from the said Act to raise Discontents, and to disquiet the Minds of many of his Majesty's Subjects;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the above-mentioned Act, and the several Matters and Things therein contained, shall be, and is and are hereby repealed and made void to all Intents and Purposes whatsoever.

The recited Act repealed.

CAP. II.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-four. EXP. *See* 33 *Geo.* 2. *c.* 3 & 7.

CAP. III.

An Act for the better securing to Constables and others the Expences of conveying Offenders to Gaol; and for allowing the Charges of poor Persons bound to give Evidence against Felons.

3 Jac. 1. c. 10.

'WHEREAS by an Act passed in the third Year of the Reign of King *James* the First, intituled, *An Act for the rating and levying of the Charges for conveying Malefactors and Offenders to the Gaol*; every Offender so to be conveyed shall bear the Charges of himself, and of those who convey him; and if he refuse so to do, his Goods within the same County may be distrained and sold to satisfy the same; and if he hath no Goods, the Constable, Churchwardens and other Inhabitants of the Parish where he was taken, shall make a Tax on every Inhabitant thereof to pay the said Charges: And whereas the taxing

'the

' the Parish where such Offender was taken to pay such Charges, is a great Discouragement to Parishes to ' take Offenders; and it is also found by Experience to be very difficult to make a Rate on the Inhabitants ' to raise such Tax, whereby Constables and others are often kept out of their Money by them advanced ' for the Service of the Publick, and sometimes lose the same, to their very great Injury and Vexation;' For Remedy whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-four, when any Person, not having Goods or Money within the County where he is taken, sufficient to bear the Charges of himself, and of those who convey him, is committed to Gaol or the House of Correction by Warrant from any Justice or Justices of the Peace, then, on Application by any Constable or other Officer who conveyed him, to any Justice of the Peace for the same County or Place, shall upon Oath examine into and ascertain the reasonable Expences to be allowed such Constable or other Officer, and shall forthwith, without Fee or Reward, by Warrant under his Hand and Seal, order the Treasurer of the County or Place to pay the same, which the said Treasurer is hereby required to do, as soon as he receives such Warrant; and any Sum so paid shall be allowed in his Accounts.

Offenders not having sufficient to defray the Expences of conveying them to Gaol, &c.

Justices to grant a Warrant on the Treasurer of the County for Payment of the Charges.

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* so much of the above-mentioned Act passed in the third Year of King *James* the First, as relates to taxing the Parish where Offenders are taken, for defraying the Charges of conveying Offenders to Gaol, shall be repealed.

Part of the Act of 3 Jac. 1. c. 10. relating to taxing Parishes for conveying Offenders to Gaol, repealed.

' III. And whereas the Expence as well as Loss of Time in attending Courts of Justice, is a Discou- ' ragement to the poorer Sort to appear as Witnesses against Offenders, who thereby escape the publick ' Justice, and the Punishment due to their Crimes;' Be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, when any poor Person shall appear on Recognizance in any Court to give Evidence against another accused of any Grand or Petit Larceny, or other Felony, it shall and may be in the Power of the Court, at the Prayer and on the Oath of such Person, and on Consideration of his Circumstances, in open Court to order the Treasurer of the County or Place in which the Offence shall have been committed, to pay unto such Person such Sum of Money, as to the said Court shall seem reasonable for his Time, Trouble and Expence; which Order the proper Officer of such Court is hereby directed and required to make out, and to deliver unto such Person, upon being paid for the same the Sum of six Pence, and no more; and such Treasurer is hereby authorized and required, upon Delivery of such Order, forthwith to pay to such Person, or other Person authorized to receive the same, such Sum of Money as aforesaid, and shall be allowed the same in his Accounts.

The Charges of Attendance to be allowed by the Court to poor Persons bound to give Evidence against Felons.

6 d. to be paid to the Officer for making out the Order.

IV. Provided always, and it is hereby declared and enacted by the Authority aforesaid, That nothing in this Act contained shall extend to impower such Court, or any Justice or Justices of the Peace, to make Warrants or Orders on the Treasurer of the County of *Middlesex* for the Payment of the Expences of the Constable or other Officer in conveying any Person to Gaol, or for the Payment of any Person for his Time, Trouble and Expence, who shall appear on his Recognizance to give Evidence as aforesaid; but that within the said County of *Middlesex* the Expences of the Constable or other Officer, occasioned by his conveying of any Person to Gaol by virtue of a Warrant from any Justice or Justices of the Peace, shall (after such Expences have been examined into upon Oath, and allowed by such Justice or Justices, and for which no Fee or Reward shall be taken) be paid by the Overseer or Overseers of the Poor of the Parish or Place where the said Person was apprehended, who is and are hereby authorized and required to pay the same; and the Sum or Sums so paid shall be allowed in his or their Accounts.

In Middlesex the Overseers of the Poor of the Parish where the Offender was taken, to pay all such Charges.

CAP. IV.

An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty-four. EXP. At 2 s. in the Pound.

CAP. V.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. VI.

An Act to repeal a Proviso in an Act made in the twentieth Year of his present Majesty's Reign, intituled, *An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants, and of certain Apprentices*, which provides that the said Act shall not extend to the Stannaries in *Devon* and *Cornwall*.

' WHEREAS by an Act made in the twentieth Year of his present Majesty's Reign, intituled, *An* 20 Geo. 2. c. 19. ' *Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better* ' *Regulation of such Servants and of certain Apprentices*, divers Provisions and Regulations are made and ' enacted for the more easy Recovery of the Wages of Servants in Husbandry, Artificers, Handicrafts-men, ' Miners, Colliers, Keel-men, Pit-men, Glass-men, Potters and other Labourers, and for determining Dif- ' ferences and Disputes between Masters and Mistresses, and such Servants and other Labourers and Persons ' aforesaid, which Provisions have been found very useful and beneficial; but it being provided by the said ' Act that nothing therein contained shall extend to the Stannaries in the Counties of *Devon* and *Cornwall*,

'the Tinners and Miners employed in the said Stannaries are frequently subjected to great Difficulties and 'Hardships, and put to great Expences in recovering their Wages: And whereas it would be for the Ease 'and Benefit of the said Tinners and Miners, if the said Provisions and Regulations were extended to the 'said Stannaries;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Proviso in the said Act made in the twentieth Year of his present Majesty's Reign (that nothing in the said Act contained shall extend to the Stannaries in the Counties of *Devon* and *Cornwall*) shall from and after the first Day of *May* one thousand seven hundred and fifty-four be, and the same is hereby repealed.

The recited Clause repealed.

II. And be it further enacted and declared by the Authority aforesaid, That from and after the said first Day of *May* all the Provisions and Regulations in the said Act mentioned and contained, relating to Servants in Husbandry, Handicrafts-men, Miners, Colliers, Keel-men, Pit-men, Glass-men, Potters and other Labourers, shall extend to such Tinners and Miners as are or shall be employed in the Stannaries in the Counties of *Devon* and *Cornwall* respectively, as fully and effectually to all Intents and Purposes, as if the said Provisions and Regulations were herein particularly repeated and set forth; any Law, Statute, Usage, Privilege or Jurisdiction whatsoever to the contrary in any wise notwithstanding.

The Provisions relating to Servants, &c. extended to the Tinners, &c. of Devon and Cornwall.

III. Provided nevertheless, That nothing in this Act contained shall be construed to hinder or restrain any Person from applying to the Stannary Courts, or to the Warden, Vice-warden or Stewards of the Stannaries, in relation to any of the Matters herein before-mentioned, in the same manner as such Person might have done before the making of this Act.

The Stannary Courts may be applied to.

CAP. VII.

An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Clocks and Watches.

Refer to 9 and 10 W. 3. c. 28.

'WHEREAS many Persons employed in the making of Clocks and Watches have of late been 'guilty of divers Frauds and Abuses by purloining, imbezilling, secreting, selling, pawning, or 'otherwise unlawfully disposing of the Clocks and Watches, or such Parts thereof, or the Materials for 'making the same, with which they have been intrusted, to the great Loss of their Employers; and the 'Laws in Being have been found insufficient to prevent such Frauds and Abuses, and to punish the Offender;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons whatsoever, who shall be hired or employed by any Person or Persons practising the Trade or Trades of Clock-making or Watch-making, or any Part or Branch, or Parts or Branches of such Trade or Trades, to make, finish, alter, repair or clean any Clock or Clocks, Watch or Watches, or any Part or Parts of a Clock or Clocks, Watch or Watches, or be intrusted by any Person or Persons practising the said Trade or Trades, with any Gold, Silver or other Metal or Material to be, or that shall be, in the Whole or in Part wrought or manufactured for any Part or Parts of a Clock or Clocks, Watch or Watches, or any Diamond or other Precious Stone to be, or that shall be set or fixed in or about any Clock or Clocks, Watch or Watches, shall after the first Day of *May* one thousand seven hundred and fifty-four, purloin, imbezil, secrete, sell, pawn, exchange, or otherwise unlawfully dispose of any Clock or Watch, or any Part or Parts of any Clock or Watch, or any Gold, Silver or other Metal or Material, or any Part thereof, or any Diamond or other Precious Stone, with which such Person or Persons shall be intrusted by any Person or Persons practising the said Trade or Trades, or any Part or Branch, or Parts or Branches of such Trade or Trades, and shall be thereof convicted by the Oath of the Owner of such Goods, or by the Oath of any other credible Witness or Witnesses, or by the Confession of the Person or Persons charged with such Offence, before any one or more Justice or Justices of the Peace of the County, Riding, Division, City, Liberty, Town or Place, where such Offence shall be committed, or where the Person or Persons so charged shall reside or inhabit (which Oath the said Justice or Justices is and are hereby impowered and required to administer) every such Offender shall for the first Offence forfeit twenty Pounds; and in case the said Forfeiture shall not be forthwith paid, the Justice or Justices before whom such Conviction shall be had, shall commit the Party or Parties so convicted to the House of Correction or other publick Prison of such County, Riding, Division, City, Liberty, Town or Place, there to be kept to hard Labour for the Space of fourteen Days, unless such Forfeiture shall be sooner paid; and if within two Days before the Expiration of such fourteen Days, such Forfeiture shall not be paid, the said Justice or Justices is and are hereby impowered to order the Person or Persons so convicted to be publickly whipped at the Market Place, or some other publick Place of the City, Town or Place, where such Offender or Offenders shall be respectively committed; and in case of a further Conviction in manner before prescribed by this Act, for or upon a second or other subsequent Offence of the same Kind, the Person or Persons so again offending, being thereof convicted in manner aforesaid, shall for every second or other subsequent Offence forfeit forty Pounds; and in case the said Forfeiture shall not be forthwith paid, the Justice or Justices before whom such Conviction shall be had, shall commit the Person or Persons so again offending to the House of Correction or other publick Prison as aforesaid, there to be kept to hard Labour for any Time not exceeding three Months, nor less than one Month, unless the said Forfeiture shall be sooner paid; and if within seven Days before the Expiration of the Time for which such Offender or Offenders shall be committed, the said Forfeiture shall not be paid, the said Justice or Justices is and are hereby impowered to order the Person or Persons so again

Penalty on Conviction of Frauds committed by Persons employed in the Manufacture of Clocks and Watches.

First Offence.

Subsequent Offence.

again offending to be publickly whipped at the Market Place, or some other publick Place of the City, Town or Place, where such Offender or Offenders shall be respectively committed, twice or oftener, as to such Justice or Justices shall appear reasonable.

Penalty of buying, &c. any of the Goods or Materials, knowing the same to be purloined.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall buy, receive, accept or take by way of Gift, Pawn, Pledge, Sale or Exchange, or in any other Manner whatsoever, of or from any Person or Persons whomsoever, any Clock or Watch, or any Part or Parts of a Clock or Watch, or any Gold, Silver or other Metal or Material as aforesaid, whether the same, or any Part thereof, be or be not wrought or manufactured, or any Diamond, or other Precious Stone, which shall have been intrusted with any Person or Persons hired or employed as aforesaid, by any Person or Persons practising the said Trade or Trades, he, she or they, so buying, receiving, accepting or taking, any such Goods, Materials or Effects, knowing the same to be so purloined or imbezilled, being thereof lawfully convicted in manner before prescribed, for the Conviction of Persons purloining or imbezilling the said Goods, Materials or Effects, shall, for the first Offence, forfeit twenty Pounds; and in case the said Forfeiture shall not be forthwith paid, the Justice or Justices, before whom such Conviction shall be had, shall commit the Party or Parties so convicted, to the House of Correction or other publick Prison as aforesaid, there to be kept to hard Labour, for the Space of fourteen Days, unless the said Forfeiture shall be sooner paid; and if within two Days before the Expiration of the said fourteen Days, the said Forfeiture shall not be paid, the said Justice or Justices is and are hereby impowered and required, to order the Person or Persons so convicted, to be publickly whipped at the Market Place, or some other publick Place of the City, Town, or Place, where such Offender or Offenders shall be respectively committed, once or oftener, as to such Justice or Justices shall appear reasonable; and in case of a further Conviction for or upon a second or any other subsequent Offence of the same Kind, the Person or Persons so again offending, being thereof convicted in manner before prescribed, shall, for every second or other subsequent Offence, forfeit forty Pounds; and in case the said Forfeiture shall not be forthwith paid, the Justice or Justices, before whom such Conviction shall be had, shall commit the Party or Parties so convicted to the House of Correction, or other publick Prison as aforesaid, there to be kept to hard Labour for any Time not exceeding three Months, nor less than one Month, unless the said Forfeiture shall be sooner paid; and if within seven Days before the Expiration of the Time for which such Offender or Offenders shall be so committed, the said Forfeiture shall not be paid, the said Justice or Justices is and are hereby impowered and required to order such Offender or Offenders to be publickly whipped at the Market Place, or some other publick Place of the City, Town or Place where such Offender or Offenders shall be respectively committed, twice or oftener, as to such Justice or Justices shall appear reasonable; and the said respective Forfeitures, when recovered, after Satisfaction shall have been made thereout to the Party or Parties injured, together with such Costs of Prosecution as shall be judged reasonable by the Justice or Justices before whom such Conviction shall have been had, shall be paid and applied to and for the Use of the Poor of the Parish or Place where the Person or Persons so convicted shall reside or inhabit.

First Offence.

Subsequent Offence.

Application of the Forfeitures.

Appeal to the Quarter-Sessions.

Recognizance with Sureties.

Justices to hear and determine,

and to award Costs, &c.

III. Provided always, and it is hereby enacted, That if any Person convicted as aforesaid, of purloining, imbezilling, secreting, selling, pawning, exchanging, or otherwise unlawfully disposing of, or of buying, receiving or taking to pawn any of the Goods, Materials or Effects herein before-mentioned, shall think himself or herself aggrieved by the Judgment of the Justice or Justices before whom he or she shall have been convicted, such Person shall have Liberty to appeal to the Justices at the next General or Quarter-Sessions of the Peace, which shall be held for the County, Riding, Division, City, Liberty, Town or Place, where such Judgment shall have been given; and that the Execution of the said Judgment shall in such Case be suspended, the Person so convicted entering into a Recognizance at the Time of such Conviction, with two sufficient Sureties, in double the Sum which such Person shall have been adjudged to forfeit, upon Condition to prosecute such Appeal with Effect, and to be forthcoming to abide the Judgment and Determination of the Justices in the said General or Quarter-Sessions; which Recognizance the said Justice or Justices before whom such Conviction shall be had is and are hereby impowered and required to take; and the Justices in the said General or Quarter-Sessions are hereby authorized and required to hear and finally determine the Matter of the said Appeal, and to award such Costs as to them shall appear just and reasonable, to be paid by either Party; and if upon the Hearing of the said Appeal, the Judgment of the Justice or Justices before whom the Appellant shall have been convicted shall be affirmed, such Appellant shall immediately pay the Sum which he or she shall have been adjudged to forfeit, together with such Costs as the Justices in the said General or Quarter-Sessions shall award to be paid by him or them for defraying the Expences sustained by the Defendant or Defendants in such Appeal; or in default of making such Payments, shall suffer the respective Pains and Penalties by this Act inflicted upon Persons respectively who shall neglect to pay, or shall not pay the respective Forfeitures by this Act imposed upon such Persons respectively, who shall be convicted of purloining, embezilling, secreting, selling, pawning, exchanging, or otherwise unlawfully disposing of any of the Goods, Materials or Effects herein before-mentioned, or of Persons buying, receiving or taking to pawn any such Goods, Materials or Effects.

Form of the Conviction;

IV. And be it further enacted by the Authority aforesaid, That the Justice or Justices of the Peace before whom any Person shall be convicted, in manner prescribed by this Act, of purloining, embezilling, secreting, selling, pawning, exchanging, or otherwise unlawfully disposing of, or of buying, receiving or taking to pawn any of the Goods, Materials or Effects aforesaid, shall cause such respective Conviction to be drawn up in the Form and Words following; that is to say,

'*Middlesex*, } BE it remembered, That on the Day of in the Year of his
'*to wit.* } Majesty's Reign, *A. B.* was convicted before me (or us) of his Majesty's
'Justices of the Peace for the said County of or for the Riding (or Division) of the
'said County of or for the City, Liberty or Town of in the said County
'of (as the Case shall be) of purloining, embezilling, secreting, selling, pawning, ex-
'changing, or unlawfully disposing of, or of buying, receiving or taking to pawn (as the Case shall hap-
'pen to be) (specifying the respective Goods, Materials or Effects) the Property of *C. D.* of
' in the County of
'Given under my Hand and Seal (or our Hands and Seals)
'the Day and Year aforesaid.'

not to be removed by Certiorari, and to be transmitted to the next Quarter-Sessions, &c.

Which said Form and Conviction shall not be liable to be removed by *Certiorari* into his Majesty's Court of King's Bench; and the said Justice or Justices before whom such Conviction shall be had, shall cause the same, drawn up in the Form aforesaid, to be fairly written upon Parchment, and transmitted to the next General or Quarter-Sessions of the Peace, to be held for the County, Riding, Division, City, Town or Liberty wherein such Conviction was had, to be filed and kept amongst the Records of the said General or Quarter-Sessions; and in case any Person or Persons so convicted shall appeal from the Judgment of the said Justice or Justices to the said General or Quarter-Sessions, the Justices in such General or Quarter-Sessions are hereby required upon receiving the said Conviction, drawn up in the Form aforesaid, to proceed to the Hearing and Determination of the Matter of the said Appeal, according to the Directions of this Act; any Law or Usage to the contrary notwithstanding.

Justice upon Complaint on Oath, to issue his Warrant for apprehending any Offender,

and to hear and determine the Matter.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any one Justice of the Peace of any County, Riding, Division, City, Liberty, Town or Place, and he is hereby required, upon Complaint to him made upon Oath of any Offence committed against this Act within the same County, Riding, Division, City, Liberty, Town or Place, to issue his Warrant for apprehending and bringing before him, or before any other Justice or Justices of the Peace of the same County, Riding, Division, City, Liberty, Town or Place, the Person or Persons charged with such Offence; and the Justice or Justices before whom such Person or Persons shall be brought, is and are hereby authorized and required to hear and determine the Matter of every such Complaint, and to proceed to Conviction and Judgment thereupon.

CAP. VIII.

An Act for improving and enlarging the Harbour of *Leith*, and to impower the Trustees therein mentioned to purchase Lands for that Purpose; and for erecting Docks and other Conveniencies on the Sides thereof. P R.

'WHEREAS the Harbour of *Leith*, lying in the Frith of *Forth*, in that Part of *Great Britain* called '*Scotland*, is too small, and not convenient for the Reception of Shipping: And whereas the en-'larging and deepening the said Harbour, and the erecting Conveniencies for building, repairing, loading, 'unloading and laying up of Ships and Vessels, and the building convenient Warehouses, Wharfs and 'Quays adjoining thereto, for the more commodious loading, unloading and Reception of Goods, would 'be of great Use not only to the City of *Edinburgh*, but to the Publick in general, by increasing Trade 'and Navigation, and advancing the Revenue of his Majesty's Customs: And whereas the Lord Provost, 'Magistrates and Town Council of *Edinburgh*, being sensible of the Advantages that will arise to that 'City, and to the Publick in general, by carrying the said Works into Execution, have agreed to contri-'bute the Sum of two thousand Pounds *Sterling* for completing the same; and divers other Persons are 'willing to contribute a further Sum for that Purpose; but that it is not possible effectually to carry the 'said Works into Execution without the Authority of Parliament;' May it therefore please your Majesty, that it may be enacted, *&c.*

"Heretors and Merchants appointed Commissioners. Seven impowered to act. Other Freeholders to be "chosen in the Room of such as shall die, *&c.* and so of the Merchants, *&c.* Heretors and Merchants "neglecting to fill up Vacancies, the acting Commissioners to elect. Commissioners impowered to demo-"lish the old Bridge, and erect a Draw-bridge, *&c.* No Goods to be landed or shipped but at such Places "as pursuant to 6 Ann. c. 26. Spaces for publick Quays to be reserved on each Side of the River. The "Manse and Garden of the Minister, *&c.* of *North Leith* not to be damaged. Accounts, *&c.* to be open "to Inspection of any Member, *&c.* At the Expiration of this Act, the Books to be delivered to the "Town Council. City of *Edinburgh* impowered to contribute 2000 l. Commissioners to receive other "Subscriptions. Purchases after the Expiration of this Act, the same to vest in the Provost, Magistrates "and Council of the City. The Rights and Privileges of the present Harbour, *&c.* to extend to the new "Additions. The City to exercise the same Jurisdiction over the new, as over the present Harbour, *&c.* "so as not to interfere with the Powers granted to the Commissioners. Proprietors refusing or disabled to "make a Sale of Grounds, the Commissioners to appoint the Valuation to be settled by a Jury, which is "to be paid within 30 Days, and the Premisses to be converted to vest in the Commissioners, *&c.* and "Deeds thereof to be granted upon the Certificate of eight of the Jury, *&c.* The Minister and Kirk "Session, and Heretors of *North Leith*, impowered to dispose of their Property in such Ground as shall "be necessary to be taken into the Works; the Money to be applied in Purchase of other Grounds. "Continuance of this Act to the third *Tuesday* in *June* 1759, so far as relates to the making of Purchases; "and in other Matters to 31 *Dec.* 1770, *&c.*"

CAP.

CAP. IX.

An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of *England* trading to the *East-Indies*; and for the Punishment of Offences committed in the *East Indies*, or at the Island of *Saint Helena*.

For former Provisions concerning this Company refer to 9 *W.* 3. *c.* 44. §. 46. 1 *Ann. st.* 1. *c.* 12. 6 *Ann. c.* 3 & 17. 10 *Ann. c.* 28. 5 *Geo.* 1. *c.* 21. 7 *Geo.* 1. *c.* 5 & 21. 9 *Geo.* 1. *c.* 26. 3 *Geo.* 2. *c.* 14 & 20. 12 *Geo.* 2. *c.* 22. 17 *Geo.* 2. *c.* 17.

'WHEREAS the United Company of Merchants of *England* trading to the *East-Indies*, are possessed of several principal Settlements in the *East-Indies*, and of several Settlements or Factories subordinate to such principal Settlements, and are also possessed of the Island of *Saint Helena:* And for the Safety and Protection of the said Settlements and Places, and for the better carrying on of their Trade to the Advantage of this Nation, the said United Company, at their own Costs and Charges, do maintain and keep a Military Force for the Garrison and Defence of the said Settlements, Factories and Places; and it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny, or stir up Sedition, or shall desert the said Company's Service, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law do allow;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-four, if any Person being mustered, or in Pay as an Officer, or who is or shall be listed, or in the said Company's Pay as a Soldier in any of their Settlements, or in the said Island of *Saint Helena* respectively, shall at any Time after the Publication of this Act, in their principal Settlements, and in the said Island of *Saint Helena* respectively, and within such Time as such Officer or Soldier shall have contracted and agreed to serve the said United Company, begin, excite, cause or join in any Mutiny or Sedition in the Company, Troop or Regiment whereto he doth belong, or in any other Company, Troop or Regiment in the said United Company's Service; or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny, or intended Mutiny, shall not without Delay give Information thereof to his commanding Officer; or shall desert the said United Company's Service; or being a Soldier actually listed in any Regiment, Troop or Company, shall list himself in any other Regiment, Troop or Company, without a Discharge produced in Writing from the Officer commanding in Chief the Regiment, Troop or Company, in which he last served as a listed Soldier; or shall be found sleeping upon his Post, or shall leave it before relieved; or if any Officer or Soldier in the said United Company's Service shall, either upon Land, or upon the Sea, hold Correspondence with any Rebel to his Majesty, or with any Enemy of his Majesty, or of the said United Company, or give them Advice or Intelligence either by Letters, Messages, Signs or Tokens, in any Manner or Way whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them without the Licence of the said United Company, or of the said United Company's President and Council, at any of their said principal Settlements, or of the said United Company's Governor and Council at *Saint Helena*, or without the Licence of the General, Lieutenant General, or Chief Commander of the said Company's Forces; or shall strike or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his superior Officer; all and every Person and Persons so offending in any of the Matters before mentioned shall suffer Death, or such other Punishment as by a Court-Martial shall be inflicted.

Every Officer or Soldier in the Company's Service, who, after Publication of this Act, shall mutiny, or desert, &c.

or list in any other Regiment, &c.

or shall be found sleeping on, or shall desert his Post, or correspond with the Enemy,

or shall strike, or not obey his superior Officer; shall suffer Death, or such Punishment as a Court-Martial shall inflict.

II. And be it further enacted by the Authority aforesaid, That his Majesty may grant a Commission or Warrant under his Royal Sign Manual, unto the Court of Directors of the said United Company, who, by virtue of such Commission or Warrant, shall have Power under the Seal of the said United Company to authorize and impower their President and Council for the Time being, at their said principal Settlements respectively, or the major Part of them, and their Governor and Council for the Time being at the said Island of *Saint Helena*, or the major Part of them, from Time to Time to appoint Courts-Martial; and to authorize and impower the Commander in Chief of any Detachment of any of the Officers or Soldiers employed in the said Company's Service, to appoint Courts-Martial for the Trial of any of the Officers or Soldiers under their respective Commands; in which Courts-Martial all the Offences above-mentioned, and all other Offences herein after specified, shall be tried and proceeded against in such manner as by this Act shall be hereafter directed.

The King may grant a Commission to hold Courts-Martial, &c.

III. Provided always, and be it enacted, That when and so long as any of his Majesty's Forces shall be employed to act in Defence of any of the said Company's Settlements, or to assist against any of their Enemies in the *East-Indies*, the Power of appointing Courts-Martial, or authorizing such Appointment as aforesaid, shall be in the Commander in Chief of such his Majesty's Forces for the Time being, over such of the said Company's Officers and Soldiers as shall belong to the principal Settlement where or from whence such Forces shall be employed.

The Commander in Chief to appoint Courts-Martial.

IV. And be it also further enacted, That it shall and may be lawful to and for such Courts-Martial, by their Sentence or Judgment, to inflict corporal Punishment on any Soldier for Immoralities, Misbehaviour or Neglect of Duty.

Immoralities, or Neglect of Duty, punishable by Courts-Martial.

V. And it is hereby further enacted, That no general Court-Martial which shall have Power to sit by virtue of this Act, or by any Authority from the Commander in Chief of his Majesty's Forces, or by Appointment of the President and Council of any of the said United Company's principal Settlements, or the major Part of them, shall consist of a less Number than nine; whereof none to be under the Degree of a Com-

General Courts-Martial not to consist of a less Number than nine.

Preſident of the Court.

Commiſſion Officer; and the Preſident of ſuch general Courts-Martial ſhall neither be the Commander in Chief, or Governor of the Garriſon where the Offender ſhall be tried, nor under the Degree of a Captain; and that no general Court-Martial, which ſhall have Power to ſit by virtue of this Act, by Appointment from the Governor and Council of *Saint Helena*, or the major Part of them, ſhall conſiſt of a leſs Number than five, whereof none to be under the Degree of a commiſſioned Officer; and the Preſident of ſuch general Court-Martial ſhall neither be the Commander in Chief, or Governor of the Garriſon where the Offender ſhall be tried, nor under the Degree of a Lieutenant; and that ſuch Courts-Martial ſhall have Power and Authority, and are hereby required to take and adminiſter ſuch Oaths, and to proceed in ſuch manner as his Majeſty ſhall from Time to Time think fit to order and direct, by any Rules or Orders under his Royal Sign Manual; and no Sentence of Death ſhall be given againſt any Offender in ſuch Caſe by any general Court-Martial, unleſs two Thirds of the Officers preſent ſhall concur therein; and no Proceeding or Trial ſhall be had upon any Offence, but between the Hours of Eight of the Clock in the Morning and Three in the Afternoon, except in Caſes which require an immediate Example.

General Court-Martial at Saint Helena, not to conſiſt of leſs than five.

Preſident of ſuch Court.

Courts-Martial may adminiſter Oaths.

Two Thirds of the Officers preſent to concur in all Sentences of Death.

Hours of Trial.

Judge Advocate to tranſmit to the Commander in Chief, &c. the original Proceedings.

VI. Provided always, and it is hereby enacted by the Authority aforeſaid, That every Judge Advocate, or Perſon officiating as ſuch at any general Court-Martial, do, and he is hereby required to tranſmit with as much Expedition as the Opportunity of Time and Diſtance of Place can admit, the original Proceedings and Sentence of ſuch Court-Martial to his Majeſty's Commander in Chief for the Time being, in caſe ſuch Court-Martial ſhall be held by virtue of his Warrant or Authority as aforeſaid, or to the Preſident and Council of ſuch of the ſaid United Company's principal Settlements, by virtue of whoſe Warrant or Authority the ſame ſhall be held; or unto the Governor and Council at *Saint Helena*, if the ſame ſhall be held within their Juriſdiction; which ſaid original Proceedings and Sentence ſhall be carefully kept and preſerved by ſuch Commander in Chief, or by ſuch Preſident and Council, or Governor and Council reſpectively; to the end that the Perſons intitled thereto may be enabled, upon Application to them, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

No Perſon to be tried a ſecond Time for the ſame Offence.

Sentence not liable to be reviſed more than once.

VII. Provided alſo, and it is hereby declared and enacted, That no Officer or Soldier being acquitted or convicted of any Offence, be liable to be tried a ſecond Time by the ſame or any other Court-Martial for the ſame Offence; and that no Sentence given by any Court-Martial, and ſigned by the Preſident thereof, be liable to be reviſed more than once.

The King may make Articles of War.

VIII. Provided always, and be it enacted, That it ſhall and may be lawful to and for his Majeſty to form, make and eſtabliſh Articles of War, for the better Government of the ſaid United Company's Forces, and for bringing Offenders againſt the ſame to Juſtice; and to erect and conſtitute Courts-Martial, with Power to try, hear and determine any Crimes or Offences by ſuch Articles of War, and inflict Penalties by Sentence or Judgment of the ſame, as well within the ſaid United Company's Limits of Trade, as in the ſaid Iſland of *Saint Helena*.

No Puniſhment to extend to Life or Limb in Peace, except by this Act.

IX. Provided always, That no Perſon or Perſons ſhall be adjudged to ſuffer any Puniſhment extending to Life or Limb, by the ſaid Articles, in Time of Peace, except for ſuch Crimes as are expreſſed to be ſo puniſhable by this Act.

Capital Crimes cognizable by the Civil Magiſtrate puniſhable by caſhiering.

X. Provided alſo, That no Perſon or Perſons being acquitted or convicted of any capital Crimes, Violences or Offences, by the Civil Magiſtrate, ſhall be liable to be puniſhed by a Court-Martial for the ſame, otherwiſe than by caſhiering.

Offenders againſt the Laws to be delivered up to the Civil Magiſtrate.

Officers neglecting to deliver up ſuch Offenders, diſabled to hold any Military Office.

XI. Provided alſo, That if any Officer, Non-commiſſion Officer or Soldier, ſhall be accuſed of any capital Crime, or of any Violence or Offence againſt the Perſon, Eſtate or Property of any of his Majeſty's Subjects, which is puniſhable by the known Laws of the Land, the commanding Officer or Officers of every Regiment, Troop, Company or Party, is and are hereby required to uſe his utmoſt Endeavours to deliver over ſuch accuſed Perſon to the Civil Magiſtrate, and ſhall alſo be aiding and aſſiſting to the Officers of Juſtice in the ſeizing and apprehending ſuch Offender, in order to bring him to Trial: And if any ſuch commanding Officer ſhall wilfully neglect or refuſe, upon Application made to him for that Purpoſe, to deliver over any ſuch accuſed Perſon to the Civil Magiſtrate, or to be aiding and aſſiſting to the Officers of Juſtice in apprehending ſuch Offender; every ſuch Officer ſo offending, and being thereof convicted before two or more Juſtices of the Peace for the Settlement or Place where the Fact is committed, by the Oath of two credible Witneſſes, ſhall be caſhiered, and ſhall be utterly diſabled to have or hold any Military Office or Employment in the ſaid United Company's Service in the *Eaſt-Indies*; provided the ſaid Conviction be affirmed at the next Quarter-Seſſions of the Peace for the ſaid Settlement or Place, and a Certificate thereof be tranſmitted to the Preſident and Council of ſuch principal Settlement, who are hereby obliged to certify the ſame to the next Court-Martial.

Conviction thereof to be affirmed at the Quarter-Seſſions, and a Certificate tranſmitted to the Preſident and Council.

Perſons employed in the Trains of Artillery included.

'XII. And whereas it may otherwiſe be doubted whether the Officers and Perſons employed in the ſeveral Trains of Artillery be within the Intent and Meaning of this Act;' it is hereby enacted by the Authority aforeſaid, That the Officers and Perſons employed, or that ſhall be employed in any of the Trains of Artillery, be deemed in all Reſpects whatſoever within the Intent and Meaning of this Act.

Offences committed by the Company's Preſidents, Council or Governors,

XIII. And be it further enacted by the Authority aforeſaid, That if any of the ſaid United Company's Preſidents or Council, at their reſpective principal Settlements, or any of them, or their Governor or Council at the ſaid Iſland of *Saint Helena*, ſhall after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and fifty-four, be guilty of oppreſſing any of his Majeſty's Subjects beyond the Seas within their

respective Jurisdictions or Commands, or shall be guilty of any other Crime or Offence contrary to the Laws of that Part of *Great Britain* called *England*, or in Force within their respective Jurisdictions or Commands; such Oppression, Crimes and Offences may be enquired of, heard and determined in his Majesty's Court of *King's Bench*, within that Part of *Great Britain* called *England*; or before such Commissioners, and in such County of that Part of *Great Britain* called *England*, as shall be assigned by his Majesty's Commission, and by good and lawful Men of the same County; and such Punishment shall be inflicted on such Offenders, as are usually inflicted for Offences of the like Nature committed in that Part of *Great Britain* called *England*.

may be enquired of in the Court of King's Bench, or before Commissioners appointed by his Majesty in England.

See further 1 Geo. 3. c. 14. *which extends the Provisions of this Act.*

CAP. X.

An Act for granting to his Majesty a certain Sum of Money therein mentioned out of the Sinking Fund; and applying certain Surplus Monies remaining in the Exchequer for the Service of the Year one thousand seven hundred and fifty-four; and for the further Disposition of the said Sinking Fund, by paying thereout the Remainder of the Sum advanced on the Credit of the Duty on Sweets, and the Interest thereof; and for carrying the said Duty to the said Fund; and for the further appropriating the Supplies granted in this Session of Parliament.

MOST Gracious Sovereign, we your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the Residue of the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, by Ways and Means the least burthensome to your Majesty's Subjects, and at the same Time to make further Provision for the Reduction of the National Debt, have resolved to give and grant to your Majesty for those Purposes the several Sums herein after mentioned; and do therefore most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are, or shall from Time to Time be and remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the Fund commonly called the *Sinking Fund*, (after paying or reserving sufficient to pay all such Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may be issued and applied a Sum not exceeding the Sum of seven hundred thousand Pounds, for and towards the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-four; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly.

700,000l. granted out of the Sinking Fund for the Service of the current Year.

II. And be it further enacted by the Authority aforesaid, That the Sum of seven thousand nine hundred thirty-seven Pounds fourteen Shillings and two Pence Half-penny, remaining in the Receipt of the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-three; and also the Sum of twenty-three thousand five hundred sixty-two Pounds seven Shillings and nine Pence Half-penny, remaining in the Receipt of the Exchequer, of the Surplus of the Duties on Coals since the twenty-fifth Day of *March* one thousand seven hundred and nineteen; and also the Sum of thirty-two thousand six hundred fifty-two Pounds fifteen Shillings and seven Pence, remaining in the Receipt of the Exchequer, of the Surplus of the Duties on Licences for retailing Spirituous Liquors; and also the Sum of thirty thousand one hundred ninety-five Pounds three Shillings and six Pence Half-penny, remaining in the Receipt of the Exchequer, of the Surplus of the Funds for the Lottery in the Year one thousand seven hundred and fourteen, shall and may be issued and applied at the said Receipt as Part of the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-four.

7,937l. 14s. 2d. 2q. Overplus of the last Year's Grants;

23,562l. 7s. 9d. 2q. Surplus of Duty on Coals;

32,652l. 15s. 7d. Surplus of the Duties for retailing Spirituous Liquors;

30,195l. 3s. 6d. 2q. Surplus of the Funds of the Lottery in 1714. to be issued in Aid of the Supply.

'III. And whereas by an Act made in the tenth Year of the Reign of his present Majesty, for repealing the then present Duty upon Sweets, and for granting a less Duty thereupon, it was amongst other Things enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and thirty-seven, there should be raised, levied and paid, to and for the Use of his Majesty, his Heirs and Successors for ever, for every Barrel of Liquor made or to be made within the Kingdom of *Great Britain* for Sale, by Infusion, Fermentation or otherwise, from foreign Fruit or Sugar, or from *British* Fruit or Sugar, or from Fruit or Sugar mixed with any other Materials whatsoever, commonly called Sweets, or called or distinguished by the Name of Made Wines, for which no Duty had been then already paid or should be paid on or before the said twenty-fourth Day of *June*, the Sum of twelve Shillings, to be paid by the Maker thereof; and so in proportion for a greater or less Quantity: And whereas on the Credit of the Duty by the said Act granted, the Sum of five hundred thousand Pounds hath been advanced by the Governor and Company of the Bank of *England*, and raised by Exchequer Bills, carrying an Interest after the Rate of three Pounds *per Centum per Annum*; and the principal Sum of four hundred ninety-nine thousand six hundred Pounds, Part of the said Sum of five hundred thousand Pounds, still remains unpaid: And whereas the said Governor and Company of the Bank of *England* do consent that the said Sum so unpaid, with Interest thereon, be transferred to and charged upon the Fund commonly called the *Sinking Fund*:' Now for the Payment of the said principal Sum of four hundred ninety-nine thousand six hundred

10 Geo. 2. c. 17.

dred Pounds, with such Interest as shall be due thereupon; Be it enacted by the Authority aforesaid, That by or out of such Monies as now are or shall from Time to Time be and remain in the Receipt of the Exchequer, of the said Surplusses, Excesses, Overplus Monies, and other Revenues composing the said Sinking Fund, after paying or reserving sufficient to pay all such Sums of Money as by any former Act or Acts of Parliament have been and by this Act are directed to be paid out of the same, there shall and may be issued and applied any Sum not exceeding the Sum of four hundred ninety-nine thousand six hundred Pounds, to cancel and discharge the like Sum in Exchequer Bills, made out in pursuance of the said Act made in the tenth Year of his Majesty's Reign, and charged upon the said Duty on Sweets, as also such Sum or Sums of Money as shall from Time to Time become due and payable for Interest upon the said Exchequer Bills, until the same shall be paid off, or Money sufficient shall be reserved for that Purpose.

499,600 l. to be paid out of the Sinking Fund to the Bank, to cancel Exchequer Bills, issued on the Credit of the Duties of the recited Act.

The Duties to be carried into the Sinking Fund.

IV. And be it further enacted by the Authority aforesaid, That from and after the fifth Day of *April* one thousand seven hundred and fifty-four, the said Duty on Sweets shall be carried to and made Part of the Fund commonly called the *Sinking Fund*; and shall and may be issued and applied in such Manner, and to such Uses and Purposes as other Rates, Duties, Revenues and Incomes composing the said Fund, are or shall be directed by Authority of Parliament to be issued and applied, and for no other Use, Intent or Purpose whatsoever.

Appropriation of the Supplies.

The Monies arising by the Land Tax,

Malt Tax,

and other Sums remaining in the Exchequer, &c.

V. Provided always, and it is hereby further enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land-Tax to be raised in* Great Britain *for the Service of the Year one thousand seven hundred and fifty-four*; and so much Money (if any such be) of the Tax thereby granted as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Land-Tax shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, (intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-four*) and so much Money, if any such be, of the Duties thereby granted as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act; and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Monies sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and the Sum of seven thousand nine hundred thirty-seven Pounds fourteen Shillings and two Pence Half-penny remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-three, but not applied to the Service of that Year; and the Sum of twenty-three thousand five hundred sixty-two Pounds seven Shillings and nine Pence Half-penny, remaining in the Receipt of the Exchequer, of the Surplus of the Duties on Coals since the twenty-fifth Day of *March* one thousand seven hundred and nineteen; and the Sum of thirty-two thousand six hundred fifty-two Pounds fifteen Shillings and seven Pence, remaining in the Receipt of the Exchequer, of the Surplus of the Duties on Licences for retailing Spirituous Liquors; and the Sum of thirty thousand one hundred ninety-five Pounds three Shillings and six Pence Half-penny, remaining in the Receipt of the Exchequer, of the Surplus of the Funds for the Lottery in the Year of our Lord one thousand seven hundred and fourteen; and also the Sum of seven hundred thousand Pounds by this Act granted, shall be further appropriated, and are hereby appropriated, for and towards the several Uses and Purposes herein after expressed, (that is to say)

to be applied, viz. 898,747 l. 12 s. 9 d. for Naval Services.

it is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied, any Sum or Sums of Money, not exceeding eight hundred ninety-eight thousand seven hundred forty-seven Pounds twelve Shillings and nine Pence, for or towards the Naval Services herein after particularly expressed; that is to say, for or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordinance, performed and to be performed; and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers; and for or towards Building, Rebuilding and Repairs of his Majesty's Ships, in the Year one thousand seven hundred and fifty-four.

1,642 l. 10 s. to Chaplains in the Navy in the late War.

VI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one thousand six hundred forty-two Pounds ten Shillings, for paying a Bounty for the Year one thousand seven hundred and fifty-four, of two Shillings and six Pence *per* Day to twenty Chaplains, and two Shillings *per* Day to twenty more Chaplains, who have served longest on board his Majesty's Ships of War; provided it appears by the Books of the said Ships, that they have been actually borne and mustered thereon, for the Space of five Years during the late Wars with *France* and *Spain*; and provided likewise, that such Chaplains do not enjoy the Benefit of some Ecclesiastical Living, or Preferment from the Crown or otherwise, of the present annual Value of fifty Pounds.

10,000 l. to Greenwich Hospital.

VII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding ten thousand Pounds, upon account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

123,365 l. 17 s. to the Ordnance;

VIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one hundred twenty-three thousand five hundred sixty-five Pounds seventeen Shillings, for the Charge of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and fifty-four, performed and to

be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

IX. And it is hereby also enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million sixty-eight thousand one hundred eighty-five Pounds ten Shillings and five Pence Half-penny, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; (that is to say) any Sum or Sums of Money, not exceeding six hundred twenty-eight thousand three hundred fifteen Pounds seven Shillings and eleven Pence, for defraying the Charge of eighteen thousand eight hundred and fifty-seven effective Men, including Commission and Non-commission Officers, and also one thousand eight hundred and fifteen Invalids, for Guards, Garrisons, and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and fifty-four; and any Sum or Sums of Money, not exceeding two hundred thirty-six thousand four hundred twenty Pounds eighteen Shillings and six Pence Half-penny, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca*, and *Gibraltar*, and for Provisions for the Garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thousand seven hundred and fifty-four; and any Sum or Sums of Money, not exceeding fifty-seven thousand three hundred fifty-eight Pounds five Shillings and five Pence upon Account, for Out-pensioners of *Chelsea* Hospital, for the Year one thousand seven hundred and fifty-four; and any Sum or Sums of Money, not exceeding fifty-five thousand Pounds, upon account of Half-pay, for the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and fifty-four; subject to such Rules to be observed in the Application of the said Half-pay, as are hereafter prescribed concerning the same; and any Sum or Sums of Money not exceeding four thousand two hundred forty-six Pounds six Shillings and eight Pence, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse reduced, and to the superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and fifty-four; and any Sum or Sums of Money not exceeding two thousand nine hundred forty-four Pounds for paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and fifty-four; which said Sum of two thousand nine hundred forty-four Pounds, shall be issued to such Person or Persons as his Majesty shall, by Warrant or Warrants under his Royal Sign Manual, direct and appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assignees, according to such Establishments, Lists, or other Directions, and with and subject to such Conditions, Qualifications, and other Allowances for the same, as his Majesty, by such and the like Warrant or Warrants, shall be graciously pleased to direct and appoint; and any Sum or Sums of Money not exceeding thirty-one thousand nine hundred Pounds eleven Shillings and eleven Pence, for defraying the extraordinary Expences of his Majesty's Land Forces, and other Services, incurred in the Year one thousand seven hundred and fifty-three, and not provided for by Parliament; and any Sum or Sums of Money not exceeding twenty thousand Pounds, to enable his Majesty to make good his Engagements with the Elector of *Bavaria*, pursuant to Treaty; and any Sum or Sums of Money not exceeding thirty-two thousand Pounds, to enable his Majesty to make good his Engagements with the King of *Poland*, Elector of *Saxony*, pursuant to Treaty.

1,068,185 l. 10 s. 5 d. 2 q. to the Land Forces;

of which 628,315 l. 7 s. 11 d. for Guards &c. in Great Britain, Guernsey, and Jersey;

236,420 l. 18 s. 6 d. 2 q. for the Plantations, Minorca and Gibraltar, Nova Scotia, Newfoundland, and Providence.

57,358 l. 5 s. 5 d. to the Out-pensioners of Chelsea Hospital.

55 000 l. to the reduced Officers of the Land Forces and Marines.

4,246 l. 6 s. 8 d. to the Horse Guards, &c. reduced;

2,944 l. to Half-pay Officers Widows, &c.

31,900 l. 11 s. 11 d. for extraordinary Expences in 1753.

20,000 l. to the Elector of Bavaria.

32,000 l. to the King of Poland.

X. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding eleven thousand three hundred ninety-two Pounds six Shillings and nine Pence, upon Account, for defraying the Charges incurred by supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia* in the Year one thousand seven hundred and fifty-three, and not provided for by Parliament; and any Sum or Sums of Money not exceeding forty-seven thousand and fifty-four Pounds fifteen Shillings and three Pence, upon Account, for supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia*, for the Year one thousand seven hundred and fifty-four.

11,392 l. 6 s. 9 d. towards the settling Nova Scotia in 1753.

47,054 l. 15 s. 3 d. for Nova Scotia.

XI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding sixty-one thousand five hundred five Pounds nineteen Shillings and nine Pence Farthing, to make good the Deficiency of the half Subsidies of Tonnage and Poundage, charged with the Payment of several Annuities by the Acts of the sixth Year of the Reign of Queen *Anne*, and the sixth Year of the Reign of his late Majesty King *George* the First, to satisfy all Annuities charged thereupon to the fifth day of *January* one thousand seven hundred and fifty-four; and any Sum or Sums of Money not exceeding six thousand seven hundred ninety-two Pounds fifteen Shillings, to replace to the Sinking Fund the like Sum paid out of the same to make good the Deficiency of the Duty of twelve Shillings a Barrel on Sweets, or Wines made from *British* or Foreign Fruit or Sugar, upon the tenth Day of *October* one thousand seven hundred and fifty-three; and any Sum or Sums of Money, not exceeding two thousand Pounds, towards enabling the Commissioners for building a Bridge cross the River *Thames* from the City of *Westminster* to the opposite Shore in the County of *Surry*, to maintain the said Bridge, and to perform the other Trusts reposed in them; and any Sum or Sums of Money, not exceeding six thousand Pounds, towards laying out, making and keeping in Repair a Road proper for the Passage of Troops and Carriages from the City of *Carlisle* to the Town of *Newcastle* upon *Tyne*; and any Sum or Sums of Money not exceeding ten thousand Pounds, to be applied in building, maintaining, and supporting the *British* Forts and Settlements upon the Coast of *Africa*; and any Sum or Sums of Money not exceeding two thousand six hundred thirty-two Pounds, upon Account, for defraying

61,505 l. 19 s. 9 d. 1 q. to make good the Deficiency of the half Subsidy.

6,792 l. 15 s. to the Deficiency of the Duties on Sweets, at October 1753.

2,000 l. for the Bridge at Westminster.

6,000 l. towards making a Road from Carlisle to Newcastle.

10,000 l. for the British Forts, &c. upon the Coast of Africa.

2,632 l. for defraying the Civil Establishment of Georgia.

ing the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same, from the twenty-fourth Day of *June* one thousand seven hundred and fifty-three, to the twenty-fourth Day of *June* one thousand seven hundred and fifty-four; and any Sum or Sums of Money, not exceeding fifteen thousand four hundred ninety-seven Pounds three Shillings and two Pence Farthing, to satisfy the several principal Sums remaining due on Bills drawn from *America*, and Certificates given for the Pay of two Troops of Rangers, one Highland Company, Boatmen, Half Galleys or Schooners in *Georgia*, and other Charges thereunto belonging, and for extraordinary Military Services, to *Midsummer* one thousand seven hundred and forty-seven, agreeable to the Report of the Auditor of the Impreſt.

15,497 l. 3 s. 2 d. 1 q. to discharge Bills drawn for Military Services in Georgia in 1747.

These Aids to be appropriated to no other Uses.

XII. And be it further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued and applied to any other Use, Intent or Purpose whatsoever, other than the Uses and Purposes before-mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

Rules to be observed in the Application of the Half-pay. *See* 28 *Geo.* 2. *c.* 22.

XIII. And as to the said Sum of fifty-five thousand Pounds by this Act appropriated on Account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, that no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

26 Geo. 2. c. 23.

'XIV. And whereas by an Act of Parliament made and passed in the twenty-sixth Year of his Majesty's Reign (intituled, *An Act for granting to his Majesty a certain Sum of Money therein mentioned out of the Sinking Fund; and for applying certain Surplus Monies remaining in the Exchequer for the Service of the Year one thousand seven hundred and fifty-three; and for the further appropriating the Supplies granted in this Session of Parliament; and for enlarging the Time limited by an Act of the last Session of Parliament, for subscribing Annuities after the Rate of three Pounds* per Centum per Annum, *and three Pounds ten Shillings* per Centum per Annum, *into the Joint Stock of Annuities; and for other Purposes therein mentioned*;) the several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to the several Uses and Purposes therein expressed; amongst which, any Sum or Sums of Money not exceeding fifty-eight thousand Pounds was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf:' Now it is hereby provided, enacted, and declared, by the Authority aforesaid, That so much of the said Sum of fifty-eight thousand Pounds as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or lost their Limbs in the late Wars, or such others as by reason of their long Service or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act, or the said former Act, to the contrary notwithstanding.

Surplus of last Year's Half-pay to be disposed of by his Majesty.

CAP. XI.

An Act to continue the Duties for Encouragement of the Coinage of Money; and for removing Doubts concerning the Continuance of the Duty of twenty Shillings for every Ton of Brandy, Wines and Strong Waters imported.

18 Car. 2. c. 5. 25 Car. 2. c. 8. 1 Jac. 2. c. 7. 4 Will. & Mary, c. 24. 12 & 13 Will. 3. c. 11. 4 *Ann. c.* 22. 7 Annæ, c. 24.

'MAY it please your most Excellent Majesty: Whereas by an Act made in the eighteenth Year of the Reign of King *Charles* the Second, and continued with some Additions by an Act made in the twenty-fifth Year of his Reign; both which Acts were revived and further continued by an Act made in the first Year of the Reign of King *James* the Second, and further continued by several subsequent Acts made in the fourth Year of the Reign of King *William* and Queen *Mary*, and in the twelfth and thirteenth Year of the Reign of King *William* the Third, certain Rates and Duties were imposed on all Wines, Vinegar, Cyder and Beer, and also on all Brandy Wines and Strong Waters, imported or brought into the Port of *London*, or into any other Ports, Creeks, or Places, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, the said several Rates and Duties to be applied towards defraying the Charge of the Coinage of Gold and Silver Monies in the Mints of *England*: And whereas after the Union of the two Kingdoms of *England* and *Scotland*, an Act was made in the seventh Year of the Reign of Queen *Anne*, whereby the like Rates and Duties were granted and made payable for the like Purposes, and for the Term therein mentioned, on all Wines, Vinegar, Cyder, Beer, Brandy Wines and

'Strong

'Strong Waters imported into *Great Britain*; and the said Acts made in the eighteenth and twenty-fifth 'Years of the Reign of King *Charles* the Second, and also an Act made in the fourth Year of the Reign 'of Queen *Anne*, and every Clause, Article, and Sentence in the said Acts, or any of them contained, 'were revived and further continued, with some additional Provisions, for the Service of the Mints in '*England* and *Scotland* respectively: And whereas by an Act made in the first Year of the Reign of King '*George* the First, the said several Rates and Duties, and all the said former Acts, and all other Acts of 1 Geo. 1. c. 43. 'Parliament concerning Coinage then being in Force, were revived and continued for the further Term 'therein mentioned, and a Provision was thereby made for supplying any Deficiency of the Revenue set-'tled for the Encouragement of the Coinage: And whereas the said several Rates and Duties, and all the 'said Acts concerning Coinage, were, with a like Provision for supplying any Deficiency of the said Re-'venue, further continued by several subsequent Acts made in the ninth Year of the Reign of King *George* 9 Geo. 1. c. 19. 'the First, and in the fourth Year of the Reign of your Majesty: And whereas by an Act made in the 4 Geo. 2. c. 12. 'ninth Year of the Reign of your Majesty, intituled, *An Act for laying a Duty on the Retailers of Spirituous* 9 Geo. 2. c. 23. '*Liquors, and for Licensing the Retailers thereof*; it was, amongst other Things, enacted, That the Duties 'and Revenues which should arise by the Licences for vending Brandy or Spirits, as also the then present 'Duties on Low Wines, Strong Waters, Brandy, Rum, Arrack, and all other Spirits, whether Foreign 'or *British*, and such Duties as should arise by the retailing the same, should, from and after the twenty-'ninth Day of *September* one thousand seven hundred and thirty-six, be united to, and made Part of, the 'General or Aggregate Fund, established by the Act of the first Year of the Reign of his late Majesty 'King *George* the First, and be issued and applied to the Uses to which the said Fund was or should be 'made applicable: And whereas by an Act made in the twelfth Year of the Reign of your Majesty, such 12 Geo. 2. c. 5. 'only of the said Rates and Duties so granted by the said Act made in the eighteenth Year of the Reign of 'King *Charles* the Second, as were thereby charged on the Importation of Wines, Vinegar, Cyder, and 'Beer, and all the said former Acts, and all other Acts of Parliament concerning Coinage, then being in 'Force, and the same Provision for supplying any Deficiency of the said Revenue, were further continued; 'and by an Act made in the nineteenth Year of the Reign of your Majesty, have Continuance for the 19 Geo. 2. c. 14. 'Space of seven Years, from the first Day of *March* one thousand seven hundred and forty-five, and until 'the End of the first Session of Parliament then next following, and no longer: And whereas great Benefit 'hath arisen from the Encouragement of Coinage given by the said Acts, and it is therefore expedient, 'that an adequate Revenue be settled and continued for the like Purposes;' We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do give and grant unto your Majesty the Rates, Duties and Impositions herein after-mentioned, for and during the Term herein after expressed, and do humbly pray, that it may be enacted; and Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such and the like Rates, Duties and Impositions, as by the said Act of the eighteenth Year of the Reign of King *Charles* the Second were granted, and by the said subsequent Acts were continued, for and upon the Importation of Wines, Vinegar, Cyder and Beer, during the respective Terms therein mentioned, shall be further continued, and be paid and payable to his Majesty, his Heirs and Successors, for and upon all Wines, Vinegar, Cyder and Beer, which shall be imported or brought into *Great Britain*, within or during the Space of seven Years, to commence from the first Day of *March* one thousand seven hundred and fifty-four, and until the End of the first Session of Parliament then next following, and no longer; and that all the said former Acts, and all other Acts of Parliament concerning Coinage, and every of them, and every Clause, Article and Sentence in them, or any of them contained, now being in force, shall be and are by virtue of this Act continued, and shall be in force, and be duly put in Execution, for and during all such Time and Term as are before-mentioned, as fully and effectually, as if the same were particularly repeated and re-enacted in the Body of this present Act.

The Duties granted by 18 Car. 2. on the Importation of Wines, Vinegar, Cyder and Beer, and the recited Acts relating thereto, continued for 7 Years.

Farther continued by 1 Geo. 3. c. 16.

II. And to the end the Importers of Gold and Silver into the Mints of *England* and *Scotland* respectively, may not be discouraged by any Deficiency of the Revenue by this Act settled for defraying the Coinage thereof; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the Treasury, or any three or more of them now being, or the Lord High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, and they are hereby impowered and directed, out of the Monies arising by this Act, or out of any other publick Supplies granted or to be granted by Parliament, to cause so much Money to be applied as shall be necessary for defraying the Expences of the said Mints of *England* and *Scotland* respectively, by way of Impress, and upon Account, for that Service, so as the same, together with the Coinage Duties arising by this Act, do not exceed in any one Year the Sum of fifteen thousand Pounds, and so as the said Monies be issued out of the Exchequer of *Great Britain* to the Master of the Mint in *England*, and to the Master of the Mint in *Scotland* respectively, for the said Purposes.

Treasury to issue Monies for defraying the Expences of the Mints in England and Scotland.

'III. And whereas some Doubts have arisen concerning the Continuance of the Duty of twenty Shillings 'for every Ton of Brandy Wines and Strong Waters imported; which together with other Duties and Re-'venues was, by the herein before-recited Act made in the ninth Year of the Reign of his present Majesty, 'in manner before-mentioned, united to and made Part of the Aggregate Fund:' Now, for removing all Doubts concerning the Continuance of the said Duty; Be it declared by the Authority aforesaid, That it was the true Intent and Meaning of the said Act to continue the said Duty of twenty Shillings for every Ton of Brandy Wines and Strong Waters imported, as Part of the said Aggregate Fund, for and during such Term for which any of the Rates, Duties, and Revenues, composing the said Aggregate Fund, were granted and made payable, notwithstanding the Expiration of the Term for which the said Duty of twenty Shillings

The Duty of 20s. formerly granted on every Ton of Brandy, &c. imported, continued as Part of the Aggregate Fund.

Shillings for every Ton of Brandy Wines, and Strong Waters imported, was granted by the herein before-mentioned Act made in the fourth Year of the Reign of his present Majesty.

Concerning Spirituous Liquors see farther 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

CAP. XII.

An Act for improving and preserving the Navigation from *Salter's Load Sluice* in the County of *Norfolk*, to *Standground Sluice* in the County of *Huntingdon*; and from *Flood's Ferry* in the Isle of *Ely* in the County of *Cambridge*, to *Ramsey High Load* in the said County of *Huntingdon*; and also the Navigation from *Old Bedford Sluice* in the said County of *Norfolk*, to the River *Nene*, in the Parish of *Ramsey*, in the said County of *Huntingdon*. PR.

'WHEREAS the Navigation from the Port of *King's Lynn* to *Standground Sluice* near the City of *Peterborough*, was anciently carried on from *Salthirn Load*, otherwise *Salter's Load Sluice*, in the County of *Norfolk*, through *Well Creek* and the River *Nene*, to *Flood's Ferry* in the County of *Cambridge*; and from thence through *Ramsey Mere*, *Ugg Mere*, and *Whittlesea Mere*, in the County of *Huntingdon*; but the Navigation through the said Meres being at all Times extreamly tedious, difficult and dangerous, and very frequently altogether impracticable; the Navigation from the said Port of *King's Lynn* to *Standground Sluice* aforesaid, has for many Years been carried on from *Flood's Ferry* aforesaid, through a certain Drain called *Whittlesea Dyke*, being the safest and neareſt Passage: And whereas the Navigation from the Parish of *Ramsey*, and the adjacent Places to the said Port of *King's Lynn*, will be most conveniently carried on by *Flood's Ferry*, through the River *Nene*, *Well Creek* and *Salter's Load* aforesaid: And whereas the Navigation from the Towns of *Chatteris*, *Maney* and *Wenley*, to the said Port of *King's Lynn*, has for many Years been chiefly carried on through a certain Drain called the *Forty Foot Drain*, and the *Old Bedford River*: And whereas the Trade carried on upon the said Rivers, and through the said Creek and Drains is greatly increased, and it is become necessary to clean, depthen, widen and scour the said Rivers, Creek and Drains, which cannot be effected without a considerable Expence: And whereas the preserving and improving of the said Navigations will be a great and general Advantage to the said Port of *King's Lynn*, and the City of *Peterborough*, and to all the Towns and Villages situate near the said Rivers, and to the whole adjacent Country;' May it therefore please your Majesty, that it may be enacted, *&c.*

"Commissioners appointed for preserving the Navigation of the River. Inhabitants to meet annually in their Vestries on *Monday* in *Easter* Week, and choose Commissioners. Certificates of the Persons so chosen to be transmitted to the other Commissioners. Inhabitants neglecting to choose Commissioners, they are then to be chosen by the Commissioners at their next Meeting. Vacancies of Commissioners by Death, *&c.* to be filled up within a Month. Notice to be given of Meetings for that Purpose. Tolls granted for compleating the Navigation, *viz.* For every Chalder of Coals, Hundred of Battens, Half Hundred of other Deals, Load of Timber, Eight Packs of Wool, Weigh of Salt, Load of Wheat, Rapeseed, Linseed, Coalseed, Barley, Rye, Peaſe or Beans, Last of Oats or Barley Bigg, Two thousand of Turf, Load of Reed, Sedge, Hay, Flax or Hemp, Last of Malt, Thousand of Tiles, Five hundred of Bricks, Twenty Feet of Stone, and every Chalder of Lime, 3 *d.* and the like Sum for every Ton of other Goods. The Toll vested in the Commissioners. Pleasure-boats exempted. Collector not to be Keeper of any of the Sluices. Commissioners may borrow a Sum not exceeding 3000 *l.* on the Credit of the Tolls. Commissioners may make Pen Sluices, and set out Towing Paths and Haling Ways, making Satisfaction to the Owners. Nine Commissioners may receive Proposals, but no Contract to be concluded unless 25 be present. Persons interested refusing to treat for the Sale of Lands, a Jury to settle the Recompence. Verdict of the Jury and Judgment of the Commissioners to be conclusive; and to be delivered to the Clerk of the Peace. Commissioners may examine Witnesses, and order the Jury to view the Places. Commissioners to maintain and repair the Towing Paths, and set up Gates and Stiles, and erect Bridges where necessary. Where a Breach shall happen, or there be Danger of one in any of the Banks which the Commissioners are to keep in Repair, the Occupiers of Lands are to give Notice; and if the same be not timely repaired, they may do it, and the Expences to be repaid them. Conservators of the *Great Level* to erect Ebb Doors at the Sluices. Gates to be erected at the Mouth of *Old Bedford River*. *Old Bedford River* and the *Forty Foot Drain* may be cleansed. The Conservators neglecting to repair the Ebb Doors, the Commissioners may do it, and deduct the Expences out of the annual Sums payable to the Conservators. The Improvement and Preservation of the Navigations to be under the sole Direction of the Commissioners. Boat Master answerable for the Damage done by his Boat or Crew, *&c.* Persons aggrieved by the Order of any Justice for Offences against this Act, may appeal to the Quarter-Sessions. Order of Justice not to be quashed for want of Form. Destroying or damaging any of the Works, Felony. Commissioners at their annual Meetings may reduce the Tolls, and raise them again if necessary. Commissioners may summon and examine on Oath Persons intrusted with the Receipt or Expenditure of Money, and levy the Balance in Arrear, *&c.* by Distress and Sale; and for want of Distress may commit the Party."

CAP. XIII.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Promotions within the Time limited by Law, and for allowing further Time for that Purpose. EXP. [Time given to 25 Nov. 1754.]

CAP.

CAP. XIV.

An Act to continue several Laws relating to the Distemper now raging among the Horned Cattle in this Kingdom. 30 *Geo.* 2. *c.* 20.

See 19 *Geo.* 2. *c.* 5. 20 *Geo.* 2. *c.* 4.

CAP. XV.

An Act to explain and amend an Act made in the ninth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for the more effectual punishing wicked and evil disposed Persons going armed and disguised, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects; and for the speedy bringing the Offenders to Justice.*

'WHEREAS by an Act made in the ninth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for the more effectual punishing wicked and evil-disposed Persons going armed and disguised, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects; and for the speedy bringing the Offenders to Justice*; it is amongst other Things enacted, That if any Person or Persons, from and after the first of *June* in the Year of our Lord one thousand seven hundred and twenty-three, shall knowingly send any Letter without any Name subscribed thereto, or signed with a fictitious Name, demanding Money, Venison, or other valuable Thing, or shall forcibly rescue any Person being lawfully in Custody of any Officer or other Person, for any of the Offences in the said Act mentioned, every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death, as in Cases of Felony, without Benefit of Clergy: And whereas divers Letters have been sent to several of his Majesty's Subjects, threatening their Lives or burning their Houses, which Letters not demanding Money, Venison, or any valuable Effects, are not subject to the Penalties of the said Act:' To prevent the like mischievous and iniquitous Proceedings for the future, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons, from and after the first Day of *May* one thousand seven hundred and fifty-four, shall knowingly send any Letter without any Name subscribed thereto, or signed with a fictitious Name or Names, Letter or Letters, threatening to kill or murder any of his Majesty's Subject or Subjects, or to burn their Houses, Out-houses, Barns, Stacks of Corn or Grain, Hay or Straw, though no Money or Venison, or other valuable Thing shall be demanded in or by such Letter or Letters; or shall forcibly rescue any Person being lawfully in Custody of any Officer or other Person for the said Offence, every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony without Benefit of Clergy.

9 Geo. 1. c. 22. *Which is made perpetual by* 31 *Geo.* 2. *c.* 42.

Persons convicted of sending threatening or incendiary Letters, or of rescuing Persons in Custody for such Offences, to suffer Death.

CAP. XVI.

An Act for making perpetual several Laws for Punishment of Persons destroying Turnpikes, Locks or other Works erected by Authority of Parliament; and that all Acts made for erecting Courts of Conscience shall be deemed publick Acts; and to impower a certain Number of the Trustees of the *British Museum* to do certain Acts; and for confirming the Table of Fees to be taken by the Clerks to the Justices of the Peace for the County of *Middlesex*; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices; and for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and for preventing Persons driving certain Carriages from riding upon such Carriages.

'WHEREAS an Act made in the fifth Year of the Reign of his present Majesty, intituled, *An Act to explain, amend and render more effectual an Act passed in the first Year of his present Majesty's Reign, intituled*, An Act for punishing such Persons as shall wilfully and maliciously pull down and destroy Turnpikes for repairing Highways, or Locks or other Works erected by Authority of Parliament for making Rivers navigable; and also an Act made in the eighth Year of the Reign of his present Majesty, intituled, *An Act for rendering the Laws more effectual for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes for repairing Highways, or Locks or other Works erected by Act of Parliament for making Rivers navigable, and for other Purposes therein mentioned*; which said Acts expired, and were afterwards by an Act made in the fifteenth and sixteenth Year of his present Majesty's Reign revived, and were to be in force for the Purposes therein mentioned from the first Day of *June* one thousand seven hundred and forty-two, until the first Day of *June* one thousand seven hundred and forty-seven, and which by another Act made in the twentieth Year of the Reign of his present Majesty was further continued from the Expiration thereof, until the first Day of *June* one thousand seven hundred and fifty-four, and from thence to the End of the then next Session of Parliament, have been found by Experience to be useful and beneficial, and are near expiring;' May it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Acts shall be, and the same are hereby made perpetual.

5 Geo. 2. c. 33. 8 Geo. 2. c. 20. 15 & 16 Geo. 2. c. 33. 20 Geo. 2. c. 47.

The recited Acts made perpetual.

'II. And whereas many Inconveniencies have arisen by reason several Acts for erecting Courts of Requests or Conscience in several Cities, Towns Corporate and other Places, have not been declared to be publick Acts;' Be it therefore enacted, That from and after the first Day of *January* one thousand seven hundred and fifty-five, all the Acts of Parliament for erecting Courts of Requests or Conscience for the Recovery

All Acts for erecting Courts of Conscience for Recovery of small Debts, to

be deemed publick Acts.

covery of small Debts in Cities, Towns Corporate, and other Places in this Kingdom, shall be deemed, adjudged and taken to be publick Acts, and shall be judicially taken Notice of as such by all Judges, Justices and other Persons whatsoever, without specially pleading the same.

26 Geo. 2. c. 22.

'III. And whereas by an Act made in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for the Purchase of the* Museum *or Collection of Sir* Hans Sloane, *and of the* Harleian *Collection of Manuscripts, and for providing one General Repository for the better Reception and more convenient Use of the said Collections, and of the* Cottonian Library, *and of the Additions thereto*; it is among other Things enacted, That certain Persons in the said Act named, and their Successors, shall be Trustees for putting the said Act in Execution; and that they, or the major Part of them, in a General Meeting assembled, whereof the Archbishop of *Canterbury*, the Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons shall be three, shall in such manner as they shall think fit elect and nominate fifteen other Persons to be associated to them in the Executions of the Trusts thereby in them reposed; and when any of the Trustees so elected and nominated shall die, shall in like manner elect and nominate a fit Person or Persons to supply the Place or Places of him or them so dying, and so *toties quoties* as any of the said Trustees so elected and nominated, or others so elected and nominated to supply their Places, shall happen to die: And whereas the Powers and Authorities given to the whole Body of the Trustees of the *British Museum*, by the said Act incorporated, are thereby limited to be exercised by them, or the major Part of them, at any General Meeting assembled: And whereas it may happen that the said Archbishop of *Canterbury*, the Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, may be hindered by Indisposition or Avocation from being all of them present at such Elections of Trustees; and it may also happen that the major Part of the whole Number of the Trustees of the *British Museum* cannot conveniently be present at every General Meeting of the said Trustees;' Be it enacted by the Authority aforesaid, That every such Election of a Trustee, at which the said Archbishop of *Canterbury*, the Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, or any two of them, shall be present, shall be as valid and effectual to all Intents and Purposes whatsoever, as if the said Archbishop of *Canterbury*, the Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, were all of them present; and that the Acts and Orders made by the major Part of such Number of the said Trustees, as shall be present at any such General Meeting, so as seven of the said Trustees at the least be there present, shall have the same and the like Force and Effect, as if such Acts and Orders were made by the major Part of the whole Number of the said Trustees; any thing in the said Act or any Law to the contrary thereof in any wise notwithstanding.

Elections of Trustees, at which the Archbishop of Canterbury, Lord Chancellor, Lord Keeper, and Speaker of the House of Commons, or two of them, shall be present, and all Acts done by seven Trustees, deemed valid.

26 Geo. 2. c. 14.

'IV. And whereas by an Act passed in the last Session of Parliament, intituled, *An Act for the settling and ascertaining the Fees to be taken by Clerks to the Justices of the Peace*, it is thereby enacted, That the Tables of Fees therein required to be made and approved by the Justices of the Peace at their respective General Quarter-Sessions throughout that Part of *Great Britain* called *England*, should be laid before the Judges at the next Assizes, who are thereby required to ratify and confirm the same in manner as therein mentioned: And whereas no sufficient Provision is therein made for the ratifying and confirming the Tables of Fees made, settled and approved, or to be made, settled and approved by the Justices of the Peace for the County of *Middlesex*;' Be it therefore enacted by the Authority aforesaid, That the Table of Fees to be taken by the Clerks to Justices of the Peace for the County of *Middlesex*, which is or shall from time to time be made, settled and approved by the said Justices for the said County at their General or Quarter Sessions, shall be laid before the Lord Chief Justice of the King's Bench, the Lord Chief Justice of the Common Pleas and the Lord Chief Baron of the Exchequer, or any two of them, who are hereby authorized and required to ratify and confirm such Table of Fees, in such Manner and Form as the same shall be so made, settled and approved of, or with such Alterations, Additions or Abatements, as to the said Lord Chief Justice of the King's Bench, the Lord Chief Justice of the Common Pleas and the Lord Chief Baron of the Exchequer, or any two of them, shall appear to be just and reasonable; and the said Justices of the Peace for the said County are hereby impowered and required to make a Table of such Fees at their next General or Quarter-Sessions to be held for the said County after the twenty-fourth Day of *June* one thousand seven hundred and fifty-four, and to approve or alter the same at the next succeeding General or Quarter Sessions, and from Time to Time, and in like manner to make and approve any other Table of such Fees.

Tables of Fees for Clerks of Justices in Middlesex, being approved at the Quarter-Sessions, to be ratified by the Lords Chief Justices and Chief Baron, or two of them.

V. And for the Relief of any Person or Persons, who through Neglect or Inadvertency have omitted to pay the several Rates and Duties, or any Part thereof, upon Monies given, paid, contracted or agreed for, with or in relation to any Clerk, Apprentice or Servant, who hath been put or placed to or with any Master or Mistress, to learn any Profession, Trade, or Employment, and to have such Indentures or other Writings which contain the Covenants, Articles, Contracts or Agreements, relating to the Service of such Clerk, Apprentice or Servant, stamped within the Times by the several Acts of Parliament for those Purposes respectively limited, or who have also in like manner omitted to insert and write in words at Length, in such Indentures or other Writings as aforesaid, the full Sum or Sums of Money, or any Part thereof received, or in any wise directly or indirectly given, paid, or agreed, or contracted for, with, or in relation to every such Clerk, Apprentice or Servant, as aforesaid; Be it enacted, That upon Payment of the Rates and Duties upon Monies, or such Part of such Monies so neglected or omitted to be paid as aforesaid, on or before the first Day of *August* one thousand seven hundred and fifty-four, to such Person or Persons to whom the same ought to be paid, and tendering the said Indentures or other Writings to be stamped at the same Time, or at any Time on or before the twenty-ninth Day of *September* one thousand seven hundred and fifty-four, (of which timely Notice is to be given in the *London Gazette*) the same Indentures or other Writings shall be good and available in Law or Equity, and may be given in Evi-

Upon Payment of the Duties by 1 August 1754, for Apprentices, and tendering the Indentures to be stamped, the same to be valid, &c.

dence

dence in any Court whatsoever; and the Clerk, Apprentice or Servant therein named, shall be capable of following and exercising their respective intended Trades or Employments, as fully as if the said Rates and Duties so omitted had been duly paid, and the full Sum or Sums received or agreed for as aforesaid, had been inserted; and the Persons who have incurred any Penalties by the Omissions aforesaid, shall be acquitted and discharged of and from the said Penalties; any Thing in the said former Acts to the contrary notwithstanding.

'VI. And whereas divers Persons through Mistake, Absence, or some unavoidable Accident, to the 'Prejudice of Infants and others, have omitted to cause Affidavits to be made and filed in the proper Of-'fices, of the actual Execution of several Contracts in Writing, to serve as Clerks to Attornies and Soli-'citors, within the Times limited and expressed by certain Acts passed in the twenty-second and twenty-'fourth Years of his present Majesty's Reign, whereby many Persons may be in Danger of incurring the 'Disabilities in the said Act of the twenty-second Year of his present Majesty's Reign specified;' Be it therefore enacted by the Authority aforesaid, That all and every Person or Persons who have omitted to cause such Affidavit or Affidavits to be made and filed as aforesaid, and who shall, on or before the first Day of *Michaelmas* Term next, cause one or more Affidavit or Affidavits to be made and filed in such Manner as directed by the said last recited Acts, or either of them, shall be, and are hereby indemnified, freed and discharged, from and against all Penalties, Forfeitures, Incapacities and Disabilities in the said Act of the twenty-second Year of his present Majesty's Reign mentioned, incurred or to be incurred, for or by reason of any Neglect or Omission, in causing such Affidavit or Affidavits so to be made and filed as aforesaid, according to the Directions of the said last recited Acts, or either of them; and such Affidavit or Affidavits so to be made and filed as aforesaid, shall be as effectual to all Intents and Purposes, as if the same had been made and filed within the respective Times limited by the said several last recited Acts, or either of them.

Further Time allowed to Persons, who have omitted to file Affidavits of Contracts to serve as Clerks to Attornies according to 22 Geo. 2. c. 46.

'VII. And whereas many bad Accidents happen, and great Mischiefs are frequently done upon the 'Sreets and Highways by the Negligence or wilful Misbehaviour of Persons driving Carriages thereon;' Be it therefore further enacted, That if the Driver of any Cart, Car, Dray or Waggon, shall ride upon any such Carriage, not having some other Person on Foot or on Horseback to guide the same (such Carts as are respectively drawn by one Horse only, or by two Horses abreast, and are conducted by some Person holding the Reins of such Horse or Horses, excepted) or if the Driver of any Carriage whatsoever, on any Part of any Street or Highway, shall by Negligence or wilful Misbehaviour cause any Hurt or Damage to any Person passing or being upon such Street or Highway; every such Driver offending in any of the Cases aforesaid, and being convicted of such Offence, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Justice of the Peace of the County, Riding, Division or Place, where such Offence shall be committed, shall for every such Offence forfeit any Sum not exceeding ten Shillings, or shall be committed to the House of Correction for any Time not exceeding one Month, at the Discretion of such Justice; and every such Driver offending in either of the said Cases, shall and may by Authority of this Act, and without any other Warrant, be apprehended by any Person or Persons who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable or other Peace Officer, in order to be conveyed before some Justice of the Peace, to be dealt with according to Law.

The Driver of any Cart, &c. who shall ride thereon, not having some Person on Foot to guide the same,

or who shall by Negligence hurt any Person passing the Streets,

to forfeit 10 s. or be committed.

Offender may be apprehended without Warrant.

CAP. XVII.

An Act for revesting in the Crown the Power of appointing the Marshal of the *Marshalsea* of the Court of *King's Bench*; and for the better Regulation of that Office, and of the Inferior Offices thereto belonging; and for rebuilding the *King's Bench* Prison.

'WHEREAS his Majesty King *James* the First, by his Letters Patent bearing Date at *Westminster* 'the fifteenth Day of *May* in the fourteenth Year of his Reign, did give and grant to Sir *Wil-'liam Smith* Knight, his Heirs and Assigns, the Office of Marshal of the *Marshalsea* of the Court of 'King's Bench, to have, hold, enjoy, exercise and occupy the said Office by himself or themselves, or his 'or their sufficient Deputy or Deputies, for ever; and did also thereby grant to the said Sir *William Smith*, 'his Heirs and Assigns, all Fees and Profits belonging to the said Office, together with the Custody of the 'Prison and Prisoners thereto committed, as by the said Letters Patent, Relation thereunto being had, 'may more at large appear: And whereas the Fee Simple and Inheritance of the said Office, by virtue 'of several mesne Conveyances and Assurances in the Law, did afterwards become vested in *William 'Lenthall* late of *Great Hazeley* in the County of *Oxon*, Esquire, deceased: And whereas the said *William 'Lenthall*, by Indenture bearing Date on or about the twenty-fourth Day of *February* one thousand six 'hundred and eighty-four, in consideration of the Sum of ten thousand Pounds therein mentioned to be 'advanced and lent by Sir *John Cutler* of *Westminster*, in the County of *Middlesex*, Knight and Baronet, 'did, amongst other Things, covenant that he and his Heirs should stand seised of the Fee Simple and 'Inheritance of the said Office for securing the Payment of the said Sum of ten thousand Pounds, with 'Interest for the same after the Rate of five Pounds and ten Shillings *per Centum per Annum* to the said Sir 'John Cutler, or his Trustees therein named, at certain Days and Times therein mentioned, and long 'since past: And whereas by an Act of Parliament made in the eighth and ninth Years of the Reign of 'his late Majesty King *William* the Third, intituled, *An Act for the more effectual Relief of Creditors in 'Cases of Escapes; and for preventing Abuses in Prisons and pretended privileged Places*; it was amongst other 'Things provided, That nothing in the said Act contained should extend to prejudice, impeach, or lessen 'any Security or Securities for any Sum or Sums of Money made or given by or out of the said Office of

8 & 9 Will. 3. c. 27.

'Marshal

'Marshal of the *Marshalsea* of the Court of *King's Bench*, or the Profits thereof, by the said *William* '*Lenthall* to the said Sir *John Cutler*, or to *Edmund Boulter* Esquire, Executor of the said Sir *John Cutler*, 'or to any other Person or Persons in Trust for them, or either of them, or to subject the said Office, 'or the Profits thereof, or the Person or Persons in whom the same then were or should be vested, to any 'of the Forfeitures or Penalties in the said recited Act contained, other than such as they were or might 'be liable unto before the making of the said Act, until such Sum or Sums of Money as was or were 'secured by the aforesaid Mortgage should be fully satisfied and paid, any Thing in the said recited Act 'contained to the contrary thereof notwithstanding; and in and by the said recited Act, it was amongst 'other Things enacted, That all and every Deputation or Deputations, Grant or Grants, at any Time 'thentofore made or executed by the said *William Lenthall* of the said Office of Marshal of the *Marshal-* '*sea* of the said Court of *King's Bench*, was and were thereby declared void and of none Effect; and 'that every succeeding Marshal should, from Time to Time, and at all Times thenafter, be consti- 'tuted and appointed by the said *William Lenthall*, his Heirs and Assigns, by and with the Consent in 'Writing under the Hand and Seal of the said *Edmund Boulter*, his Executors, Administrators and As- 'signs, until the Debt owing by the said *William Lenthall* to the said *Edmund Boulter*, as Executor of 'the said Sir *John Cutler*, should be satisfied: And whereas by an Account signed by the said *William* '*Lenthall*, on or about the twenty-sixth Day of *June* one thousand seven hundred, there appeared to 'be then due from him, and secured by the said Mortgage of the Office aforesaid, the Sum of twenty 'thousand four hundred and thirty-eight Pounds, ten Shillings and six Pence Halfpenny: And whereas 'the said Debt was afterwards assigned to *Joseph Studley* late of Saint *Nicholas Lane*, *London*, Gentle- 'man, deceased; and the Fee Simple and Inheritance of the Office aforesaid by virtue of several mesne 'Conveyances and Assurances in the Law, is now become vested in *Ebenezer Blackwell* of *Lombard-Street*, '*London*, Goldsmith, in Trust for the Heirs of the said *William Lenthall*, and in Trust that he the 'said *Ebenezer Blackwell* and his Heirs shall and may, (as there shall be Occasion, until the Debt due 'on the aforesaid Mortgage shall be satisfied) by and with the Consent of the Executors, Administra- 'tors or Assigns of the said *Joseph Studley*, testified in Writing under their Hands and Seals, and not other- 'wise, constitute and appoint some Person or Persons to execute the Office of Marshal of the *Marshalsea* 'aforesaid, and with the like Consent appoint such other Officers as belong to the same Office: And 'whereas the Debt due on the said Mortgage hath been since assigned to the several Persons and in the se- 'veral Proportions herein after mentioned, (that is to say) to *Thomas Martin* of *Clapham*, in the County 'of *Surrey*, Esquire, eight twentieth Parts thereof; to *John Martin* of *Overbury*, in the County of *Wor-* '*cester*, Esquire, four twentieth Parts thereof; to the said *Thomas* and *John Martin*, as Executors of the 'Will of *Edward Bowman* late of *London*, Citizen and Goldsmith, deceased, four twentieth Parts there- 'of, upon the Trusts in the said Will mentioned; to *John Langmore* of *Bow Lane*, *London*, Gentleman, 'as Executor of the Will of the said *Joseph Studley*, one twentieth Part thereof; to the said *John Langmore* 'in his own Right, one Half of one twentieth Part thereof; to *Edward Birch* of the Parish of Saint *Giles* '*in the Fields*, in the County of *Middlesex*, Cordwainer, and *Ann* his Wife, one Half of one twentieth 'Part thereof; and to the said *Ebenezer Blackwell*, two twentieth Parts thereof: And whereas on the first 'Day of *February* one thousand seven hundred and fifty-three, there was due for Principal and Interest on 'the aforesaid Mortgage, the Sum of thirty thousand three hundred and ninety-seven Pounds, three Shil- 'lings and three Pence; and the Proprietors of the said Debt have agreed to accept the Sum of ten thou- 'sand and five hundred Pounds, as a Compensation and in full Satisfaction of and for the same: And 'whereas the Prison of the *Marshalsea* of the said Court of *King's Bench* is decayed by Length of Time, 'and so much out of Repair, that the same in its present Condition is unsafe for the Custody, and dange- 'rous to the Health of the Prisoners; which Inconveniencies cannot be remedied unless the Prison is re- 'built: And whereas the said Office of Marshal of the *Marshalsea* aforesaid, is an Office of great Trust 'and Importance, and the granting the same in Fee by King *James* the First, and the mortgaging the 'same under such Grant, has been a very great Obstruction to the due Exercise of the said Office, and 'detrimental to the Authority and Jurisdiction of his Majesty's said Court of *King's Bench*, and to the 'Safety of the Prisoners committed to the aforesaid Prison, and injurious to the Suitors of the said Court, 'who cannot have any Benefit of the aforesaid Statute made in the eighth and ninth Years of the Reign 'of his late Majesty King *William* the Third, until the Debt due on the aforesaid Mortgage shall be paid 'and satisfied:' May it therefore please your most Excellent Majesty, that it may be enacted; and Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of all or any the Aids or Supplies granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-four, any Sum or Sums of Money not exceeding the Sum of ten thousand five hundred Pounds shall and may be issued and paid to the said *Thomas Martin*, *John Martin*, *John Langmore*, *Edward Birch* and *Ebenezer Blackwell*, their Executors, Administrators or Assigns, in consideration of and full Satisfaction for the Debt due to them on the said Mortgage of the Office of Marshal of the *Marshalsea* aforesaid, upon their conveying, assigning and releasing unto his Majesty, his Heirs and Successors, all their Estate, Right, Title and Interest, of, in and to the said Office, and the said Debt so due to them as aforesaid.

10,500 l. to be paid to Thomas and John Martin, John Langmore, Edward Birch and Ebenezer Blackwell, in Discharge of the Mortgage on the Office of Marshal of the Marshalsea.

The Prison-house, with the Power of appointing the

II. And it is hereby further enacted by the Authority aforesaid, That from and immediately after the Payment of the said Sum of ten thousand five hundred Pounds to the said *Thomas Martin*, *John Martin*, *John Langmore*, *Edward Birch* and *Ebenezer Blackwell*, the said Prison of the *Marshalsea* of the said Court of

of *King's Bench*, and the Scite thereof, and the Ground and Appurtenances thereunto belonging, and the Power of granting the Custody of the said Prison, and the Office of Marshal of the *Marshalsea* aforesaid, shall be re-vested in his Majesty, his Heirs and Successors, and shall for ever thereafter remain and be unalienable; subject nevertheless to such Proviso or Condition for Redemption thereof, as herein after is mentioned, and also subject to such Regulations and Provisions, with regard to the Execution of the said Office, and to the Government of the said Prison, as are herein after provided, enacted and declared.

Marshal, to revest in the Crown.

Proviso for Redemption.

III. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That if the Heirs or Assigns of the before-named *William Lenthall* shall and do, on or before the twenty-ninth Day of *September* which shall be in the Year one thousand seven hundred and fifty-six, exhibit, or cause to be exhibited, a Bill or Bills in his Majesty's Court of *Exchequer* at *Westminster*, and shall obtain a Decree thereupon for Redemption of the said Office, and shall pay into the Receipt of his Majesty's Exchequer at *Westminster* aforesaid, such Sum or Sums of Money as by the said Court of *Exchequer* they shall be ordered or decreed to pay in discharge of the said Mortgage; then, and in such Case, they shall and may repossess and enjoy the said Office, in as full and ample Manner as they lawfully might have done if this Act had not been made; any Thing herein contained to the contrary notwithstanding.

The Heirs, &c. of William Lenthall, exhibiting a Bill in the Exchequer, and obtaining a Decree, and discharging the Mortgage, to re possess the Office.

IV. Provided nevertheless, That nothing in this Act contained shall give, or be construed to give, to the Heirs or Assigns of the said *William Lenthall* any Right or Benefit of Redemption of the said Office, which by reason of the Length of Time, or otherwise, they would not have been intitled to if this Act had not been made.

Redemption not revived as to Time.

V. And it is hereby further enacted by the Authority aforesaid, That from and after Payment of the said Sum of ten thousand five hundred Pounds, *John Ashton*, Esquire, the present Marshal of the *Marshalsea* aforesaid, shall continue to have, hold and enjoy the said Office of Marshal of the *Marshalsea* aforesaid, and all Fees, Perquisites, Profits, Privileges and Advantages thereto belonging (subject nevertheless to the Proviso for Redemption herein before-mentioned) for and during so long Time as he shall behave himself well in his said Office, and shall be resident in the said Prison, or within the Rules thereof, and no longer: And after the Death, Resignation or Amoval from the said Office of the said *John Ashton*, his Majesty, his Heirs and Successors, shall have full Power and Authority (subject nevertheless to the Proviso for Redemption herein before-mentioned) to nominate, constitute and appoint, by his or their Letters Patent, or by his or their Sign Manual, such Person as his Majesty, his Heirs and Successors, shall think fit and proper, to be Marshal of the *Marshalsea* aforesaid; and so, from Time to Time, to nominate, constitute and appoint the Marshal of the *Marshalsea* aforesaid, when and as often as the said Office shall become vacant by Death, Resignation or otherwise; and every such Person so nominated, constituted or appointed Marshal of the *Marshalsea* aforesaid, shall have, hold and enjoy the said Office, and all Fees, Perquisites, Profits, Powers, Privileges and Advantages thereto belonging, for and during so long Time as such Marshal shall behave himself well in his said Office, and shall be resident in the said Prison, or within the Rules thereof, and no longer; and all Grants of the said Office shall be made accordingly, or otherwise shall be void.

John Ashton the present Marshal continued.

After his Death or Amoval, the King to appoint.

VI. And it is hereby further enacted and declared by the Authority aforesaid, That the Marshal of the *Marshalsea* aforesaid, and all inferior Officers belonging to the said Office of Marshal, and the Prisoners committed and to be committed to the Prison aforesaid, shall, from Time to Time, and at all Times hereafter, be regulated and governed by such Rules and Orders as have been, or shall be for that Purpose made and provided, in pursuance of the Directions of an Act of Parliament made in the second Year of the Reign of his present Majesty, intituled, *An Act for the Relief of Debtors, with respect to the Imprisonment of their Persons*; and the said Marshal, and the inferior Officers aforesaid, shall accept and take such Fees only as have been, or shall be appointed and settled in pursuance of the said last-mentioned Act, and no other or greater Fee or Reward whatsoever.

The Marshal, his Officers and Prisoners, subject to the Rules made in pursuance of 2 Geo. 2. c. 22.

No other Fees to be taken, than what are thereby allowed.

VII. And it is hereby further enacted by the Authority aforesaid, That from and after Payment of the said Sum of ten thousand five hundred Pounds, the Marshal of the *Marshalsea* aforesaid for the Time being, shall have the Nomination and Appointment of all such inferior Officers as now are belonging, or heretofore have usually belonged to the Office of Marshal of the *Marshalsea* aforesaid; and all inferior Officers who shall be appointed in pursuance of this Act, shall hold their several Offices during so long Time as they shall respectively behave themselves well therein, and no longer; and all Grants of the said inferior Offices shall be made accordingly, or otherwise shall be void.

The Marshal to have the Appointment of inferior Officers, &c.

VIII. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That as well the Marshal of the *Marshalsea* aforesaid, as the inferior Officers to be nominated and appointed in pursuance and by virtue of this Act, shall be subject and liable to be amoved from their respective Offices by Order or Rule of his Majesty's said Court of *King's Bench*, in case of any such Non-residence or other Neglect of Duty, or any such Misbehaviour in their said Offices respectively, as the said Court of *King's Bench* shall think sufficient Cause for such Amoval, upon any Complaint to be made against such Marshal, or any such inferior Officer, by Motion or Petition, in a summary Way.

The Marshal and inferior Officers may be removed for Neglect or Misbehaviour.

IX. Provided also, and it is hereby enacted and declared by the Authority aforesaid, That if any Person, at any Time after Payment of the said Sum of ten thousand five hundred Pounds, shall bargain or sell the said Office of Marshal of the *Marshalsea* aforesaid, or any inferior Office thereto belonging, or any Deputation of any such Office or Offices, or any Part or Parcel of any of them, or receive, have or take any Money, Fee, Reward, or any other Profit, directly or indirectly, or take any Promise, Agreement, Covenant, Bond, or any Assurance to receive or have any Money, Fee, Reward or other Profit, directly or indirectly, for any such Office or Offices, or any Deputation or Deputations of

Persons selling, &c. the Office of Marshal, or the inferior Offices thereto belonging, &c.

any ſuch Office or Offices, or for any Part of any of them, or to the Intent that any Perſon ſhould have, exerciſe or enjoy any ſuch Office or Offices, or any Deputation or Deputations of any ſuch Office or Offices, or any Part of any of them; then all and every ſuch Perſon and Perſons who ſhall ſo bargain or ſell any ſuch Office or Offices, Deputation or Deputations, or who ſhall take any Money, Fee, Reward or Profit for any ſuch Office or Offices, or any Deputation or Deputations of any of the ſaid Offices, or any Part of any of them, or who ſhall take any Promiſe, Covenant, Bond or Aſſurance for any Money, Reward or Profit to be given for any ſuch Office or Offices, or any Deputation or Deputations of any of the ſaid Offices, or any Part of any of them, ſhall loſe and forfeit all his and their Right, Intereſt and Eſtate, which ſuch Perſon or Perſons ſhall then have, of, in or to any of the ſaid Offices or Deputations, or any Part of any of them, of or in, or to the Gift or Nomination of any of the ſaid Offices or Deputations, for which Office or Offices, Deputation or Deputations, or for any Part of any of them, any ſuch Perſon or Perſons ſhall ſo make any Bargain or Sale, or take or receive any Sum of Money, Fee, Reward or Profit, or any Promiſe, Covenant, Bond or Aſſurance to have or receive any Fee, Reward, Money or Profit; and that all and every Perſon and Perſons who ſhall give or pay any Sum of Money, Reward or Fee, or ſhall make any Promiſe, Agreement, Bond or Aſſurance to give or pay any Sum of Money, Reward or Fee for any of the ſaid Offices, or for the Deputation or Deputations of any of the ſaid Offices, or any Part of any of them, ſhall immediately, upon the ſame Fee, Money or Reward being given or paid, or upon any ſuch Promiſe, Covenant, Bond or Agreement being had or made for any Fee, Sum of Money or Reward to be paid as aforeſaid, be adjudged, and is and are hereby declared to be a diſabled Perſon or Perſons in the Law, to all Intents and Purpoſes, to have, occupy or enjoy the ſaid Office or Offices, Deputation or Deputations, or any Part of any of them, for which ſuch Perſon or Perſons ſhall ſo give or pay any Sum of Money, Fee or Reward, or make any Promiſe, Covenant, Bond or other Aſſurance to give or pay any Sum of Money, Fee or Reward whatſoever.

to forfeit their Right in the Offices, &c.

and the Purchaſer diſabled to hold.

X. Provided nevertheleſs, and it is hereby enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend in any wiſe to prejudice any Perſon who at any Time heretofore hath purchaſed any inferior Office or Place belonging to the Office of Marſhal of the *Marſhalſea* aforeſaid, of or from any Perſon or Perſons claiming under the aforeſaid Mortgage of the twenty-fourth Day of *February* one thouſand ſix hundred and eighty-four, and who is now in poſſeſſion of ſuch Office or Place; but that every ſuch Perſon who hath ſo purchaſed any ſuch inferior Office as aforeſaid, ſhall and may hold and enjoy the ſame in the ſame manner as he might have done, if this Act had not been made; any thing herein before contained to the contrary notwithſtanding; giving ſuch Security for the due Execution of his Office to the Marſhal of the *Marſhalſea* for the Time being, as his Majeſty's Court of *King's Bench* ſhall direct and appoint; and ſhall have Power to ſell or diſpoſe of ſuch Office or Place to any Perſon who ſhall contract or agree for the Purchaſe thereof; ſo as ſuch Sale or Diſpoſition be made by Deed of Aſſignment, or by Words of Aſſignment indorſed on the Back of the Grant of the ſaid Office or Place, and be made with the Approbation and Conſent of the ſaid Court of *King's Bench* (if in Term Time) or with the Approbation and Conſent of the Lord Chief Juſtice, or any other of the Juſtices of the ſaid Court for the Time being, during any Vacation; and every ſuch Purchaſer ſhall by virtue of ſuch Aſſignment be ſeiſed and poſſeſſed of the ſaid Office for ſo long Time as he ſhall well behave himſelf in the ſaid Office, but ſhall be amoveable in a ſummary Way as aforeſaid, and ſhall be ſubject to the Regulations herein before-mentioned, and ſhall have no Power to ſell or diſpoſe of the ſame; and ſhall give ſuch Security for the due Execution of his Office to the Marſhal of the *Marſhalſea*, as the ſaid Lord Chief Juſtice, or any of the Juſtices of the ſaid Court, ſhall direct and appoint.

Perſons who have purchaſed any inferior Office from the Mortgagees, and now in Poſſeſſion, to hold the ſame giving Security for the Execution of ſuch Office; and may aſſign the ſame with Conſent of the Court, &c.

The Purchaſer ſubject to the Regulations.

XI. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That the ſaid *Ebenezer Blackwell*, as Truſtee for the Heirs and Aſſigns of the ſaid *William Lenthall*, and the ſaid *Thomas Martin* and *John Martin*, as Executors and Truſtees named in the Will of the ſaid *Edward Bowman*, ſhall not be liable to any Claim or Demand whatſoever, either at Law or in Equity, which ſhall or may be made or claimed by the Heirs or Aſſigns of the ſaid *William Lenthall*, or by any other Perſon or Perſons claiming under him or them, or by any Perſon or Perſons claiming under the Will of the ſaid *Edward Bowman*, for or in reſpect of any Breach of Truſt or ſuppoſed Breach of Truſt by the ſaid *Ebenezer Blackwell*, *Thomas Martin* and *John Martin*, or any of them, in accepting ſuch Compoſition as herein before is mentioned, in lieu and ſatisfaction of and for the aforeſaid Debt, ſecured by the aforeſaid Mortgage of the Office of Marſhal of the *Marſhalſea* aforeſaid, or by aſſigning, conveying or releaſing all their or any of their Eſtate, Right, Title and Intereſt in the ſaid Office, in purſuance of this Act, but they the ſaid *Ebenezer Blackwell*, *Thomas Martin* and *John Martin*, and every of them, are and is and ſhall be, by virtue of this Act, indemnified and ſaved harmleſs from all Claims and Demands whatſoever, of any Perſon or Perſons whomſoever claiming or to claim by, from or under the ſaid *William Lenthall* and *Edward Bowman*, or either of them, for or in reſpect of ſuch Compoſition as aforeſaid, or for or in reſpect of ſuch Aſſignment, Conveyance, or Releaſe as aforeſaid, or for any other Act, Deed, Matter or Thing whatſoever, which they the ſaid *Ebenezer Blackwell*, *Thomas Martin* and *John Martin*, or any of them, ſhall do or cauſe to be done in purſuance of this Act, or for the better carrying the ſame into Execution.

The Perſons accepting the Compoſition herein appointed, in ſatisfaction of the Debt ſecured by Mortgage of the Office of Marſhal, indemnified.

XII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid *Thomas Martin* and *John Martin* to deduct and retain to themſelves, out of the Truſtmonies which ſhall or may come to their Hands by virtue of this Act, a proportionable Part of all ſuch Coſts, Charges and Expences, as they ſhall have reſpectively ſuſtained or been put unto, in relation to the ſaid Mortgage of the ſaid Office of Marſhal of the *Marſhalſea* aforeſaid,

Thomas and John Martin to be paid their Expences.

XIII. And to the end that the Suitors of the said Court of *King's Bench* may have the full Benefit of the aforesaid Act of Parliament of the eighth and ninth Years of the Reign of his said late Majesty King *William* the Third; it is hereby further enacted by the Authority aforesaid, That from and immediately after Payment of the said Sum of ten thousand five hundred Pounds, the herein before recited Clauses of the said Act shall be and are hereby repealed.

The Clauses of 8 Will. 3. c. 27. §. 19. &c. repealed after Payment of 10,500l.

XIV. Provided always, and be it further enacted by the Authority aforesaid, That the said *John Ashton*, his Heirs, Executors, Administrators and Assigns, and all other Person and Persons whomsoever, shall be, and is, and are hereby exonerated, freed and discharged, from the Payment of all or any Sum or Sums of Money, to the said *Thomas Martin*, *John Martin*, *John Langmore*, *Edward Birch*, and *Ebenezer Blackwell*, their Heirs, Executors, Administrators or Assigns, or any of them, or to any other Person or Persons whomsoever, for or upon account of holding, using or exercising the Office of Marshal of the *Marshalsea* aforesaid, from and after the twelfth Day of *February* which was in the Year of our Lord one thousand seven hundred and fifty three, by virtue of any Lease, Contract or other Agreement whatsoever; any such Lease, Contract or Agreement whatsoever, or any Law, Statute, Usage, or other Matter or Thing to the contrary notwithstanding.

The Marshal, &c. discharged from Payment of any Sum for holding his Office, from 12 Feb. 1753.

XV. And it is hereby further enacted by the Authority aforesaid, That by and out of all or any of the Aids or Supplies granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-four, there shall and may be issued and applied any Sum or Sums of Money, not exceeding the Sum of seven thousand eight hundred Pounds, for defraying the Expence of rebuilding the said Prison of the *Marshalsea* of the said Court of *King's Bench*, in such Manner, and at such Place, within the Rules of the said Prison, as the Commissioners of his Majesty's Treasury now being, or any three or more of them, or the High Treasurer, or the Commissioners of his Majesty's Treasury for the Time being, or any three or more of them, shall direct, by Writing under his or their Hands.

7,800l. to be issued for rebuilding the Prison.

'XVI. And whereas it may be necessary to purchase Lands or Tenements, for the more commodious 'rebuilding the aforesaid Prison;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, and all Trustees, Mortgagees, and Feoffees in Trust, Guardians of Infants, and Committees of Lunaticks and Ideots, Executors and Administrators whatsoever; and also to and for all Femes Covert, and all and every other Person and Persons whomsoever, who are or shall be seized, possessed of, or interested in, any Lands or Tenements, within the Rules of the said Prison, to bargain and sell the same to such Person or Persons, as the Commissioners of his Majesty's Treasury now being, or any three or more of them, or the High Treasurer, or the Commissioners of his Majesty's Treasury for the Time being, or any three or more of them, shall, by Writing under his or their Hands, appoint to contract for the Purchase thereof, for the Purpose aforesaid; and such Lands and Tenements so to be purchased, shall be conveyed to his Majesty, his Heirs and Successors, by Deed or Deeds, to be inrolled in his Majesty's Court of *King's Bench* aforesaid; and all Contracts, Agreements and Sales, and all Conveyances, by such Deeds inrolled as aforesaid, which shall be made by any such Bodies Politick, Corporate or Collegiate, or other Persons aforesaid, shall be valid and effectual to all Intents and Purposes; any Law, Statute or Usage, or any other Matter or Thing to the contrary notwithstanding: And all and every Sum and Sums of Money, which shall be paid to or for the Use of any such Body Politick, Corporate or Collegiate, or other Person or Persons aforesaid, for the Purchase of any Lands or Tenements, for the Purposes of this Act, shall be respectively laid out and invested in the Purchase of other Lands, Tenements and Hereditaments, which shall be conveyed and settled to and upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders and Contingencies, as the Lands and Tenements, sold for the Purpose of this Act, were settled, limited and assured, at the Time of such Sale, and shall be held and enjoyed accordingly; and until such Purchase-money shall be re-invested in Lands as aforesaid, the same shall be laid out in the Purchase of Stocks in some of the publick Funds, or placed out on Government or real Securities at Interest, and such Interest shall be paid to or for the Use of such Person or Persons, as would have been intitled to the Rents and Profits of the Lands or Tenements so sold for the Purposes of this Act as aforesaid.

Bodies Politick, &c. impowered to sell Lands, &c. for the commodious Rebuilding the Prison.

The Purchase-money to be laid out in the Purchase of other Lands, to the same Uses.

Till such Purchases made, the Money to be placed in the Funds.

XVII. And it is hereby further declared and enacted by the Authority aforesaid, That when such Prison shall be rebuilt as aforesaid, the Marshal of the *Marshalsea* aforesaid for the Time being, shall from Time to Time, and at all Times from thenceforth, at his own Costs and Charges, by and out of the Fees and Profits incident to his said Office, well and sufficiently repair and keep in good Repair the said Prison, and all the Buildings and Appurtenances thereunto belonging; and the said Prison so rebuilt, and the Buildings and Ground thereto belonging with the Appurtenances, shall remain unalienably vested in his Majesty, his Heirs and Successors for ever.

After the Prison shall be rebuilt, the Marshal to keep the same in Repair.

XVIII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be deemed, construed or taken to extend to alter, change, impeach or affect any Estate, Right, Title or Interest of, or claimed by the most noble *Thomas* Duke of *Leeds*, his Executors, Administrators or Assigns, or which he or they can or may have or claim of, in or to all those two Messuages with the Appurtenances, situate, lying and being in *Southwark* in the County of *Surrey*, whereof heretofore one was called *The Angel*, and is now, or late was, called or known by the Name of the *King's Bench*; and the other called *The Crane*; and all Tenements, Houses and Gardens to the said Messuages, or either of them, belonging or appertaining; and a Piece of Ground behind the said Garden, demised by one *Richard Fulmarston* by Indenture dated the sixteenth Day of *December* in the eight and thirtieth Year of the Reign of *Henry* the Eighth, late King of *England*, to one *John Massie*, for twenty-one Years, Parcel of the Lands and Possessions then exchanged with the said *Richard Fulmarston*, and lately in the Tenure of *George Reynells*, under the yearly Rent of two and twenty Pounds and ten Shillings; which

The Right of the Duke of Leeds not affected by this Act.

ſaid two Meſſuages, and the ſaid Gardens, Piece of Ground, and Premiſſes thereto belonging, in and by certain Letters Patent under the Seal of his Majeſty's Court of *Exchequer*, bearing Date at *Weſtminſter* the eleventh Day of *March* in the twenty-fourth Year of his preſent Majeſty's Reign, were, among other Things, demiſed and granted by his Majeſty unto the ſaid *Thomas* Duke of *Leeds*, his Executors, Adminiſtrators and Aſſigns, for and during the Term of thirty-one Years, from the Date of making the ſaid Letters Patent.

Concerning Priſoners, &c. ſee farther 32 *Geo.* 2. *c.* 28.

CAP. XVIII.

An Act to continue ſeveral Laws for prohibiting the Importation of Books reprinted abroad, and firſt compoſed or written, and printed in *Great Britain*; for the free Importation of Cochineal or Indico, and relating to Rice, Frauds in the Cuſtoms, the clandeſtine Running of Goods, and to Copper Ore; and for the better Encouragement of the making of Sail Cloth in *Great Britain*; and to authorize the Payment of the Bounty to *Alexander Brown* and others, upon a Ship fitted out for the Whale Fiſhery, and loſt in the *Greenland* Seas; and for the more effectual Payment of the Bounties upon *Britiſh* made Sail Cloth to *Robert Donald* and others.

'WHEREAS the ſeveral Laws herein after-mentioned have by Experience been found uſeful and beneficial, and are near expiring;' May it therefore pleaſe your Majeſty, that it may be enacted; and Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of an Act made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for prohibiting the Importation of Books reprinted abroad, and firſt compoſed or written, and printed in* Great Britain; *and for repealing ſo much of an Act made in the eighth Year of the Rei n of her late Majeſty Queen* Anne, *as impowers the limiting the Prices of Books*; which Act was to continue in Force from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-nine, for the Space of ſeven Years, and from thence to the End of the then next Seſſion of Parliament; and which by an Act made in the twentieth Year of his preſent Majeſty's Reign was further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament, as relates to the prohibiting the Importation of Books reprinted abroad, and firſt compoſed or written, and printed in *Great Britain*, ſhall be, and the ſame is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament.

Part of 12 Geo. 2. c. 36. continued by 20 Geo. 2. c. 47. further continued to 29 Sept. 1760. *and again by* 33 *Geo.* 2. *c.* 16.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the ſeventh Year of the Reign of his preſent Majeſty, intituled, *An Act for the Revival of an Act made in the thirteenth Year of the Reign of his late Majeſty King* George *the Firſt, intituled*, An Act for the free Importation of Cochineal, during the Time therein limited, and alſo for the free Importation of Indico; which was to continue in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the fourteenth Year of the Reign of his preſent Majeſty was further continued, from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament; and which by another Act made in the twentieth Year of the Reign of his preſent Majeſty, was further continued, from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament.

7 Geo. 2. c. 18. further continued to 29 Sept. 1760. *and again by* 33 *Geo.* 2. *c.* 16.

14 Geo. 2. c. 34.

20 Geo. 2. c. 47.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for granting Liberty to carry Rice from his Majeſty's Province of* Carolina *in* America, *directly to any Part of* Europe *Southward of* Cape Finiſterre, *in Ships built in, and belonging to*, Great Britain, *and navigated according to Law*; which was to be in Force for five Years from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty, and from thence to the End of the then next Seſſion of Parliament; and alſo an Act made in the eighth Year of the Reign of his preſent Majeſty, to continue the ſaid Act from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament; and to extend that Liberty to his Majeſty's Province of *Georgia* in *America* (which ſaid Acts were, by an Act made in the fifteenth and ſixteenth Years of the Reign of his preſent Majeſty, continued, from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament) and which was by another Act made in the twentieth Year of the Reign of his preſent Majeſty, further continued from the Expiration thereof, until the firſt Day of *June* one thouſand ſeven hundred and fifty-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament.

3 Geo. 2. c. 28. further continued to 29 Sept. 176[illegible] *and farther by* 33 *Geo.* 2. *c.* 16.

8 Geo. 2. c. 19.

15 Geo. 2. c. 33.

20 Geo. 2. c. 47.

IV. And be it further enacted by the Authority aforeſaid, That the ſeveral Clauſes in an Act made in the fifth Year of the Reign of his late Majeſty, intituled, *An Act againſt clandeſtine Running of uncuſtomed Goods; and for the more effectual preventing of Frauds relating to the Cuſtoms*, relating to ſuch

Clauſes in 5 Geo. 1. c. 11. further continued to 29 Sept. 1760. *and*

such foreign Goods, Wares and Merchandizes, as shall be taken in at Sea, out of any Ship or Vessel, in order to be landed or put into any other Ship or Vessel or Boat; and also relating to Goods not reported and found after clearing Ships; and whereby further Remedies are provided against relanding Goods prohibited to be worn in this Kingdom, and foreign Goods shipped out for Parts beyond the Seas; and also relating to the opening or altering the Package of Goods on board Ships outward-bound; and also relating to hovering Ships or Vessels, of the Burthen of fifty Tons or under; and also concerning the Bales or Package in which Coffee shall be exported; and also relating to Rum imported in Casks or Vessels, not containing twenty Gallons at the least; and also relating to Certificate Goods entered in order to be exported to *Ireland*, which were to have Continuance for the Term of three Years, from the several Times of the Commencement thereof, and from thence to the End of the then next Session of Parliament respectively; and which by another Act passed in the ninth Year of his said late Majesty's Reign, were continued, from the Expiration of the several and respective Terms therein mentioned, for the Term of five Years, and from thence to the End of the then next Session of Parliament; and which said Clauses by an Act made in the second Year of the Reign of his present Majesty, were further continued until the twenty-ninth Day of *September* one thousand seven hundred and thirty-four, and from thence to the End of the then next Session of Parliament; and by another Act made in the eighth Year of the Reign of his present Majesty, were further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament; and by another Act made in the fifteenth and sixteenth Year of the Reign of his present Majesty, were further continued from the Expiration thereof, until the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament; and which by another Act made in the twentieth Year of the Reign of his present Majesty, were further continued, from the Expiration thereof, until the first Day of *June* one thousand seven hundred and fifty-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and sixty, and from thence to the End of the then next Session of Parliament.

again by 33 Geo. 2. c. 16.

9 Geo. 1. c. 8.

2 Geo. 2. c. 28.

8 Geo. 2. c. 21.

15 Geo. 2. c. 33.

20 Geo. 2. c. 47.

V. And be it further enacted by the Authority aforesaid, That an Act made in the eighth Year of the Reign of his late Majesty, intituled, *An Act to prevent the clandestine Running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarentine; and to subject Copper Ore of the Production of the* British *Plantations, to such Regulations as other enumerated Commodities of the like Production are subject*, which was to be in force for two Years, from the twenty-fifth Day of *March* one thousand seven hundred and twenty-two, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts (except the Clauses obliging all Ships and Vessels to perform Quarentine) was to have further Continuance to the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament; and which by an Act made in the twentieth Year of the Reign of his present Majesty, was intended to be further continued to the first Day of *June* one thousand seven hundred and fifty-four; but by Mistake, the Year one thousand seven hundred and forty-seven, was inserted therein, instead of the said Year one thousand seven hundred and fifty-four; and which by an Act made in the twenty-first Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the first Day of *June* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and sixty, and from thence to the End of the then next Session of Parliament.

8 Geo. 1. c. 18. further continued to 29 Sept. 1760. *and again by* 33 Geo. 2. c. 16. Exception.

20 Geo. 2. c. 47.

21 Geo. 2. c. 33.

VI. And be it further enacted by the Authority aforesaid, That an Act made in the twelfth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for the better Encouragement of the making of Sail Cloth in* Great Britain, which was to continue in force for seven Years, and from thence to the End of the then next Session of Parliament; and which was by an Act made in the fifth Year of his late Majesty's Reign, further continued for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which by another Act made in the tenth Year of the Reign of his said late Majesty, was further continued for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which by another Act made in the eighth Year of the Reign of his present Majesty, was further continued until the twenty-fifth Day of *March* one thousand seven hundred and forty-two, and from thence to the End of the then next Session of Parliament; and which by another Act made in the fifteenth Year of the Reign of his present Majesty, was further continued until the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament; and which by another Act made in the twentieth Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the first Day of *June* one thousand seven hundred and fifty-four, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and sixty, and from thence to the End of the then next Session of Parliament.

12 Ann. st. 1. c. 16. further continued to 29 Sept. 1760. 5 Geo. 1. c. 25. 10 Geo. 1. c. 17. 8 Geo. 2. c. 18. 15 Geo. 2. c. 35. 20 Geo. 2. c. 45.

Farther continued by 33 *Geo.* 2. *c.* 17. *to* 29 *Sept.* 1767.

'VII. And whereas by two Acts of Parliament made in the sixth and twenty-second Years of the Reign of 'his present Majesty, for the Encouragement of the Whale Fishery carried on by his Majesty's *British* 'Subjects, a Bounty of forty Shillings *per* Ton, under certain Regulations mentioned in the said Acts, is 'to be paid by the Receiver General of the Customs to the Masters or Owners of Ships employed in the 'Whale Fishery in the *Greenland Seas*, or *Davis's Streights*, on their Return to this Kingdom: And whereas '*Alexander Brown* and *George Steel*, did, on the Behalf of themselves and Partners, fit out in the Year one

6 Geo. 2. c. 33. 22 Geo. 2. c. 45. *See* 28 *Geo.* 2. c. 20. §. 2 & 3.

'thousand

'thousand seven hundred and fifty-one, a Ship called the *Hopetoun*, for the Whale Fishery in the *Green-*
'*land Seas*, in the manner prescribed and appointed by the said Acts, and which said Ship was actually em-
'ployed in the said Fishery, but was unavoidably lost in the said Seas;' Be it therefore enacted by the Au-
The Treasury may pay the Bounties to Alexander Brown and George Steel, for their Vessels lost in the Green-land Seas.
thority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall be, and he or they are hereby impowered to direct, if he or they think fit, the Payment of the Bounties which the said *Alexander Brown* and *George Steel*, and their Partners, would have been intitled to in case the said Ship had returned to this Kingdom; any Thing in the said two several Acts contained to the contrary notwithstanding.

'VIII. And whereas several Sums of Money, amounting in the Whole to the Sum of one thousand three
'hundred and fifty-eight Pounds eleven Shillings and ten Pence, are due to *John Stevenson* and Company,
'and *Robert Donald* and Company, for Bounties upon *British* made Sail Cloth exported from that Part of
'*Great Britain* called *Scotland*, on or before the first Day of *June* one thousand seven hundred and fifty;
'which Sums of Money cannot, by reason of the Insufficiency of the Fund established for the Payment of
'the said Bounties, before the said first Day of *June* one thousand seven hundred and fifty, be paid and dis-
'charged, unless some more effectual Provision be made for that Purpose;' Be it therefore enacted by the
1,358 l. 11 s. 10 d. to be paid to Robert Donald and Company, and to John Stevenson and Company, out of the Old Subsidy in Scotland, applicable to Incidents.
Authority aforesaid, That the several and respective Sums of Money due to *Robert Donald* and Company, and to *John Stevenson* and Company, for Bounties upon *British* made Sail Cloth exported on or before the first Day of *June* one thousand seven hundred and fifty, amounting in the Whole to the Sum of one thousand three hundred and fifty-eight Pounds eleven Shillings and ten Pence, shall be, and the same are hereby charged upon, and shall be paid out of such Parts of the Old Subsidy collected in that Part of *Great Britain* called *Scotland*, as are applicable to the Payment of Incidents.

CAP. XIX.

An Act for discharging the Corporation of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, commonly called *Bedford Level*, from a Debt due to the Duke of *Bedford*, and Earl of *Lincoln*; and for enabling the Proprietors of Lands in the *North Level*, Part of the said Great Level, to raise Money to discharge the Proportion of the said *North Level* in the Debts of the said Corporation; and for ascertaining and appropriating the Taxes to be laid on the said *North Level*; and for the more effectual draining and preserving the said *North Level*, and divers Lands adjoining thereto in the Manor of *Crowland*. PR.

15 Car. 2. c. 17. 20 Car. 2. c. 8. Law of Sewers in 6 Car. 1.
'WHEREAS by an Act of Parliament made and passed in the fifteenth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act for settling the draining of the Great Level of the Fens called* Bedford Level, reciting, That *Francis* Earl of *Bedford*, according to a Law of Sewers made at *King's Lynn* in the sixth Year of the Reign of his late Majesty King *Charles* the First, had undertaken the draining of the said Great Level therein mentioned to be situate within the Counties of *Northampton*, *Norfolk*, *Suffolk*, *Lincoln*, *Cambridge* and *Huntingdon*, and the Isle of *Ely*, and therein particularly bounded and described; and that he was to have for his Recompence ninety-five thousand Acres of the Ground within the said Level, with convenient Highways and Passages to the same, and the new River, Cuts and Drains, to be made by the said Earl and his Assigns, and the Banks of the same, and the Forelands in the Inside of the said Banks, not to exceed sixty Foot in Breadth; and that *William* Earl of *Bedford*, Son and Heir of the said Earl *Francis*, with divers of his Adventurers and Participants, had proceeded in the compleating and finishing the said Works; but that the same could not be preserved without constant Care, great Charge, and orderly Government; it was therefore (amongst other Things) enacted, That the said *William* Earl of *Bedford*, and the Adventurers and Participants of the said Earl *Francis*, and Earl *William*, or either of them, their Heirs and Assigns, in such manner as therein after is contained, should be a Body Politick and Corporate in Deed and Name, and have Succession for ever, by the Name of *The Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens*, with Power to lay and levy Taxes upon the said ninety-five thousand Acres only, for Support, Maintenance and Preservation of the said Great Level, and do all other Things in order to the Support, Maintenance and Preservation of the said Great Level and Works made, and to be made, in such manner as therein is mentioned; and taking Notice, that by the said Law of Sewers twelve thousand Acres, Parcel of the said ninety-five thousand Acres, were designed and intended to his said late Majesty King *Charles* the First, and had been set forth and allotted by Bounds in Severalty; and that his said late Majesty had granted two thousand Acres, Part thereof, to *Jerome* Earl of *Portland*, his Heirs and Assigns; and that the said Earl had sold about one thousand five hundred Acres, Part of the said two thousand Acres, to several Persons, and had conveyed the remaining five hundred Acres to *Benjamin Weston* Esquire, on several Trusts; it was thereby further enacted, that the said two thousand Acres, or such other Lands of equal Value, as should be set forth in Exchange of the same, should be and were thereby vested, settled, and established in the said several Persons, their Heirs and Assigns respectively, to whom the said Earl of *Portland* had conveyed the same, to be held of the King's Majesty, his Heirs and Successors, of the Manor of *East Greenwich*, by Fealty only, in free and common Socage, subject nevertheless with the Residue of the said ninety-five thousand Acres, in equal Proportion to all Taxes and Charges

'necessary

'necessary and conducing to the Preservation of the said Great Level from drowning; and it was thereby 'further enacted, That the eighty-three thousand Acres, Remainder of the said ninety-five thousand Acres, 'with the said Ways, Passages, new Rivers, Cuts, Drains, Banks and Forelands, over and above the said 'ten thousand Acres, Residue of the said twelve thousand Acres, which were allotted in Severalty, and of 'which his said late Majesty was in Possession, were thereby vested and settled in the said Governor, Bailiffs 'and Commonalty, and their Successors, in Trust for the said *William* Earl of *Bedford*, and the Adven-'turers and Participants of the said Earl *Francis* and Earl *William*, or either of them, their Heirs and 'Assigns, in such manner as is therein after limited and provided, and according to such Parts and Propor-'tions as they respectively then held and enjoyed, or by virtue of the said Act ought to hold and enjoy, 'subject and liable likewise to the Payment of all Taxes and Charges as aforesaid, to be held of the King's 'Majesty, his Heirs and Successors, of the Manor of *East Greenwich*, by Fealty, in free and common 'Socage; and the said ten thousand Acres were thereby vested in his then present Majesty, and his Assigns, 'subject and liable with the Residue of the said ninety-five thousand Acres, to the same Taxes and Charges 'before specified; and it is thereby further enacted, That the said Governor, Bailiffs and Conservators of 'the said Corporation for the Time being, or any five or more of them, whereof the said Governor or 'Bailiffs, or their Successors, or any of them, to be two, for Maintenance and Preservation of the said 'Great Level, by convenient Outfalls to the Sea, should for ever thereafter be, and were thereby made 'and constituted Commissioners of Sewers for and of the said Great Level of the Fens; and the said Go-'vernor, Bailiffs and Conservators, or any five or more of them, whereof the said Governor or Bailiffs, 'and their Successors, or any of them, to be two, are thereby enabled and impowered from thenceforth, 'to use and exercise the Power and Authority of Commissioners of Sewers, within the said Great Level of 'the Fens, and of the Works made and to be made without the said Great Level, for conveying the Wa-'ters of the said Great Level, by convenient Outfalls to the Sea, in such Manner, and with such other 'Powers, Jurisdictions and Authorities, as are therein mentioned and contained: And whereas by another 'Act of Parliament made and passed in the twentieth Year of his said late Majesty King *Charles* the Second, 20 Car. 2. c. 8. 'intituled, *An Act for the taking and assessing of the Lands of the Adventurers within the Great Level of the 'Fens*, after reciting in Part the last recited Act, and that the Way therein mentioned of raising Draining-'taxes upon the said ninety-five thousand Acres, by an equal Acre-rate hath been found inconvenient, it 'was enacted, That all Taxes thereafter to be set and imposed for the Maintenance and Preservation of 'the said Great Level, should be from Time to Time assessed and taxed by the said Governor, Bailiffs and 'Conservators, or their Successors, or any five or more of them, whereof the said Governor and Bailiffs 'for the Time being, or any of them, to be two, upon the said eighty-three thousand Acres, Part and 'Parcel of the said ninety-five thousand Acres, by a gradual Acre-tax, of different Sorts and Values of 'Lands, to be received, paid and levied, by such Ways and Means as in the said recited Act are provided; 'and that the said eighty-three thousand Acres, for raising Taxes for Support and Maintenance of the 'Great Level, should not be rated or assessed otherwise or in any other manner than according to a gradual 'Acre-tax of different Sorts and Degrees, and according to the respective Values and Rates thereby set and 'rated, and to be set and rated, as is therein after appointed: And it was thereby further enacted, That 'when and so often as the Sum of six thousand one hundred and ten Pounds seven Shillings and one Penny 'Half-penny should be taxed and assessed upon the said ninety-five thousand Acres, that then the said twelve 'thousand Acres should be rated and assessed at fifteen Pence the Acre, and according to that Proportion, 'for the raising of any greater or lesser Sum than six thousand one hundred and ten Pounds seven Shillings 'and one Penny Half-penny, to be received, paid and levied, together with Penalties, in such and the like 'manner as the Taxes set and imposed, or to be set and imposed, upon the said eighty-three thousand 'Acres, are thereby provided for to be received, paid and levied: And to the end that the said eighty-'three thousand Acres might be more equally rated by a gradual Acre-tax, not under the Number of seven 'Sorts, it was thereby further enacted, That certain Persons in the same Act named, or any three or more 'of them, were thereby constituted and appointed to be Surveyors and Valuers of the said eighty-three 'thousand Acres, and were, within the Time therein limited, to digest the said eighty-three thousand 'Acres into such Number of Sorts or Degrees of Land, not under the Number of seven Sorts and Degrees, 'and to rate and tax such Degrees, and digest the same into Schedules in Writing, and make Returns thereof, 'upon their Oaths, into the Fen-office, in such manner as in and by the said Act is mentioned and directed: 'And whereas the several Persons by the said last recited Act appointed to be Surveyors or Valuers, valued 'and set out the said eighty-three thousand Acres, according to the Directions thereby given, into eleven 'different Sorts or Degrees of Land, to be rated and taxed in manner following; that is to say, For a Single 'Tax, four Pence *per* Acre on the first Sort of Land; eight Pence *per* Acre on the second Sort; and so 'increasing four Pence upon every Sort; the eleventh Sort to be taxed at three Shillings and eight Pence: 'And all greater or less Sums which the said Corporation should have occasion to raise, were to be rated 'and assessed in the like Proportions; which Valuations of the said Surveyors were returned by them into 'the Fen-office, as by the said last-mentioned Act was directed; and the said eighty-three thousand Acres 'have always since been taxed according to the Degrees and Proportions thereby set out and allotted, calling 'a Tax of four Pence on the first Sort of Land, and increasing on the ten other Sorts in manner aforesaid, 'a single Tax; five Pence a Tax and Quarter; six Pence a Tax and Half; seven Pence a Tax and three 'Quarters; and eight Pence a Double Tax: And whereas at a Court of the said Corporation, held the 'tenth Day of *March* one thousand six hundred and ninety-seven, the said Corporation declared that the 'said Great Level should be distinguished by the several Names of the *North Level*, *Middle Level*, and *South 'Level*; and that all that Part of the said ninety-five thousand Acres, which lay between the North Side 'of *Moreton's Leame*, and the South Side of *Welland* River, should be accounted that Part of the ninety-

Court of Corporation held 10 March 1697.

'five

Debt of the Corporation at Lady-Day 1728.

'five thousand Acres lying within the *North Level:* And whereas the said Corporation, in order to support and preserve the several Works for draining the said Great Level, were obliged to borrow several Sums of Money on Bonds, under their Common Seal; and by that means, at *Lady-Day* one thousand seven hundred and twenty-eight, had contracted Debts, amounting in the Whole to the principal Sum of seventeen thousand one hundred and fifty Pounds; and some new Works being necessary for better draining the said *North Level*, Part of the said Great Level, by Indenture bearing Date the twenty-ninth Day of *May* one thousand seven hundred and twenty-eight, and made, or mentioned to be made, between the Governor, Bailiffs, and Commonalty of the Company of Conservators of the said Great Level of the Fens, of the one Part, and the most Noble *William* Duke of *Devonshire*, Guardian of the most Noble *Wriothesly* then Duke of *Bedford*, a Minor, and the Right Honourable *Henry* then Earl of *Lincoln*, of the other Part; after reciting the said Act of the fifteenth Year of his late Majesty King *Charles* the Second; and that the said Great Level of the Fens was then distinguished by the several Names of the *North Level*, the *Middle Level*, and the *South Level*; and that such Part of the said Great Level, as was distinguished by the Name of the *North Level*, did contain about forty thousand Acres of Land, of which there were about eleven thousand six hundred Acres of Land, subject to the said Taxes, and that the said Duke of *Bedford* and Earl of *Lincoln* were Owners or Proprietors of great Part thereof; and further reciting, That the said Duke of *Devonshire*, as Guardian of the said Duke of *Bedford*, and the said Earl of *Lincoln*, for the Preservation of the respective Estates of the said Duke of *Bedford* and Earl of *Lincoln*, in the said *North Level*, did in the then last Summer actually lay out and expend the Sum of three thousand four hundred Pounds, the Monies of the said Duke of *Bedford* and Earl of *Lincoln*, in proportion to their said respective Estates, in regaining and keeping open the Outfall for the Waters of the said *North Level* to Sea, and in doing several other necessary and material Works, which had tended greatly towards the Draining and Preservation of all the Estates in the said *North Level*; but by reason of the many and frequent Floods which had of late Years happened, and the Insufficiency of the Banks and Works of the said *North Level* to resist the same, and particularly by reason of the Weakness and Lowness of the Bank on the North Side *Moreton's Leame Wash*, next the said *North Level*, the greatest Part of the Lands within the said Level had then lately been, and were subject to be drowned, so that little or no Profit could be made thereof, nor could the said *North Level* be effectually drained or secured for the future, unless the said North Bank was to be enlarged and strengthened; and therefore the said Governor, Bailiffs, and Commonalty had resolved to make a Canal in the said Wash, and other Works there, for strengthening and enlarging the said North Bank, the Charge of all which would amount at least to six thousand six hundred Pounds; and further reciting, That the said Duke of *Devonshire*, on the said Duke of *Bedford*'s Behalf, and with his Consent, and the said Earl of *Lincoln*, at the Request of the said Governor, Bailiffs, and Commonalty, had agreed to advance the said six thousand six hundred Pounds, for the Purposes aforesaid, in proportion to their said respective Estates in the said *North Level*; and that the said Governor, Bailiffs, and Commonalty had agreed that the Taxes, Revenues, and Rents, annually laid and arising upon and out of the Lands in the said *North Level* only, should be made a Security for Repayment as well of the said three thousand four hundred Pounds, then already laid out, as for the said six thousand six hundred Pounds to be laid out, and Interest at the Rate of four Pounds *per Centum per Annum*; and were desirous, and had proposed, that the said Duke of *Devonshire*, and Earl of *Lincoln*, should have not only the Direction and Disposal of the said six thousand six hundred Pounds, in making the said Canal and other new Works, but also that the said Duke of *Devonshire*, and Earl of *Lincoln*, during the Minority of the said Duke of *Bedford*, and afterwards the said Duke of *Bedford*, and Earl of *Lincoln*, their respective Heirs and Assigns, should have the Direction, Disposal, and Management of the said Taxes, Revenues, and Rents of the said *North Level*, to be by them employed and disposed in and about the repairing and maintaining the Works of the said *North Level*, and making and supporting such other Works as should be necessary or conducing to the effectual draining, securing, and preserving of the said *North Level*; and for and towards the Payment of the said Principal Sums of three thousand four hundred Pounds, and six thousand six hundred Pounds, with Interest as aforesaid, until the said Principal Sums of three thousand four hundred Pounds, and six thousand six hundred Pounds, and Interest, should be fully paid and satisfied; it is witnessed, That in consideration of the Premisses, and for securing the Repayment of the said several Sums of three thousand four hundred Pounds, and six thousand six hundred Pounds, and Interest as aforesaid; and for the better enabling the said Dukes of *Devonshire* and *Bedford*, and the said Earl of *Lincoln*, to complete their good Designs of effectually draining, securing, and preserving the said *North Level*, by making the said Canal and other Works, which the said Governor, Bailiffs, and Commonalty were sensible would be of great Benefit and Advantage to all the Estates in the same Level; they the said Governor, Bailiffs, and Commonalty, for themselves and their Successors, did covenant and agree, to and with the said Dukes of *Devonshire* and *Bedford*, and the said Earl of *Lincoln* respectively, and their respective Heirs and Assigns, that it should and might be lawful to and for the said Duke of *Devonshire*, and Earl of *Lincoln*, their Agents or Servants, duly authorized, during the Minority of the said Duke of *Bedford*, and after the said Duke of *Bedford* should have attained his Age of twenty-one Years, and should have confirmed that Agreement, for the said Duke of *Bedford* and Earl of *Lincoln*, their respective Heirs and Assigns, their Agents or Servants, duly authorized, without the Interruption or Denial of the said Governor, Bailiffs, and Commonalty, or their Successors, to ask for and demand, have, receive, and take of and from the Receiver General for the Time being of the said Corporation yearly, and every Year, as the same should become due, and be paid to the said Receiver General, so much and such Part of the said Taxes, to be annually laid on the said ninety-five thousand Acres, as should be the Share and Proportion of the Lands within the said *North Level* liable thereto, together with all other the Rents and Revenues

'what-

'whatsoever of the said Governor, Bailiffs, and Commonalty, in the said *North Level*, including the Share
'and Proportion of the Taxes laid upon the Lands within the said *North Level* for that present Year, and
'the said Rents and Revenues due and payable for the same Time; and it was thereby declared and agreed,
'That the yearly Sum of one hundred Pounds, payable by the Heirs or Assigns of Sir *Charles Orby* deceased,
'to the said Governor, Bailiffs, and Commonalty, and their Successors, should be esteemed and taken as
'Part of the said Revenue arising within the said *North Level*; and the said Governor, Bailiffs, and Com-
'monalty did thereby authorize, impower, and require the said Receiver General for the Time being, to
'pay yearly, and every Year, as the same should become due and be paid to him, all the said Taxes, Rents,
'and Revenues of the said *North Level*, unto the said Dukes of *Devonshire* and *Bedford*, and Earl of *Lin-*
'*coln* respectively, their respective Heirs and Assigns, or their Servants or Agents, without any further or
'other Warrant to be had from the said Governor, Bailiffs, and Commonalty for that Purpose: Provided,
'That the said Receiver General for the Time being should retain and keep so much of the said Taxes,
'Rents, and Revenues of the said *North Level* as should be sufficient to satisfy and discharge the yearly
'Interest of the Principal Sum of two thousand Pounds, thentofore taken up upon the Common Seal
'of the said Corporation for the Service of the said Level, until the Principal Sum of two thousand Pounds
'should be paid off and discharged: And it was thereby declared and agreed, That the said Taxes, Rents,
'and Revenues, so to be paid to the said Dukes of *Devonshire* and *Bedford*, and Earl of *Lincoln* respectively,
'their Heirs or Assigns, should be retained, employed, applied, and disposed of, in the first Place, for
'repairing and maintaining all the Works of the said *North Level*, and making and supporting such other
'Works as should be necessary or conducing to the effectual draining and Preservation of the same Level,
'and then for paying and satisfying to the said Dukes of *Devonshire* and *Bedford*, and Earl of *Lincoln*, their
'respective Executors, Administrators, and Assigns, according to their respective Proportions and Shares,
'Interest after the Rate of four Pound *per Centum per Annum*, for the said several Sums of three thousand
'four hundred Pounds, and six thousand six hundred Pounds; and then to take, retain, and keep the Sur-
'plus Money for and towards paying off and sinking the said Sums of three thousand four hundred Pounds,
'and six thousand six hundred Pounds, in such Proportions, and by such Payments, as should be reasonable
'and convenient, until the same should be fully paid off and satisfied: And whereas the said Duke of *Bed-*
'*ford*, or the said Duke of *Devonshire* as his Guardian, and the said Earl of *Lincoln*, laid out and expended
'the said Sum of six thousand six hundred Pounds, in pursuance of the said Agreement, in the Works
'therein mentioned, and by virtue of, and under the said Agreement, the said Duke of *Bedford* and Earl of
'*Lincoln*, and their Representatives, have ever since continued in the Receipt of the Taxes, Rents, and
'Revenues of the said *North Level*; but have been obliged to apply the greatest Part thereof for and towards
'the several Works for draining and preserving the said *North Level*; so that at *Lady-Day* one thousand
'seven hundred and fifty-three, the Sum of eighteen thousand nine hundred and thirteen Pounds eleven
'Shillings and nine Pence, was due for Principal and Interest of the said several Sums of three thousand
'four hundred Pounds and six thousand six hundred Pounds; five sixth Parts whereof is due and owing to
'the most Noble *John* now Duke of *Bedford*, as Executor of the last Will of the said *Wriothesley* late Duke
'of *Bedford*; and the remaining sixth Part thereof is due and owing to the Right Honourable *Henry* Earl
'of *Lincoln*, as Administrator of the said *Henry* late Earl of *Lincoln*: And whereas the Sum of two thou-
'sand eight hundred and fifty Pounds, Part of the Debt owing by the said Corporation at *Lady-Day* one
'thousand seven hundred and twenty-eight, was due and owing to the said *Wriothesley* late Duke of *Bed-*
'*ford*, who afterwards, in and by his last Will and Testament, forgave and discharged the same, which
'reduced the Debt contracted by the said Corporation, before the said Year one thousand seven hundred
'and twenty-eight, to fourteen thousand three hundred Pounds: And whereas ever since the making and
'executing the said recited Agreement, the said Dukes of *Bedford* and Earls of *Lincoln* have supported and
'maintained the Works, Banks, and Drains of the said *North Level*, and the said Corporation have not
'been at any Charge or Expence in or about the same; but the said Corporation have since the said Year
'one thousand seven hundred and twenty-eight, borrowed several large Sums of Money on Bonds, under
'their Common Seal, to the Amount in the Whole of fifteen thousand nine hundred and forty Pounds;
'all which has been by them laid out and expended in and about the said *Middle* and *South Levels*, and for
'supporting and preserving the Banks, Drains, and Works thereof, so that the said Corporation is now
'indebted in the several Sums of Money following; that is to say, in the said Sum of fourteen thousand
'three hundred Pounds, contracted before the said Year one thousand seven hundred and twenty-eight, for
'or on account of the Whole of the said Great Level; the said Sum of eighteen thousand nine hundred
'and thirteen Pounds eleven Shillings and nine Pence, contracted since the said Year one thousand seven
'hundred and twenty-eight, for or on account of and particularly charged upon the said *North Level*; and
'the said Sum of fifteen thousand nine hundred and forty Pounds, contracted since the said Year one thou-
'sand seven hundred and twenty-eight, for or on account of the said *Middle* and *South Levels*, amounting
'together to forty-nine thousand one hundred and fifty-three Pounds eleven Shillings and nine Pence: And
'whereas it has been found by Experience that the Taxes, Revenues, and Rents arising and payable to the
'said Corporation out of the said *North Level* are not near sufficient to pay off and discharge the said Debt
'particularly charged thereon, and to defray the Charges and Expences of maintaining, supporting, and
'keeping in Repair the several Works for draining thereof; and notwithstanding the greatest Part of the
'Revenues of the said *North Level* have ever since the said Year one thousand seven hundred and twenty-
'eight been laid out in and about the same, the several Banks, Rivers, Sewers, and Works of the same
'Level are become so greatly decayed and ruinous, that great Part of the Lands in the same Level have
'lately been very frequently flooded, and unless some immediate Remedy be applied, will become entirely
'drowned, and of little or no Value: And whereas the Lands called *Portsand*, otherwise *Great Portsand*,

'Parcel of the Demesnes belonging to and lying within the Manor of *Crowland* in *South Holland*, in the 'County of *Lincoln*, herein after particularly bounded and described, are subject also to be frequently 'flooded, and cannot be effectually drained and preserved, without a large Expence: And whereas the said 'Lands called *Portsand*, otherwise *Great Portsand*, adjoin to the said *North Level*, on the North Part thereof, 'and lie convenient to be drained therewith, and it will be for the mutual Benefit and Advantage of the 'Proprietors or Owners thereof, and of the Proprietors or Owners of the Lands within the said *North* 'Level, to join in one common Drainage, and in order thereto, the Proprietors or Owners of the said 'Manor of *Crowland*, and Lands called *Portsand*, otherwise *Great Portsand*, and the Proprietors or Owners 'of the greatest Part of the Lands within the said *North Level*, are willing and desirous that a sufficient Sum 'of Money for the effectual draining of all the said Lands, shall be raised by a Tax upon all the said Lands, 'to be ordered, governed, and disposed of in such manner as herein after is mentioned; provided that the 'said *North Level* be discharged from the Debts of the said Corporation; and that all the Taxes, Rents, 'and Revenues which shall hereafter arise and become payable to the said Corporation, out of the said 'North Level, be applied, under the Direction of the said Corporation, for the Benefit of the said *North* 'Level only, in such manner as herein after is mentioned: And whereas the Taxes, Rents, and Revenues, 'arising and payable to the said Corporation, out of the said *North Level*, are about one eighth Part of 'the Taxes, Rents, and Revenues, arising and payable to the said Corporation, out of the Whole of the 'said Great Level of the Fens, and therefore the said *North Level* is subject and liable to raise and pay one 'eighth Part of the said Debt of fourteen thousand three hundred Pounds, which was contracted by the 'said Corporation before the said Year one thousand seven hundred and twenty-eight, on account of the 'Whole of the said Great Level of the Fens, and in order to raise Money to pay off and discharge the 'same, it has been proposed that so much of the Taxes charged on the Corporation Lands within the said 'North Level, by virtue of or under the said recited Act of the fifteenth of King *Charles* the Second, shall 'be sold in such manner as herein after is mentioned, as shall raise a sufficient Sum of Money for that Pur-'pose: And whereas the said *John* Duke of *Bedford*, and *Henry* Earl of *Lincoln*, being desirous to promote 'so good and beneficial an Undertaking, have consented and are willing to exonerate and discharge the said 'Corporation of and from the said Debt of eighteen thousand nine hundred and thirteen Pounds eleven 'Shillings and nine Pence, and to yield up and surrender all the Taxes, Rents, and Revenues of the said 'North Level, which they are intitled to receive, by virtue of and under the said recited Agreement, and 'to release and discharge all their Right, Title, and Interest in and to the same, on condition that the 'Taxes, Rents, and Revenues of the said *Middle* and *South Levels*, be for the future only chargeable with 'the Residue of the said Debt of fourteen thousand three hundred Pounds, contracted before the said Year 'one thousand seven hundred and twenty-eight, and with the said Debt of fifteen thousand nine hundred 'and forty Pounds contracted on account of the said *Middle* and *South Levels*, since the said Year one thou-'sand seven hundred and twenty-eight; and that the said *North Level*, and the Taxes, Rents, and Reve-'venues thereof, be fully and absolutely discharged of and from all the Debts of the said Corporation, and 'every Part thereof: And whereas at a Court of the said Governor, Bailiffs, and Commonalty of the Com-'pany of Conservators of the Great Level of the Fens, held at the Fen-office, on *Saturday* the twenty-'fourth Day of *February* one thousand seven hundred and fifty-three, a Plan according to the said Propos'als, 'and for effecting and carrying the said Undertaking into Execution, in such manner as herein after is 'mentioned, was laid before the said Court, and the said Court thereupon came to the following Resolu-'tions, *videlicet*; that it appearing to the Board that the Debt due from this Corporation, in the Year one 'thousand seven hundred and twenty-eight, was fourteen thousand three hundred Pounds; and that the 'Taxes upon all the three Levels, at a Tax and a Quarter, amount to six thousand three hundred and four-'teen Pounds three Shillings and eleven Pence Half-penny, of which the Tax arising from the *North Level* 'is seven hundred and seventy-seven Pounds three Shillings and four Pence Half-penny, being about one 'eighth Part, it is the Opinion of this Board, that if his Grace the Duke of *Bedford* and Lord *Lincoln* remit 'the Debt of about nineteen thousand Pounds, which is due to them under the Agreements made with them 'by this Corporation, in one thousand seven hundred and twenty-eight, for draining the *North Level*, and 'the Proprietors of the *North Level* will pay one thousand eight hundred Pounds, as their Proportion of 'the said Debt of fourteen thousand three hundred Pounds, it will be for the Interest of the other two 'Levels for this Corporation to consent that the Lands on the *North Level* be exonerated from the Payment 'of the Remainder of the said Debt, and the subsequent Debts of the Corporation, by the Act of Parlia-'ment intended to be applied for, for the better draining of that Level: And the remaining Part of the 'said Plan being read, the Board resolved, That the same did not in any wise appear to be prejudicial to 'either of the Levels belonging to the said Corporation, and therefore they did approve thereof: And 'whereas the said Corporation, and the Creditors of the said Corporation, and the Proprietors of the 'greatest Part of the taxable Lands within the said *Middle* and *South Levels*, having seen and considered the 'said Proposals, approve thereof, and are willing and consenting that the same should be carried into Exe-'cution: And whereas the effectual Draining and Preserving the said *North Level*, and the said Lands within 'the Manor of *Crowland*, which contain together about forty-eight thousand Acres, would be of great 'Benefit and Advantage to the several Proprietors thereof, and of Service to the Publick in general; and if 'the Proposals and Agreements before-mentioned are carried into Execution, it is apprehended and believed 'that the same may be effectually drained and preserved;' But in regard the same cannot be effected, or the Money necessary for that Purpose raised, without the Aid and Authority of Parliament; Be it therefore enacted, *&c.*

" The Corporation of Conservators of *Bedford Level*, discharged from the Debt of 18,913 *l.* 11 *s.* 9 *d.* due " to *John* Duke of *Bedford* and *Henry* Earl of *Lincoln*; and the Indenture of 29 *May* 1728, declared void.

" The

" The Executors of Sir *Charles Orby*, and *Thomas Orby Hunter*, discharged from Payment of the annual " Sum of 100 *l.* to the Company, and from all Covenants in the Articles of 10 *July* 1697. Proprietors of " taxable Lands within the *North Level*, may purchase off so much of the Taxes chargeable thereon, by " the Acts 15 & 20 *Car.* 2. as will raise the Sum of 1,800 *l.* and enter Subscriptions for the same, before " 24 *June* 1754. Payment thereof to be made by 29 *September* 1754; and to be applied in discharging the " Debt; Company to execute Releases of the Taxes to the Purchasers. The Taxes chargeable by Acts " 15 & 20 *Car.* 2. to be continued on the Residue of the Lands, and to be applied in the Works of the " Level herein mentioned. The Lands of the *North Level* discharged from the Residue of the Debt of " 14,300 *l.* and from the Debt of 15,940 *l.* and all other Debts now owing. The *North Level* not liable to " Debts, on account of the *Middle* and *South Levels*; nor they to be subject to Debts on account of the " *North Level*. Members for Lands in the *North Level*, not to vote concerning borrowing Money for the " *Middle* and *South Levels*. The Lands to be drained, to be divided into Districts. Commissioners ap- " pointed for the several Districts. Commissioners to have an yearly General Meeting, to make a Rate for " draining on all Lands not herein excepted: For the first four Years at 1 *s. per* Acre, after not to exceed " 6 *d. per* Acre, in any Year; to be paid Half-yearly. The Dam to be made in the *Old Wryde* Drain, not " to be afterwards removed, &c. The *Counter Drain* from the *Severals*, to be cleansed at the Proprietors " Charge. If *Dunton Hall Bridge* be taken down, or altered, the Commissioners to build another. Besides " the Rate for general Works of draining, the Commissioners of the Fourth District may make another " Rate, not exceeding 2 *s. per* Acre for the first two Years, and 1 *s. per* Acre after. The Commissioners of " the first and second Districts may also make a like Rate, not exceeding 1 *s. per* Acre. Differences con- " cerning Damages to be settled by the Quarter-Sessions. The Duke of *Bedford* to cleanse and support the " Drains and other Works in the third District. *Thomas Orby Hunter* to cleanse and support the Drains " and other Works in the fifth District. *Beverley Butler* may erect a Mill for draining the Waters from the " Ground belonging to him. Tenants to pay the Rates, and such as are at Rack-rent may deduct the " same. If the Lands shall be untenanted, and no Distress can be had, the Lands to remain as a Security " for the Rates. 14,000 *l.* may be raised by Annuities, to answer the immediate Expences of draining. " Annuities for 30 Years not to exceed 6 *l.* and for a single Life 7 *l. per Cent.* to be charged on the Rates. " Commissioners may borrow Money at 5 *l. per Cent.* When the Annuities shall be determined the Rates " may be reduced. Collectors or Treasurers refusing to account or pay over the Monies in their Hands, to " be committed."

Persons convicted of maliciously destroying or damaging any of the Works, to suffer Death;

XLIX. And for the preventing the damming up, stopping, throwing down, burning, demolishing, destroying, or damaging any of the Rivers, Drains, Water-courses, Banks, Mills, Engines, Flood-gates, Sluices, Doors, Dams, Bridges, or other Works already made or erected for or towards draining the Lands and Grounds contained within the said several Districts and Divisions, or any of them, or hereafter to be made, erected, supported, or maintained, for the Purposes aforesaid, by virtue of or under the Powers and Authorities of this Act; it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall at any Time hereafter maliciously cut, break down, burn, demolish, or destroy any Bank, Mill, Engine, Flood-gate, or Sluice, already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported or maintained, for answering the Purposes aforesaid, every Person or Persons so offending, being thereof convicted, shall be guilty of Felony, and shall suffer Death as Felons, without Benefit of Clergy: And if any Person or Persons shall at any Time hereafter maliciously stop, dam up, demolish, damage, or destroy any River, Drain, Water-course, Door, Dam, Bridge, or other Work or Works already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported or maintained, for answering the Purposes aforesaid, every Person or Persons so offending, being thereof convicted before any two or more Justices of the Peace for the Counties and Isle aforesaid, or either of them, who are hereby required to hear and determine the same, on the Oath of two or more credible Witnesses, shall forfeit the Sum of one hundred Pounds to the said Commissioners, their Successors, Heirs, or Assigns, to be applied for the respective Purposes to which the said Rates and Taxes are hereby directed to be respectively applied; and in default of Payment thereof, the Person or Persons so offending shall be sent to the House of Correction of the County or Isle where such Offence shall be committed, there to be kept to hard Labour for such Time as such Justices shall order and direct, not exceeding six Months.

and convicted of stopping up, &c. any River or Drain,

to forfeit 100 *l.*

" Commissioners to maintain the Banks of *Shire Drain*, and the Sluices at *Clows Cross*. In case the Banks " of *Shire Drain* shall be broken or overflown, the Floodgates at *Clows Cross* to be shut down. Commis- " sioners not to exercise any other Power over *Shire Drain*, or *Old South Eau* River, than the Conservators " have a Right to use. Conservators not to exercise any Power over the Commissioners, or the Works, other " than over the Works put under their particular Care. New Commissioners to be elected in the Room of " such as shall die or be disqualified. Rights of Lords of Manors reserved; and of the Conservators and others.

See further 29 *Geo.* 2. *c.* 9.

CAP. XX.

An Act for the more easy and effectual proceeding upon Distresses to be made by Warrants of Justices of the Peace.

Refer to 1 *Ed.* 3. *c.* 16. 2 *Ed.* 3. *c.* 6. 18 *Ed.* 3. *st.* 2. *c.* 2. 34 *Ed.* 3. *c.* 1 & 5. 12 *R.* 2. *c.* 10. 13 *R.* 2. *c.* 7. 14 *R.* 2. *c.* 11. 17 *R.* 2. *c.* 10. 2 *H.* 5. *st.* 1. *c.* 4. 2 *H.* 5. *st.* 2. *c.* 1. 11 *H.* 6. *c.* 6. 14 *H.* 6. *c.* 4. 18 *H.* 6. *c.* 11. 1 *Ed.* 4. *c.* 2. 1 *R.* 3. *c.* 3. 3 *H.* 7 *c.* 1. 4 *H.* 7. *c.* 12. 6 *Geo.* 1. *c.* 21. 9 *Geo.* 1. *c.* 7. 5 *Geo.* 2. *c.* 18 & 19.

" WHEREAS by many Acts of Parliament, Justices of the Peace are impowered to issue Warrants " for the Distress and Sale of Goods and Chattels, but the Charges of distraining, keeping, and Sale " of such Goods and Chattels are not provided for in all the said Acts, nor is there a Time in all Cases

'limited for the Sale thereof, whereby Inconveniencies have arisen:' Therefore for Remedy thereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases where any Justice or Justices of the Peace is or are, or shall be, required or impowered by any Act or Acts of Parliament now in Force, or hereafter to be made, to issue a Warrant of Distress for the levying of any Penalty inflicted, or any Sum of Money directed to be paid, by or in consequence of such Act or Acts, it shall and may be lawful for the Justice or Justices granting such Warrant, therein to order and direct the Goods and Chattels so to be distrained, to be sold and disposed of, within a certain Time to be limited in such Warrant, so as such Time be not less than four Days, nor more than eight Days, unless the Penalty or Sum of Money for which such Distress shall be made, together with the reasonable Charges of taking and keeping such Distress, be sooner paid.

Justices to limit in their Warrants of Distress, the Time for Sale of the Distress, not less than 4, nor more than 8 Days.

II. And be it further enacted, That the Officer making such Distress, shall and is hereby impowered to deduct the reasonable Charges of taking, keeping, and selling such Distress, out of the Money arising by such Sale; and the Overplus (if any) after such Charges, and also the said Penalty or Sum of Money shall be fully satisfied and paid, shall be returned on Demand to the Owner of the Goods and Chattels so distrained; and the Officer executing such Warrant, if required, shall shew the same to the Person whose Goods and Chattels are distrained, and shall suffer a Copy thereof to be taken.

Officer to deduct the Charges of keeping and selling; Overplus to be returned.

III. Provided always, That nothing herein contained shall extend, or be construed to extend, to alter or repeal any of the Provisions or Directions relating to Distresses to be made for the Payment of Tythes and Church Rates, by the People called *Quakers*, contained in an Act passed in the seventh and eighth Years of his late Majesty King *William* the Third, intituled, *An Act that the solemn Affirmation and Declaration of the People called* Quakers *shall be accepted instead of an Oath, in the usual Form*; or in one other Act passed in the first Year of his late Majesty King *George* the First, intituled, *An Act for making perpetual an Act of the seventh and eighth Years of the Reign of his late Majesty King* William *the Third, intituled,* An Act that the solemn Affirmation and Declaration of the People called *Quakers* shall be accepted instead of an Oath in the usual Form; *and for explaining and enforcing the said Act in relation to the Payment of Tythes and Church Rates; and for appointing the Form of an Affirmation to be taken by the said People called* Quakers, *instead of the Oath of Abjuration.*

Provisions relating to Tythes in 7 & 8 Will. 3. c. 34.

and 1 Geo. 1. c. 6. not altered.

Concerning Justices see farther 1 Geo. 3. c. 13.

CAP. XXI.

An Act to continue and render more effectual an Act passed in the thirteenth Year of the Reign of his present Majesty, for repairing the Road between *Hockcliffe* in the County of *Bedford*, and *Stoney Stratford* in the County of *Buckingham*. PR.

CAP. XXII.

An Act for enlarging the Term and Powers granted by an Act of Parliament passed in the eleventh Year of the Reign of his present Majesty, for repairing the Road leading from the *Trent Bridge*, in the County of the Town of *Nottingham*, through *Costock*, otherwise *Cortlingstock Lane*, to the Bridges commonly known by the Name of *Cotes Bridges*, in the County of *Leicester*; and for making the said Act more effectual. PR.

CAP. XXIII.

An Act for repairing and widening the Road from the City of *Peterborough*, through *Oundle* and *Thrapston*, to *Wellingborough* in the County of *Northampton*. PR.

CAP. XXIV.

An Act for amending, widening, and keeping in repair the Road leading from *Union Point*, near the Town of *Uckfield* in the County of *Sussex*, to *Langney Bridge* in the Parish of *Westham* in the said County. PR.

CAP. XXV.

An Act for the better enlightening and cleansing the open Places, Squares, Streets, Lanes, Alleys, Passages, and Courts, within the Parish of Saint *Luke* in the County of *Middlesex*; and regulating the Nightly Watch and Bedels; and for repairing the Highways within the said Parish. PR.

CAP. XXVI.

An Act for enlarging the Term and Powers granted by an Act made in the ninth Year of his present Majesty's Reign, intituled, *An Act for repairing and widening the Road leading from* Saint Dunstan's Cross, *near the City of* Canterbury, *to the Water-side at* Whitstable *in the County of* Kent. PR.

CAP. XXVII.

An Act to explain, amend, and render more effectual an Act passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for repairing several Roads leading into the City of* Glasgow. PR.

CAP. XXVIII.

An Act for explaining, amending, and rendering more effectual an Act made in the twenty-fifth Year of his present Majesty's Reign, *For repairing and widening the Road leading from* Market Harborough *in the County of* Leicester, *through* Desborough, Rowel, Kettering, Barton Seagrave, *and* Thrapston, *in the County of* Northampton; *and through* Bythorne, Spaldwick, *and* Ellington, *to the* Pound *in the Parish of* Brampton, *in the County of* Huntingdon. PR.

CAP.

CAP. XXIX.

An Act for enlarging the Term and Powers granted by an Act passed in the twenty-first Year of the Reign of his present Majesty, for repairing the High Road from *Piercebridge* to *Kirkmerrington*, in the County of *Durham*, and from thence to the Turnpike Road at *Tudhoe Lane End* in the said County; and for making the same more effectual. PR.

CAP. XXX.

An Act for repairing and widening the Road from the Borough of *Leicester*, to and by the North Side of the Town of *Uppingham* in the County of *Rutland*; and to *Wansford* in the County of *Northampton*; and from thence to *Peterborough* in the said County of *Northampton*. PR.

CAP. XXXI.

An Act for repairing and widening the Road leading from the Toll-gate in the Parish of *Kettering*, through the Town of *Wellingborough*, in the County of *Northampton*; and through *Olney* over *Sherrington Bridge*, to *Newport Pagnell*, in the County of *Bucks*; and for repairing and widening, or rebuilding the said *Sherrington Bridge*. PR.

CAP. XXXII.

An Act for repairing and widening the Road from a certain Intrenchment on *Askerswell-hill*, opposite to *Chilcombe Farm*, through the Town of *Bridport* to *Penn Inn*; and from *Bridport* aforesaid to the Town of *Beaminster*, in the County of *Dorset*; and also the Road from *Penn Inn* aforesaid, through the Town of *Axminster*, to the Workhouse at the East End of the Town of *Honiton* in the County of *Devon*. PR.

CAP. XXXIII.

An Act for repairing and widening the High Road from *Westwood-gate* in the Parish of *Knotting*, in the County of *Bedford*, through the Towns of *Rushden* and *Higham Ferrers*, and over *Artleborough Bridge*, to the Turnpike Road in *Barton-Seagrave-Lane*, in the Parish of *Barton-Seagrave*, in the County of *Northampton*. PR.

CAP. XXXIV.

An Act for repairing and widening the High Road from a Place called *Saint Loydes*, in the Town of *Bedford*, through the Parishes of *Bromham*, *Stagsden*, *Astwood*, *Hardmead*, and *Chichley*, to the Way Post in *Sherrington Field*, where the said Road joins the High Road from the Town of *Olney* to the Town of *Newport Pagnell*; and also the High Road from *Bromham* aforesaid, through the Parishes of *Turvey* and *Colebrayfield*, to the Town of *Launden*, otherwise *Lavenden*, in the Counties of *Bedford* and *Buckingham*; and for applying Part of the Money arising thereby towards repairing, rebuilding, or widening *Sherrington Bridge*, in the Road from the said Way Post to the said Town of *Newport Pagnell*. PR.

CAP. XXXV.

An Act for laying a Duty of Two Pennies *Scots*, or One Sixth Part of a Penny *Sterling*, upon every *Scots* Pint of Ale and Beer brewed for Sale, vended or sold within the Town and Barony of *Alloa*, in the County of *Clackmannan*; and also a Duty of Anchorage for Ships and Vessels anchoring in the Harbour of the said Town, for repairing the Pier of the said Harbour. PR.

CAP. XXXVI.

An Act for repairing and widening the Roads from the Borough of *Stratford upon Avon*, in the County of *Warwick*, through *Alcester* in the said County, and *Feckenham*, to a Place called *Bradley Brook*, in the County of *Worcester*; and from *Alcester* through *Great Coughton* and *Crabs Cross*, in the said County of *Warwick*; and through *Hewell Lane* and *Burcot*, to the *Cross of Hands* on a Common called the *Leekhay*; and out of *Hewell Lane* through *Church Lane* and *Tutnell* to *Bromsgrove*, in the said County of *Worcester*. PR.

CAP. XXXVII.

An Act for enlarging the Term and Powers granted by an Act made in the eighth Year of the Reign of his present Majesty, for repairing and widening the Road from the Town of *Rochdale* in the County Palatine of *Lancaster*, leading over a certain Craggy Mountain called *Blackstone Edge* in the same County; and from thence to the Towns of *Halifax* and *Ealand* in the County of *York*. PR.

CAP. XXXVIII.

An Act for the better Relief and Employment of the Poor in the Parish of Saint *Nicholas Deptford* in the County of *Kent*, and in the Parish of Saint *Paul Deptford* in the Counties of *Kent* and *Surrey*; and for repairing the Highways, and paving and cleansing the Streets, in the said Parishes. PR.

CAP. XXXIX.

An Act for repairing and widening the Road from the North End of *Bridgford Lane* in the County of *Nottingham*, to and through several Towns and Places in the Counties of *Nottingham*, *Leicester*, *Rutland*, and through *Rockingham*, to the *Bowling Green* at *Kettering* in the County of *Northampton*. PR.

CAP.

CAP. XL.

An Act for opening, making, widening, and keeping in repair a Road from *Ratcliff Highway*, through *Cannons Street* in the County of *Middleſex*, into the Road leading into the County of *Eſſex*; and alſo from the Weſt End of *Brook Street* into *Cable Street*, and from *Upper Shadwell Street* into the Back Lane in the ſaid County of *Middleſex*. PR.

CAP. XLI.

An Act for amending and widening ſeveral Roads, leading from the Borough of *Truro* in the County of *Cornwall*. PR.

CAP. XLII.

An Act for repairing and widening the Road from *Leiceſter* to *Narborough*, and from *Leiceſter* to *Coventry*, and from thence through *Kenilworth* to *Warwick*, and from thence to *Halford Bridge*, and from *Warwick* to *Stratford upon Avon*, and from *Coventry* to *Martyn's Gutter*, leading towards *Stoneleigh Town*; and for ſupplying an Omiſſion in an Act paſſed in the laſt Seſſion of Parliament for repairing the Road from *Leiceſter* to *Aſhby de la Zouch* in the County of *Leiceſter*. PR.

Anno Regni GEORGII II. Regis Magnæ Britanniæ, Franciæ & Hiberniæ, viceſimo octavo.

'AT the Parliament begun and holden at *Weſtminſter*, the thirty-firſt Day of *May*, *Anno Domini* one thouſand ſeven hundred and fifty-four, in the twenty-ſeventh Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the fourteenth Day of *November* following, being the ſecond Seſſion of this preſent Parliament.'

CAP. I.

An Act for the Relief of the Out-Penſioners of the Royal Hoſpital at *Chelſea*.

For former Proviſions concerning Soldiers refer to 18 *H.* 6. *c.* 18 & 19. 7 *H.* 7. *c.* 1. 2 & 3 *Ed.* 6. *c.* 2. 43 *El.* 3. *c.* 3. 31 *Car.* 2. *c.* 1. 12 *Ann. ſtat.* 1. *c.* 13. 1 *Geo.* 1. *c.* 47. 3 *Geo.* 1. *c.* 2. 9 *Geo.* 2. *c.* 30. 22 *Geo.* 2. *c.* 44.

'WHEREAS the Out-penſioners of the Royal Hoſpital at *Chelſea*, for the Relief of maimed and worn out Soldiers, are by the preſent Method of Payment of the Out-penſion (namely, the Payment of a Year's Penſion only, after the ſame is become due) expoſed to ſundry and great Hardſhips and Diſtreſſes, and the ſaid Out-penſioners on their Admiſſion to the Penſion, neceſſitated to take up Money for preſent Subſiſtence on Credit, of Perſons called *Money Lenders*, on Terms many times oppreſſive and uſurious, to the extreme Detriment of theſe meritorious Objects of the Royal Bounty, and generous Proviſion of Parliament, and to the unwarrantable Emoluments of Perſons who make advantage of their Neceſſities:' For the Prevention of all which Abuſes and Miſchiefs; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Aſſignments, Bargains, Sales, Contracts, Orders, Agreements, or Securities whatſoever, made by any Out-penſioner, for, upon, or in reſpect of any Sum or Sums of Money to become due, for or on account of the Out-penſion of the Royal Hoſpital at *Chelſea*, to ſuch Out-penſioners who ſhall be admitted thereunto, from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-four, ſhall be abſolutely null and void to all Intents and Purpoſes.

Aſſignments, &c. of Out-penſions before due, declared void.

Advance Money to be paid to Perſons at their Admiſſion on the Penſion Liſt. Penſion to be afterwards paid Half-yearly in advance.

II. And be it further enacted by the Authority aforeſaid, That every Out-penſioner who ſhall after the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-four, be admitted on the Penſion Liſt, ſhall, on ſuch his Admiſſion, receive in Advance, ſuch Proportion of the Penſion, as ſhall be equal to the remaining Number of Days of the current Half-year which ſhall then remain unexpired; and from and after the End of the ſaid Half-year, ſhall on his perſonal Appearance, or Affidavit that ſuch Out-penſioner was living during the Whole or Part of the Half-year preceding, and reciting the Place of his Abode (ſuch Affidavit to be made before a Juſtice of the Peace of any County, Riding, Diviſion, City, Town, Liberty or Place in *Great Britain* or *Ireland*, where ſuch Out-penſioner ſhall reſide, for the taking of which Affidavit no Fee or Reward ſhall be paid) continue to receive in advance the ſaid Penſion by Half-yearly Payments.

Penſions of thoſe admitted before 25 Dec. 1754, to be paid according to the former Regulations till

III. And be it further enacted by the Authority aforeſaid, That all Out-penſioners who are already admitted on the ſaid Out-penſion, or ſhall be admitted thereto before the ſaid twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-four, ſhall continue to receive their Penſions according to the Rules and Regulations already eſtabliſhed, until the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty-five, and that from thenceforth they likewiſe ſhall receive their Penſions in advance, in the ſame

anner as is above directed in respect of such Out-pensioners as shall be admitted on the Out-pension after the twenty-fifth Day of *December* one thousand seven hundred and fifty-four; and all Assignments, Bargains, Sales, Orders, Contracts, Agreements, or Securities whatsoever, which shall be given or made by any such Out-pensioner, for, upon, or in respect of any Sum or Sums of Money to become due on any of the said advanced Half-yearly Payments, shall be absolutely null and void to all Intents and Purposes.

25 Dec. 1755. and from thenceforth to be paid in advance. Assignments of Pension before due, are void.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for such Agent as shall be appointed by his Majesty, his Heirs, and Successors, for the Payment of the Out-pension in the manner herein directed, and the said Agent so appointed is hereby authorized and directed to receive in advance from the Treasurer of *Chelsea Hospital* for the Time being, such Monies as shall be necessary to discharge the same, and to pay or remit the said Pension to the Out-pensioners as aforesaid; which said Agent is hereby impowered and directed to give a Receipt or Acquittance for the said Monies to the said Treasurer; which Receipt or Acquittance shall be a full and final Discharge to the said Treasurer for such Sum or Sums so paid by him to the said Agent; and the Auditors of the Imprest are hereby authorized and required to pass and allow all such Acquittances in the Accounts of the said Treasurer of *Chelsea Hospital*; and the Lord High Treasurer, or Commissioners of the Treasury for the Time being, or any three or more of them, are hereby authorized and required to issue in advance to the Treasurer of *Chelsea Hospital* such Sum or Sums of Money, as from Time to Time shall be necessary for the Payment of the said Out-pension, upon such Warrant, Establishment or Orders, as shall be signed by the Commissioners of *Chelsea Hospital*, or any three or more of them.

Agent for Out-pension to receive the same in advance from the Treasurer, and to pay or remit the same to the Pensioners, &c.

Treasury to issue Money in advance for the said Pensions, upon Warrant of the Commissioners.

V. And be it further enacted by the Authority aforesaid, That the Commissioners of *Chelsea Hospital*, or any three of them, are hereby authorized and directed to make up or cause to be made up the last Day or Days of every Half-year, an exact State or List of the Number of Out-pensioners borne on the Out-pension, and who have either personally appeared, or have been certified by proper Affidavits as aforesaid to be living during the Whole or Part of the said Half-year then expiring.

State and Lists of the Out-pensions, to be made up half-yearly.

VI. And it is hereby enacted, That the said Commissioners of *Chelsea Hospital*, or any three of them, shall on such Lists or States so exhibited to them, make out or cause to be made out, a Warrant to the Treasurer of *Chelsea Hospital* for the Time being, and shall sign the same, authorizing and directing the said Treasurer to issue and pay in advance into the Hands of an Agent appointed as aforesaid, such Sum or Sums as may and shall be requisite and necessary for the Payment of the Out-pension as aforesaid.

Commissioners on the Lists laid before them, to make out a Warrant for the Money.

VII. And be it further enacted by the Authority aforesaid, That the said Treasurer of *Chelsea Hospital* shall and may with-hold and deduct one Shilling in the Pound from and out of all Monies which shall from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty-five, be applicable to the Payment of the said Out-pension, as well as from and out of all Monies which shall be directed to be issued in advance to the Out-pensioners of *Chelsea Hospital*, from and after the said twenty-fifth Day of *December* one thousand seven hundred and fifty-four; which Monies so deducted shall be applied in the Manner which his Majesty, his Heirs and Successors shall by Warrant under his Royal Sign Manual, direct; and that after the Deduction of the said Sum of one Shilling in the Pound, the said Pensions shall be paid to the Persons intitled thereto without any other Deduction, Fee, Stoppage or Charge whatever: And if the said Agent to be appointed for the Payment of the said Pensions, or any other Agent or Clerk employed in paying the same, shall exact or take any Fee or Reward whatsoever, for or on account of paying the said Pension, or on any other Account whatsoever relative to the said Out-pension, such Person or Persons so offending shall *ipso facto* lose and forfeit their said Office or Employment, and shall over and above forfeit the Sum of one hundred Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record, within twelve Calendar Months after the Offence committed; in which said Suit no Essoin, Protection or Wager of Law shall be allowed, nor more than one Imparlance, and be deemed incapable of serving his Majesty, his Heirs and Successors, in any Office or Employment Civil or Military whatsoever.

Treasurer to deduct 1 s. in the Pound, to be applied as his Majesty shall direct.

Pension to be paid without other Deduction.

Agent taking Fees for paying the same, to be cashier'd, and forfeit 100 l.

See further 33 Geo. 2. c. 6; 8, & 18. and the yearly Mutiny Acts.

CAP. II.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-five. EXP.

CAP. III.

An Act to indemnify Members of Cities, Corporations, and Borough Towns, who have neglected to take the Oaths of Office, and to stamp their Admissions; and for allowing them further Time for those Purposes.

'WHEREAS divers Persons Members of Cities, Corporations, and Borough Towns, within that 'Part of *Great Britain* called *England*, upon their being admitted Officers or Members of such 'Cities, Corporations or Borough Towns, have through Ignorance of Law, and of their particular Char-'ters or Constitutions, omitted to take their Oath of Office, or have not taken such Oaths before a com-'petent Number of Persons, or before Persons duly qualified, or in such manner as is prescribed by their 'respective Charters and Constitutions; or if such Oaths have been taken, yet a proper Entry thereof, or 'of the Members then present, hath not been made in the proper Books kept for that Purpose; nevertheless,

'less such Persons have continued to act as Members of such Cities, Corporations, and Borough Towns, 'whereby great Disputes may arise concerning the same, and the Validity of the Acts of such Person or 'Persons during the Time he or they was or were so disqualified, or not capable of proving his or their 'Qualifications, by reason of such Neglect as aforesaid:' For preventing whereof, and of all Damage and Inconvenience that may arise therefrom; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every such Member or Members, Officer or Officers of any City, Corporation, or Borough Town, within that Part of *Great Britain* called *England* and *Wales*, who shall, on or before the twenty-ninth Day of *September* one thousand seven hundred and fifty-five, take the several Oaths by Law, Custom, or otherwise required or used to be taken in every such City, Corporation, or Borough Town respectively, for the Offices which they now respectively hold, enjoy and execute, before such a competent Number of Persons as are required by their respective Charters and Constitutions; or if after a legal Summons such competent Number shall not appear, then before such or so many of the Members of such respective Cities, Corporations or Borough Towns, as shall think fit to be present, is and are, and shall be hereby confirmed and qualified to act as Member or Members, Officer or Officers of such Cities, Corporations and Borough Towns respectively, to all Intents and Purposes, and shall and may hold, enjoy and execute the same, or any other Office or Offices into which he or they have or hath been elected, notwithstanding his or their Omission as aforesaid, or the Omissions of any of their Predecessors, in the said Cities, Corporations or Borough Towns, and shall be indemnified, freed and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties and Damages, by reason of any such Omission, and none of his or their Acts shall be questioned or avoided for or by reason of any of the Omissions aforesaid.

Time allowed for providing Admissions to Officers, duly qualified, &c.

'II. And whereas Admissions of several Members and Officers into Cities, Corporations, and Borough 'Towns, which by several Acts of Parliament are directed and required to be stamped, may not have been 'provided, or the same not duly stamped, or may have been lost or mislaid;' Be it further enacted by the Authority aforesaid, That for the Relief of such Persons whose Admissions may not have been provided, or not duly stamped as aforesaid, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons on or before the said twenty-ninth Day of *September* one thousand seven hundred and fifty-five, to provide, or cause to be provided, Admissions duly stamped; and such Persons so providing Admissions duly stamped as aforesaid, are, and shall be hereby confirmed and qualified to act as Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes, and shall and may hold, enjoy, and execute the same, or any other Office or Offices into which he or they have or hath been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors, in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified, freed and discharged, of and from all Incapacities, Disabilities, Forfeitures, Penalties and Damages, by reason of any such Omission, and none of his or their Acts shall be questioned or avoided for or by reason of the same.

Limitations of this Act.

III. Provided always, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to restore or intitle any Person or Persons to any Office or Employment, Matter or Thing whatsoever, already actually avoided by Judgment of any of his Majesty's Courts of Record, or already filled up or enjoyed by another Person; but that such Office, Employment, Matter, or Thing, so avoided, or filled up and enjoyed as aforesaid, shall be, and remain in and to the Person or Persons who is or are now intitled to the same, as if this Act had not been made.

CAP. IV.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. V.

An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty-five; and for the Relief of the Inhabitants of certain Places in the County of *Lincoln*, in respect of Arrears of the Land-Tax. EXP. At 2 s. in the Pound. *See* 30 *Geo.* 2. *c.* 3.

CAP. VI.

An Act for taking away Mortuaries in the Archdeaconry of *Chester*, and giving a Recompence therefore to the Bishop of *Chester* as Archdeacon of *Chester*, who holds and enjoys the said Archdeaconry in Right of his See.

21 Henry 8. c. 6.

'WHEREAS in and by an Act of Parliament made and passed in the one and twentieth Year of the Reign of King *Henry* the Eighth, intituled, *Where Mortuaries ought to be paid, for what Persons, and how much, and in what Case none is due*; it is among other Things provided, That it should be lawful 'to the Archdeacon of *Chester*, to take such Mortuaries of the Priests within his Jurisdiction as thentofore 'had been accustomed: And whereas the Bishops of the said Diocese of *Chester*, as Archdeacons of *Chester*, for the Time being, have accordingly used to demand and take, and do continue to demand and take, 'Mortuaries upon the Death of every Clergyman within the Jurisdiction of the said Archdeacon of *Chester*; 'and the said Mortuaries consisting of several of the best Goods of the deceased, do oftentimes amount to 'a very considerable Part of his Estate and Effects, and the Payment thereof doth very much lessen the small

'Provision which ordinarily the Clergy within the said Archdeaconry are able to make for the Support of their Families, and tends greatly to the impoverishing the same: And whereas the Bishops of *Chester* as Archdeacons of *Chester* for the Time being, are seised of the Advowson, Right of Patronage, and Presentation of, in and to the Rectory of the Parish Church of *Waverton* alias *Wareton*, in the said Diocese and Archdeaconry of *Chester*, and the Right Reverend *Edmund* now Lord Bishop of *Chester*, at the Instance and Request, and upon the Proposal of the greatest Part of the Clergy within the said Archdeaconry, hath consented that all the Mortuaries or Corsepresents due and payable upon the Death of Clergymen within the said Archdeaconry, shall for the future cease and be abolished, so as that in lieu thereof, and as a Compensation for the same, the said Rectory or Parsonage of *Waverton* alias *Wareton*, with the Appurtenances thereof, shall be annexed to the said Archdeaconry of *Chester*, and held and enjoyed by the said Bishop as Archdeacon of *Chester*, and his Successors for ever, subject nevertheless to such Stipend and Provision for a Minister or Curate of the said Parish and Parish Church of *Waverton* alias *Wareton*, and his Successors, as is herein after mentioned; and as the carrying such Proposal and Request into Execution and Effect would contribute greatly to the Satisfaction, Encouragement, and Benefit of the Clergy within the said Archdeaconry:' Therefore for the answering, obtaining, and accomplishing the good Ends and Purposes afore-mentioned; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the aforesaid Proviso or Clause contained and inserted in the said Act, and herein before set forth or recited, and all and every Clause or Proviso contained and inserted in the same Act, so far as the same do respectively relate to the taking of any Mortuary or Corsepresent upon the Death of any Clergyman within the said Archdeaconry of *Chester*, shall immediately, from and after such Time as the said Church or Living of *Waverton* alias *Wareton*, in the Diocese and Archdeaconry of *Chester*, shall become void by the Death, Resignation, Cession, or Deprivation of *John Prescot* Clerk, the present Incumbent, stand, and be absolutely repealed, annulled and void; and all and every Custom or Usage, Customs or Usages, of and for paying, demanding or taking any Mortuary or Corsepresent, or any Goods, Chattels, Effects or Things, for or in the Name of a Mortuary or Corsepresent, upon the Death of any Clergyman within the said Archdeaconry of *Chester*, shall, from and after such first Vacancy or Avoidance of the said Church or Living of *Waverton* alias *Wareton*, be utterly void, and totally abolished for ever; and no Mortuary or Corsepresent, or Sum or Sums of Money for or in lieu of, or in the Name thereof, or in Commutation for the same, shall be yielded, paid, answered or satisfied, or be due or payable by or from any Person or Persons to any Bishop of the said Diocese of *Chester*, either as Diocesan or Archdeacon of *Chester* for the Time being, or to any Person or Persons authorized by or claiming under him, them, or any of them; and that from and after such Vacancy or Avoidance as aforesaid, it shall not be lawful to and for the Archdeacon of *Chester* or his Successors, Farmers, Bailiffs or Lessees, or any of them, or any Person or Persons whatsoever claiming by or under such Archdeacon or his Successors, to take, receive or demand, of any Person or Persons whatsoever, any manner of Mortuary or Corsepresent, or any Sum or Sums of Money, or other Thing for or in lieu or Name of, or in Commutation for any Mortuary or Corsepresent, or to convene, cite, sue or prosecute any Person or Persons, before any Judge Spiritual, or in any of his Majesty's Courts of Law, or other Court whatsoever, for the Recovery of, or for, touching or concerning any Mortuary or Corsepresent, or any Thing in lieu thereof, for or by reason or on account of the Death of any Priest or Clergyman within the said Archdeaconry of *Chester*, at any Time after such Vacancy or Avoidance as aforesaid; any Thing in the said recited Act, or any Law, Custom or Usage whatsoever to the contrary notwithstanding.

Upon the first Vacancy or Avoidance of the Living of Waverton, the Payment of Mortuaries in the Archdeaconry of Chester to cease;

and no Compensation to be paid or demanded in lieu thereof.

II. And be it further enacted by the Authority aforesaid, That as a Recompence and Compensation to the Bishop of *Chester* as Archdeacon of *Chester* for the Time being, and his Successors, for such Mortuaries as are mentioned or intended to be extinguished and abolished by this Act as aforesaid, all that the Rectory or Parsonage and Church of *Waverton* alias *Wareton*, in the Diocese and Archdeaconry of *Chester*, with all the Lands, Tenements, Tythes, Tenths, Oblations, Obventions, Hereditaments and Appurtenances thereunto belonging or appertaining, or accepted, reputed, taken or known, as Part, Parcel, or Member thereof, shall, from and immediately after such Vacancy or Avoidance of the said Church or Living, be vested in the Bishop of *Chester* and his Successors, and shall from thenceforth be appropriated, annexed, and united to the See and Bishoprick of *Chester* for ever; and all and every the Rights, Dues, Profits, Benefits and Advantages whatsoever, of the said Rectory, or in any wise incident, belonging or appertaining to the same, shall from thenceforth be had, received, taken and enjoyed, by the said Bishop of *Chester* and his Successors for ever.

Upon the Extinction of Mortuaries, the Rectory of Waverton to be annexed to the See of Chester.

III. Provided always, and it is hereby further enacted by the Authority aforesaid, That upon the first Vacancy or Avoidance of the said Church or Living of *Waverton* alias *Wareton*, which shall happen next after the passing of this Act, it shall and may be lawful to and for the Bishop of *Chester* for the Time being, and he and his Successors in the said See of *Chester* are hereby authorized and required to nominate and appoint a Curate or Minister, duly qualified according to Law to hold a Living with Cure of Souls, to be Curate, Minister, or Incumbent of the said Parish and Parish Church of *Waverton* alias *Wareton*, and who shall reside in the said Parish, and officiate and perform Divine Service and Offices in the said Church, according to the Usage of the Church of *England* as by Law established, and have and enjoy such yearly Stipend as is herein after mentioned; and also that it shall and may be lawful for the Bishop of *Chester* for the Time being, upon every subsequent Vacancy or Avoidance of the said Curacy or Living, for ever, to nominate and appoint a Person duly qualified as aforesaid, to be Curate or Minister of the said Church or Living.

Bishop to nominate a Curate to hold the said Living,

IV. And it is hereby further enacted, That one yearly Stipend or yearly Sum of sixty Pounds, of lawful Money of *Great Britain*, free from all Reprizes and Deductions whatsoever, shall, from and after such first

with a yearly Salary of 60 l.

Vacancy or Avoidance of the said Church or Living of *Waverton* alias *Wareton*, and such Nomination or Appointment of a Minister, Curate, or Incumbent, to officiate therein as aforesaid, be vested in and settled upon such Minister, Curate, or Incumbent, and his Successors, Ministers, or Curates, of the said Parish and Parish Church of *Waverton* alias *Wareton*, for ever, and shall be from thenceforth charged upon and issuing and payable out of the said Rectory or Parsonage of *Waverton* alias *Wareton*, hereby vested in the said Bishop and his Successors as aforesaid, and the Fruits, Profits, and Income thereof, by quarterly Payments on the Feasts of the Annunciation of the Blessed Virgin *Mary*, the Nativity of Saint *John Baptist*, Saint *Michael* the Archangel, and the Birth of our Lord Christ, by equal Portions; the first Payment thereof to begin and be made at or on such of the Feasts or Days as shall first happen after the Nomination or Appointment of such Minister, Curate or Incumbent, as aforesaid; and that every such Minister, Curate or Incumbent, for the Time being, shall have such and the like Powers and Remedies for recovering and receiving the said yearly Stipend of sixty Pounds, and all Arrears thereof, as by an Act of Parliament made in the twenty-ninth Year of the late King *Charles* the Second, intituled, *An Act for confirming and perpetuating Augmentations made by Ecclesiastical Persons to small Vicarages and Curacies*, are given to any Vicar or Curate for recovering the Augmentations thereby vested in, secured to or provided for him and them respectively.

to be paid quarterly,

and recoverable as 29 Car. 2. c. 8. directs.

V. Provided always, That nothing herein contained shall prejudice or affect the Right, Title or Interest of his Majesty, his Heirs or Successors, of, in or to the First Fruits and Tenths now or heretofore due or payable to his Majesty, his Heirs and Successors, for or in respect of the said Rectory and Church of *Waverton* alias *Wareton*, but that such First Fruits and Tenths shall continue to be levied and paid in like manner, as the same are and were before the passing of this Act; any Thing herein contained to the contrary in any wise notwithstanding.

First Fruits and Tenths reserved to the Crown.

VI. Saving also to the King's Majesty, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her and their Heirs, Successors, Executors and Administrators, other than the said Bishop of *Chester* and his Successors, as well in and to the said Bishoprick and See, as in and to the Archdeaconry of *Chester* respectively, all such Estate, Right, Title and Interest of, in, to or out of the said Rectory and Church of *Waverton* alias *Wareton* aforesaid, as they, every or any of them had, before the passing this Act, or could or might have had and enjoyed in case this Act had not been made.

Reservation of other Rights in the said Parish.

VII. And it is hereby enacted and declared, That this Act shall be taken and deemed to be a publick Act, in all Courts whatsoever.

Publick Act.

CAP. VII.

An Act concerning the Offices of Sheriff Depute and Steward Depute, in that Part of *Great Britain* called *Scotland*.

20 Geo. 2. c. 43.

'WHEREAS by an Act made in the twentieth Year of his present Majesty, intituled, *An Act for taking away and abolishing the Heretable Jurisdictions in that Part of* Great Britain *called* Scotland; *and for making Satisfaction to the Proprietors thereof; and for restoring such Jurisdictions to the Crown; and for making more effectual Provision for the Administration of Justice throughout that Part of the United Kingdom, by the King's Courts and Judges there; and for obliging all Persons acting as Procurators, Writers or Agents in the Law of* Scotland, *to take the Oaths; and for rendering the Union of the two Kingdoms more complete*; It is, among other Things, enacted, That there should be but one Sheriff Depute or Steward Depute, in any County, Shire or Stewartry in *Scotland*, not thereby taken away or abrogated, and that he should be an Advocate of three Years standing at the least, and should, during the Space of seven Years, from the twenty-fifth Day of *March* one thousand seven hundred and forty-eight, be nominated and appointed by his Majesty, his Heirs or Successors, by Warrant under his or their Sign Manual, with such Continuance as his Majesty, his Heirs or Successors should think fit; and that after the End of the said seven Years, the Offices of Sheriff Depute and Steward Depute should be granted and held *ad Vitam aut Culpam* only, with competent Salaries, to be ascertained and established for the Time of their Continuance: And whereas the salutary Ends and Purposes of the said Offices, and the wise Regulations made by the said Act concerning the same, will best be answered by the said Sheriffs and Stewards Depute, continuing to be appointed by his Majesty, his Heirs or Successors, in the like manner as they have hitherto been;' Be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the Act above recited as enacts, That after the End of seven Years, from and after the said twenty-fifth Day of *March*, the Offices of Sheriff Depute and Steward Depute, shall be granted and held *ad Vitam aut Culpam*, shall be, and is hereby repealed; and that the Sheriff Deputes and Steward Deputes, already named or hereafter to be named, shall, during the Space of fifteen Years, from and after the Expiration of the said seven Years, hold and enjoy their respective Offices for such Continuance as his Majesty already hath, or his Majesty, his Heirs or Successors, shall hereafter think fit to appoint, by Warrant under his or their Sign Manual, and that from and after the End of the said fifteen Years, the Offices of Sheriff Depute and Steward Depute shall be granted and held *ad Vitam aut Culpam* only, with competent Salaries to be ascertained and established for the Time of their Continuance.

Clause in the recited Act repealed.

Sheriff and Steward Deputes to hold their Office for 15 Years of his Majesty, as before enacted, after which to hold ad Vitam aut Culpam.

CAP.

CAP. VIII.

An Act for making navigable the River or Brook called *Sankey Brook*, and the Three several Branches thereof from the River *Mersey* below *Sankey Bridges*, up to *Boardman*'s Stone Bridge on the South Branch, to *Gerard*'s Bridge on the Middle Branch thereof, and to *Penny Bridge* on the North Branch thereof, all in the County Palatine of *Lancaster*; and also for adjusting the Measure of Coal, to be brought down the said River or Brook, and sold within the Town of *Liverpool*, in the said County. PR.

'WHEREAS the River or Brook called *Sankey Brook*, in the County Palatine of *Lancaster*, from the Place where it empties itself into, and communicates with the River *Mersey*, below *Sankey Bridges*, is capable of being made navigable up the Stream or Current of the said River or Brook, and of the Three several Branches thereof; *videlicet*, To *Boardman*'s Stone Bridge, near *Saint Helens*, on the South Branch thereof, to *Gerard's Bridge* on the Middle Branch thereof, and to *Penny Bridge* on the North Branch thereof; and the making and rendering the same navigable, within the Limits afore-mentioned, for Boats, Flats, and other Vessels, would tend greatly to the Benefit and Advantage of great Numbers of Tradesmen and Manufacturers within the Counties Palatine of *Lancaster* and *Chester*, and be a great Relief and Convenience to the poor Inhabitants in the said Places, and contribute to the Improvement and Increase of the Trade and Navigation of this Kingdom:' Wherefore for attaining and effecting the good Ends and Purposes aforesaid, be it enacted, *&c.*

"Undertakers have Power to enlarge the Brook and Streams. Not to build any new Mills on the River, or Warehouses in any Garden, *&c.* Commissioners appointed for settling Differences. Commissioners to mediate, and determine Satisfaction; Commissioners to issue a Warrant to Sheriffs or Coroner, to return a Jury. Parties to have lawful Challenges. Commissioners to give Judgment for Sums assessed by the Jury; which shall be binding against all Parties. The Decrees to be kept amongst the Records of the Quarter-Session for the County of *Lancaster*. A Clerk to be appointed, and his Office. Fourteen Days Notice of the Commissioners Meeting for approving a Clerk. Upon Payment of Sums assessed for Damages, Undertakers may cut, dig, *&c.* Commissioners Qualification. It shall be lawful for the Undertakers, to take for all Goods, carried up or down the River above *Sankey Bridges*, the Duties herein after mentioned, *viz.* for every Ton of Coal, Stones, Slate, Flags, Timber, or other Goods, any Sum not exceeding 10*d.* Lime Stones, Manure, *&c.* excepted. Tonnage of Coal, Timber, *&c.* ascertained. Bodies Politick, *&c.* impowered to lease or sell, reserving the full yearly Value. Such Conveyances to be inrolled by the Clerk of the Peace. Masters of Vessels to give a true Account of their Lading, or to forfeit 7*s.* 6*d. per* Ton. Masters to have their Names on the Outsides of their Boats. Power to measure and gauge Vessels. Contents to be entered in a Book, with the Names of the Owner and Master, and Number of the Vessel. Allowance of Duties for Deficiency of Loading. Undertakers may set up Winches and other Engines. Boatmaster or Owner answerable for Damages done by the Crew. Persons on board having Nets, *&c.* not being qualified, to forfeit 5*l.* The River not under the Survey of Commissioners of Sewers. Undertakers to secure Lands from being overflowed. New Bridges to be made over Cuts. Future Damages to be settled by the Commissioners. Penalty on Undertakers neglecting to repair Bridges, Gates or Stiles, Flood-gates, *&c.* to let the Water into the Lands, for the Improvement thereof; which are not to be opened between the First of *May* and Tenth of *October*. If Undertakers do not make a sufficient Number of Flood-gates, *&c.* Commissioners to direct others to be made. Persons wilfully opening such Flood-gates, to forfeit to the Land-owners 20*l.* or be committed to the House of Correction. Persons maliciously destroying the Works, *&c.* guilty of Felony, and liable to be transported. Undertakers to begin before the 29th of *Sept.* 1755, and finish before the 29th of *Sept.* 1766. In Default Commissioners to appoint new Undertakers. Persons overloading and obstructing the Passage of the River, to forfeit 5*l.* Vessels not to lie in the River, to the Obstruction of others. Vessels sunk to be weighed up and detained till Satisfaction made. Fishing and Fowling saved to Owners. Pleasure-boats free, not carrying Goods. Undertakers impowered to extend the Navigation Eight hundred Yards above the Three Bridges. A Standard Bushel of Brass to be made, and kept by the Clerk of the Market. Dealers in Coal to use sealed Measures. Bushels, and other smaller Measures, to be properly fitted for Work, and sealed before made use of." *Amended by 2 Geo. 3. c. 56.*

CAP. IX.

An Act to prevent the Holding of any Market for the future in the High Street of the Borough of *Southwark* in the County of *Surry*.

'WHEREAS the late King *Edward* the Sixth, by his Royal Charter in the fourth Year of his Reign, did, among other Things, give and grant unto the Mayor and Commonalty and Citizens of the City of *London*, that they and their Successors should have within the Borough and Town of *Southwark*, in the County of *Surry*, one Market or Markets to be there holden, and all Things which to a Market do appertain or may appertain, for ever: And whereas by an Act of Parliament passed in the twenty-ninth Year of the Reign of his late Majesty King *Charles* the Second, it was enacted, That the said Market should continue and be kept in the same Place where it had been anciently, and was at the Time of making the said Act, kept; and that the said Market should not be kept in any other Place whatsoever: *29 Car. 2. c. 4.*

'whatsoever: And whereas the High Street of the said Borough, where the said Market is now held, leading from *London Bridge* to *Saint Margaret's Hill*, is a great Thoroughfare to and from the Counties of *Surry*, *Kent* and *Sussex*; and the holding of the said Market in the said High Street hath been found inconvenient from the great Increase of Coaches, Carts and other Carriages passing and repassing through the same, which hath occasioned frequent Stops, and is a great Obstruction to Trade and Commerce:' For Remedy whereof, may it please your Majesty, upon the humble Petition of the said Mayor and Commonalty and Citizens, who are desirous to give up the said Market, and the Profits arising thereby, for the Convenience and Accommodation of the Publick, that it may be enacted; and Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-six, no Market whatsoever shall be kept or held in the said High Street of the Borough of *Southwark* in the County of *Surry*; any Law, Statute, Usage or Custom to the contrary thereof in any wise notwithstanding.

No Market for the future to be held in the High Street;

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-six, it shall not be lawful for any Person or Persons whatsoever to erect, place or use any Stall, Trussel, Block or other Stand, in the said High Street of the said Borough, or to sell or expose to Sale any Peas, Beans, Herbs, Victuals or other Commodities whatsoever, in or upon any Stall, Trussel, Stand, Shed or Carriage whatsoever, in the said High Street of the Borough of *Southwark*.

or Stall erected for selling Garden Ware, &c.

III. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-six, every erecting, placing or using on or in any Part of the said High Street, of any Stall, Trussel, Block or other Thing, and also the selling or exposing to Sale, of any Commodities on them or any of them, and every placing or standing of any empty Coach, Cart, Dray or other Carriage, in any Part of the said High Street (except only during the Time of the loading or unloading thereof, and that to be done in a reasonable Time) shall be deemed, and is hereby declared to be a common Nuisance.

The setting up Stalls, and the standing of empty Coaches, or other Carriages, in the Street, deemed a Nuisance.

IV. And, for the better keeping the said High Street leading to and from *London Bridge* to *Saint Margaret's Hill* aforesaid free and clear from any Obstructions of Hackney Coaches, Stage Coaches, Carts, Carrs, Drays, Waggons and other Carriages standing in the said High Street, Be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-six, it shall not be lawful for any Coachman or Driver to stand or ply or be permitted to stand or ply for Hire with any Coach or other Carriage whatsoever in the said High Street, or for any Carman, Carter, Drayman or Driver of any Carriage whatsoever to stand or remain or be permitted to stand or remain with any Cart, Carr, Dray, Waggon or other Carriage whatsoever, in the said High Street, except only during the Time of loading and unloading thereof, and that to be done in a reasonable Time; and that no Carriage shall stand to load or unload with its Breech or Tail at or before any Dwelling-house, Shop or Warehouse; and if any Coachman, Carman, Carter, Drayman, Waggoner or Driver, shall offend herein, it shall and may be lawful for any Constable or Inhabitant of the Place where the Offence shall be committed, to apprehend and take, or cause to be apprehended and taken, every such Person or Persons so offending, before some Justice of the Peace for the said Borough, or for the said County of *Surry*, and upon Conviction thereof, either by the Confession of the Party, or the Oath of one or more credible Witness or Witnesses, before such Justice (which Oath such Justice is hereby impowered and required to administer) every such Person or Persons so offending shall respectively forfeit and pay for every such Offence a Sum not exceeding ten Shillings, nor less than five Shillings, as such Justice shall direct, to go and be applied to the Use of the Poor of the Parish where such Offence shall be committed; and in default of immediate Payment, the Offender or Offenders shall be committed by such Justice of the Peace for the said Borough, or for the said County of *Surry*, to the House of Correction, there to be kept to hard Labour for any Time not exceeding seven Days, as such Justice shall think fit to order, or until he shall have paid the same.

No Coachman, &c. to ply or stand in the Street.

Persons causing Obstruction, by Coaches, Carts, or other Carriages, to be carried before a Justice.

Penalty.

V. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a publick Act; and be judicially taken notice of as such by all Judges, Justices, and other Persons whatsoever, without the same being specially pleaded.

Publick Act. *See* 28 *Geo.* 2. c. 23.

CAP. X.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers.

'WHEREAS by a Clause in an Act of Parliament passed in the third Year of his late Majesty's Reign, intituled, *An Act for explaining an Act passed in the last Session of Parliament, intituled*, An Act to oblige Papists to register their Names and real Estates; *and for enlarging the Time for such registering*; *and for securing Purchases made by Protestants*; it was enacted, That from and after the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and seventeen, no Manors, Lands, Tenements, Hereditaments, or any Interest therein or Rent or Profit thereout, should pass, alter or change, from any Papist or Person professing the Popish Religion, by any Deed or Will, except such Deed within six Months after the Date, and such Will within six Months after the Death of the Testator, should be inrolled in one of the King's Courts of Record at *Westminster*, or else within the same County or Counties wherein the Manors, Lands and Tenements lie, in such manner as therein for that Purpose is particularly directed: And whereas by several Acts of Parliament made in the tenth Year of his said late Majesty's Reign, and in the third, sixth, ninth, eleventh, twelfth, sixteenth and nineteenth

1 Geo. 1. c. 18.

10 Geo. 1. c. 4.

'Year of the Reign of his present Majesty, it was enacted, That every Deed and Will which had been 'then made, since the twenty-ninth Day of *September* one thousand seven hundred and seventeen, in order 'to pass, alter or change any Manors, Lands, Tenements or Hereditaments, or any Interest therein, or 'Rent or Profit thereout, from any Papist or Person professing the Popish Religion, though not then in-'rolled, should be as good and effectual in the Law, as the same would have been in case the said Deeds 'and Wills had been inrolled within the Time limited by the said Clause in the said first-mentioned Act 'for Inrolment thereof; provided the said Deeds and Wills should be inrolled on or before the respective 'Times in the said several Acts respectively mentioned, in such manner as by the said first-mentioned Act 'was directed: And whereas by another Act made in the twenty-sixth Year of the Reign of his present 26 Geo. 2. c. 24. 'Majesty, it was enacted, That every Deed and Will made since the first Day of *December* one thousand 'seven hundred and forty-six, in order to pass, alter or change, any Manors, Lands, Tenements or He-'reditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist or Person profes-'sing the Popish Religion, to any Protestant or Protestants, or by or by reason of which Deed or Will, 'any Protestant or Protestants may claim or derive any legal, equitable, or other Interest whatsoever, 'to his, her or their Use, for his, her or their Benefit, or to the Use or Benefit of any other Pro-'testant or Protestants, though not inrolled, or not inrolled in due Time, should be as good and effec-'tual in the Law, as the same would have been in case the said Deeds and Wills had been inrolled 'within the Times limited by the said Clauses in the said Acts for the Inrolment thereof, provided the 'same Deeds and Wills should be inrolled on or before the first Day of *January* one thousand seven hun-'dred and fifty-four, in such manner as by the said Clause in the said first-mentioned Act is directed;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spi-ritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Deed and Will made since the twenty-ninth Day of *September* one thousand seven hun-dred and seventeen, in order to pass, alter or change, any Manors, Lands, Tenements or Hereditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist or Person professing the Popish Religion, to any Protestant or Protestants, or by or by reason of which Deed or Will any Protestant or Protestants may claim or derive any legal, equitable or other Interest whatsoever, to his, her or their Use, for his, her or their Benefit, or to the Use or Benefit of any other Protestant or Protestants, though not in-rolled, or not inrolled in due Time, shall be as good and effectual in the Law as the same would have been in case the said Deeds and Wills had been inrolled within the Times limited by the said Clauses in the said Acts for the Inrolment thereof, provided the same Deeds and Wills shall be inrolled on or before the first Day of *January* one thousand seven hundred and fifty-six, in such manner as by the said Clause in the said first-mentioned Act is directed.

Further Time given for inrolling Deeds and Wills of Papists till 1 Jan. 1756.

II. Provided always, That nothing herein contained shall extend, or be construed to extend, to make good any such Deed, Will or Lease, already made, and not inrolled, of the want of Inrolment whereof Advantage shall have been taken, on or before the first Day of *January* one thousand seven hundred and fifty-five, but every such Deed, Will or Lease, shall remain of such Force and Effect only as the same would have had, if this Act had never been made, and of none other Force and Effect.

No Deed, &c. made good, whereof Advantage has been taken of the Non-inrolment before 1 Jan. 1755.

'III. And whereas many Purchases made by Protestants may be in danger of being impeached, or called 'in question, in regard that some Deeds or Wills through which the Title thereto is derived, ought to 'have been inrolled according to the said Acts, but have not been so inrolled;' Be it therefore further enacted by the Authority aforesaid, That no Purchase made for full and valuable Consideration of any Manors, Messuages, Lands, Tenements or Hereditaments, or of any Interest therein, by any Protestant or Protestants, and merely and only for the Benefit of the Protestants, shall be impeached or avoided for or by reason that any Deed or Will through which the Title thereto is derived, hath not been inrolled as re-quired by the said Acts, so as no Advantage was taken of Inrolment thereof before such Purchase was made, and so as no Decree or Judgment hath been obtained for want of the Inrolment of such Deeds or Wills.

Purchases made by Protestants shall stand good, if no Advantage has been taken for Non-inrolment.

IV. Provided also, That nothing herein contained shall extend or be construed to extend to make good any Grant, Lease, or Mortgage of the Advowson or Right of Presentation, Collation, Nomination or Do-nation, of and to any Benefice, Prebend or Ecclesiastical Living, School, Hospital or Donative, or any Avoidance thereof, made by any Papist or Person professing the Popish Religion, in Trust, directly or in-directly, mediately or immediately, by or for any such Papist or Person professing the Popish Religion, whether such Trust hath been declared by Writing or not.

No Grant, &c. of Advowson, made by any Papist in Trust, &c. to be hereby deemed good.

CAP. XI.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

'WHEREAS it may be necessary for the Safety of this Kingdom, and the Defence of the Possessions 'of the Crown of *Great Britain*, that a Body of Marine Forces should be raised and employed in 'his Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral, or Commissioners 'for executing the Office of Lord High Admiral of *Great Britain*: And whereas the said Marine Forces 'at their first Forming, and at other Times, must necessarily be quartered on Shore, where they will not 'be subject to the Laws relating to the Government of his Majesty's Forces by Sea, yet nevertheless 'it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed, 'and that Marines who shall mutiny or stir up Sedition, or shall desert his Majesty's Service, be brought

See further 29 Geo. 2. c. 6.

to

'to a more exemplary and speedy Punishment than the Law will allow;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-five, if any Person who is, or during the Continuance of this Act shall be voluntarily entered, and in Pay as a Marine Officer or private Man in his Majesty's Service, and being ordered or employed in such Service, at any Time during the Continuance of this Act, on shore in any Place within the Realm of *Great Britain*, or in the Kingdom of *Ireland*, or in any of his Majesty's Dominions beyond the Seas respectively, shall begin, excite, cause or join in any Mutiny or Sedition in the Company to which he doth or shall belong, or in any other Company, Troop or Regiment, either of Marine or Land Forces, in his Majesty's Service, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any such Mutiny, or intended Mutiny, shall not without Delay give Information thereof to his commanding Officer, or shall desert his Majesty's Service; or being actually entered as a Marine in any Company, shall list himself in any other Company, Troop or Regiment in his Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine; or shall be found sleeping upon his Post; or shall leave it before relieved; or shall hold Correspondence with any Rebel or Enemy of his Majesty, or give them Advice or Intelligence of any Kind by any Ways or Means, or in any manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without his Majesty's Licence, or Licence of the Lord High Admiral of *Great Britain*, or of three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being; or shall strike or use any Violence against his superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his superior Officer, all and every Person and Persons so offending in any or either of the Matters before-mentioned, on shore, in any Part of this Kingdom or *Ireland*, or any of his Majesty's Dominions beyond the Seas, shall suffer Death, or such other Punishment as by a Court-Martial shall be inflicted.

Every Marine Officer and private Man on shore,

who shall mutiny, or desert, &c.

or list in any other Regiment, &c.

or shall be found sleeping on, or shall desert his Post, or hold illegal Correspondence with the Enemies, or shall strike, or disobey his superior Officer; shall suffer Death, &c.

II. And be it further enacted by the Authority aforesaid, That it shall and may from Time to Time, during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, to grant a Commission under his or their respective Hand or Hands, to any Officer of Marines in his Majesty's Service, not under the Degree of a Field Officer, for the holding a general Court-Martial at any Place or Places on Shore, in this Realm or in *Ireland*, or in any of his Majesty's Dominions beyond the Seas; in every of which Courts-Martial, all or any of the Offences above-mentioned, and all or any other of the Offences herein after specified, shall be tried and proceeded against in such manner as by this Act is directed.

The Lord High Admiral, &c. may grant a Commission to hold general Courts-Martial, &c.

III. And be it also enacted, That it shall and may be lawful to and for such Courts-Martial respectively, by their Sentence or Judgment, to inflict corporal Punishment, not extending to Life or Limb, on any Marine for Immoralities, Misbehaviour, or Neglect of Duty on shore, in any Place or Places within this Realm or *Ireland*, or any of his Majesty's Dominions beyond the Seas, during the Continuance of this Act.

Courts-Martial may inflict Corporal Punishment for Immoralities, &c.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing under his or their respective Hand or Hands for the Punishment of Mutiny and Desertion, Immoralities, Misbehaviour and Neglect of Duty, in any of his Majesty's Marine Forces while on shore in any Part of this Realm or *Ireland*, or any of his Majesty's Dominions beyond the Seas, and for bringing Offenders against the same to Justice, and to erect and constitute Courts-Martial, with Power to try, hear and determine any Crimes or Offences specified in such Rules and Articles, and inflict Punishments by Sentence or Judgment for the same, according to the true Intent and Meaning of this Act.

Lords, &c. of the Admiralty impowered to make Articles of War,

and to constitute Courts-Martial.

V. Provided always, That no Person or Persons shall be adjudged to suffer any Punishment extending to Life or Limb, by the said Rules and Articles, within the Kingdom of *Great Britain* and *Ireland*, except for such Crimes as are expressed to be so punishable by this Act.

None to be adjudged of Life or Limb, but for Crimes expressed to be so punishable by this Act.

VI. And it is hereby further enacted and declared, That no general Court-Martial which shall have Power to sit by virtue of this Act, shall consist of a less Number than thirteen, whereof none to be under the Degree of a Commission Officer of Marines, and the President of such Court-Martial shall not be under the Degree of a Field Officer of Marines, unless where such Field Officer cannot be had; in which Case the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court-Martial; and that such Court-Martial shall have Power and Authority, and are hereby required to administer an Oath to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them.

General Court-Martial not to consist of less than 13, and the President to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain.

May administer an Oath to Witnesses.

VII. Provided always, That in all Trials of Offenders by general Courts-Martial to be held by virtue of this Act, every Officer present at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the Holy Evangelists, before the Court and Judge Advocate, or his Deputy, who are hereby authorized to administer the same, in these Words; that is to say,

In Trials, Officers to be sworn.

'YOU shall well and truly try and determine, according to the Evidence which shall be given in the 'Matter now before you, between our Sovereign Lord the King's Majesty, and the Prisoner to be 'tried. *So help you GOD.*'

I *A. B.*

"I *A. B.* do swear, That I will duly administer Justice according to an Act of Parliament now in Force, for the Regulation of his Majesty's Marine Forces while on shore; and according to the Rules and Articles made in pursuance of the said Act of Parliament for the Punishment of Mutiny and Desertion, and other Crimes therein respectively mentioned, without Partiality, Favour or Affection; and if any Doubt shall arise (which is not explained by the said Act of Parliament, or the said Rules and Articles) according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court, until it shall be approved by the Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-Martial, unless required to give Evidence thereof as a Witness by a Court of Justice, in a due Course of Law.

So help me GOD."

The Judge Advocate to be sworn.

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or to the Person officiating as such, an Oath in the following Words.

"I *A. B.* do swear, That I will not upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-Martial, unless required to give Evidence thereof as a Witness by a Court of Justice, in a due Course of Law.

So help me GOD."

In Sentences of Death nine Officers to concur, &c.

Hours of Trial.

And no Sentence of Death shall be given against any Offender by any such general Court-Martial as aforesaid, unless nine Officers present shall concur therein; and if there be more Officers present than thirteen, then the Judgment shall pass by the Concurrence of two Thirds of the Officers present; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of eight of the Clock in the Morning and three in the Afternoon, except in Cases which require an immediate Example.

The Party tried, intitled to a Copy of the Sentence and Proceedings of the Court-Martial.

VIII. Provided always, That the Party tried by any general Court-Martial to be held as aforesaid, shall be intitled to a Copy of the Sentence and Proceedings of such Courts-Martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf (he or they paying reasonably for the same) at any Time, not sooner than three Months after such Sentence, whether such Sentence be approved or not; any Thing in this Act to the contrary notwithstanding.

Original Proceedings, &c. of Courts-Martial to be transmitted to the Secretary of the Admiralty, &c.

IX. Provided also, and be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such at any general Court-Martial, to be held as aforesaid, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-Martial to the Secretary of the Admiralty for the Time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain*, to the end that the Persons intitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof according to the true Intent and Meaning of this Act.

None to be tried a second Time for the same Offence.

Sentence not to be revised more than once.

X. Provided always, and be it hereby declared and enacted, That no Marine, either Officer or private Man, being acquitted or convicted of any Offence, at any such Court-Martial as aforesaid, shall be liable to be tried a second Time by the same or any other Court-Martial for the same Offence; and that no Sentence given by any Court-Martial, and signed by the President thereof, be liable to be revised more than once.

Deserters beyond Sea, &c. may be tried here or in Ireland.

XI. Provided always, and be it further enacted, That if any Officer or Private Man shall desert his Majesty's Service in any of his Dominions beyond the Seas, or elsewhere beyond the Seas, and shall escape and come into this Realm or *Ireland*, before he be tried by a Court-Martial for such Offence, and shall be apprehended for the same, such Officer or Private Man shall be tried for the same as if the said Offence had been committed within this Realm.

This Act not to exempt any on shore from ordinary Process.

XII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to exempt any Marine, either Officer or Private Man whatsoever, while on shore, from being proceeded against by the ordinary Course of Law.

Persons tried by the Civil Magistrate, may only be cashiered by a Court-Martial.

XIII. And be it further enacted, That no Person or Persons being acquitted or convicted of any capital Crimes, Violences or Offences, by the Civil Magistrate, shall be liable to be punished by a Court-Martial for the same, otherwise than by cashiering.

Persons accused of capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

XIV. Provided also, That if any Marine Officer, Non-commission Officer or Private Man, shall be accused of any capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of his Majesty's Subjects, which is punishable by the known Laws of the Land, the commanding Officer or Officers of every Company or Party, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate, and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial: And if any such commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender; every such Officer so offending, and being thereof convicted before any two or more Justices of the Peace for the County where the Fact is committed, by the Oath of two credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace for the said County, and a Certificate

ficate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-Martial.

'XV. And whereas his Majesty has been graciously pleased, in Compassion to the distressed Condition 'of several Widows of Officers of the Army who have lost their Lives in the Service of the late War, or 'during the late Rebellion, by Orders made under his Royal Sign Manual, to direct his Commissary Ge- 'neral of the Musters to allow upon the Muster-rolls of all the Regiments, Troops and Companies, a 'Number of fictitious Names therein mentioned, instead of Private Men, in order to raise and settle a 'Fund for the Maintenance of such Widows of Officers as are or shall be intitled to his Royal Bounty:' Therefore, for the more effectually fulfilling his Majesty's said gracious Intentions, with respect to the allowing of fictitious Names upon the Muster-rolls of the said Marine Forces, while on shore, for the Purposes aforesaid; Be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the Time being, authorized to pay the said Marine Forces, to pay over the full Pay of such fictitious Private Men as shall be allowed on the Muster-rolls of the said Marine Forces while on shore, as aforesaid, to the proper Receiver appointed by his Majesty, according to such Orders and Instructions as his Majesty shall be pleased to make under his Sign Manual, for the Purposes aforesaid; and that no Allowance of any such fictitious Name upon any Muster-roll of the said Marine Forces while on shore, as aforesaid, shall be construed to be a false Muster; any Thing in this or any former Act contained to the contrary notwithstanding.

Fictitious Names allowed by Order upon the Muster-rolls, for the Maintenance of Officers Widows not to be construed a false Muster.

Paymaster to pay the full Pay of such Men to the Receiver.

'XVI. And whereas at this Time, and during the Continuance of this Act, there is and may be Occa- 'sion for the marching and quartering of the said Marine Forces in several Parts of this Kingdom;' Be it further enacted by the Authority aforesaid, That for and during the Continuance of this Act, and no longer (in pursuance of an Order or Orders in Writing in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being) it shall and may be lawful to and for the Constables, Tythingmen, Headboroughs and other Chief Officers and Magistrates of Cities, Towns and Villages, and other Places within *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, and in their Default or Absence, for any one Justice of the Peace inhabiting in or near any such City, Town, Village or Place, and for no others; and such Constables and other Civil Magistrates as aforesaid are hereby required to quarter and billet the Marines, both Officers and Private Men in his Majesty's Service, in Inns, Livery Stables, Ale-houses, Victualling-houses and all Houses of Persons selling Brandy, Strong Waters, Cyder or Metheglin by Retail, to be drank in Houses; other than and except the House or Houses of any Distillers who keep Houses or Places of distilling Brandy and Strong Waters, and the House of any Shop-keeper, whose principal Dealings shall be more in other Goods and Merchandizes than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tipling in his or their Houses) and in no other, and in no private Houses whatsoever; nor shall any more Billets at any Time be ordered, than there are effective Marines present to be quartered; and if any Constable, Tythingman or such like Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or Private Man, in any such private House, without the Consent of the Owner or Occupier, in such Case such Owner or Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Owner or Occupier shall sustain thereby; and if any Military Officer shall take upon him to quarter Private Men, otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables or other Civil Officers before-mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed, such Military Officer shall, for every such Offence (being thereof convicted before any two or more of the next Justices of the Peace of the County, by the Oath of two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-Martial; and in case any Person shall find himself aggrieved, in that such Constable, Tythingman or Headborough, Chief Officer or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billeted in his House a greater Number of Marines than he ought to bear, in proportion to his Neighbours, and shall complain thereof to one or more Justice or Justices of the Peace of the Division, City or Liberty, where such Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to two or more Justices of the Peace of such Division, City or Liberty, such Justices respectively shall have, and have hereby Power to relieve such Person, by ordering such and so many of the said Marines to be removed, and quartered upon such other Person or Persons as they shall see Cause; and such other Person or Persons shall be obliged to receive such Marines accordingly.

Constables, &c. to quarter Officers and Men in Inns, Ale-houses, &c.

But in no Distillers Houses, or Shopkeepers, or in any private Houses.

Penalty on Constables, &c. quartering them in private Houses, &c.

Penalty on Officers quartering Men contrary to this Act, &c.

Persons aggrieved by being quartered on, may complain to any Justice, and be relieved.

XVII. Provided nevertheless, and it is hereby enacted, That the Marine Officers and Private Men so quartered and billeted as aforesaid, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery Stables, Ale-houses, Victualling-houses and other Houses, in which they are allowed to be quartered and billeted by this Act, paying and allowing for the same the several Rates herein after mentioned, to be payable out of the Subsistence-money, for Diet and Small Beer.

Officers and Marines to be furnished at the Rates herein set for their Provisions.

XVIII. Provided always, That in case any Innholder or other Person, on whom any Non-commission Officers or Private Men shall be quartered by virtue of this Act (except on a March, or employed in recruiting, and likewise except the Recruits by them raised, for the Space of seven Days at most, for such Non-

What Innholders may allow Soldiers to find themselves;

Non-Commission Officers and Private Men, who are recruiting, and Recruits by them raised) shall be desirous to furnish such Non-commission Officers or Private Men with Candles, Vinegar and Salt, and with either Small Beer or Cyder, not exceeding five Pints for each Man *per Diem gratis*; and allow to such Non-commission Officers or Private Men the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then and in such Case the Non-commission Officers and Private Men so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or that does actually receive the Pay and Subsistence of such Non-commission Officers and Private Men, shall pay the several Sums herein after mentioned to be payable out of his Subsistence-money, for Diet and Small Beer to the Non-commission Officers and Private Men aforesaid, and not to the Innholder or other Person on whom such Non-commission Officers and Private Men are quartered; any Thing herein contained to the contrary notwithstanding.

In such Case, Men to find their own Victuals, and to receive their full Pay.

XIX. Provided always, and be it enacted by the Authority aforesaid, That if any Officer shall take or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or Private Men, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

Penalty on Officers taking Money to excuse quartering.

XX. And be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-five, no Paymaster or other Officer or Person whatsoever shall receive any Fees, or make any Deduction what soever out of the Pay of any Marine, either Officer or Private Man in his Majesty's Service, or from their Agents, which shall grow due from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-five, other than the usual Deductions for Clothing, and twelve Pence in the Pound to be disposed of as his Majesty shall think fit, and the one Day's Pay in the Year for the Use of the Royal Hospital at *Chelsea*, and such other necessary Deductions as shall from Time to Time be directed by the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, by Order in Writing under his or their respective Hand or Hands.

No Paymaster, &c. to make Deductions out of Officers or Soldiers Pay, &c. Exceptions.

XXI. And, that the Quarters both of the said Marine Officers and Private Men, while on shore as aforesaid, may during the Continuance of this Act, be duly paid and satisfied, and his Majesty's Duties of Excise better answered; Be it enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-five, every Officer or other Person to whom it belongs to receive, or that shall actually receive the Pay or Subsistence-money for one or more particular Company or Companies of the said Marine Forces or otherwise, shall immediately upon each Receipt of every particular Sum, which shall from Time to Time be paid, returned or come to his or their Hands, on account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns or other Places where Officers or private Men are quartered by virtue of this Act, and shall also appoint the said Innkeepers and others to repair to their Quarters, at such Times as they shall appoint, for the Distribution and Payment of the said Pay or Subsistence-money to such Officers or Private Men, which shall be within four Days at the farthest after the Receipt of the same as aforesaid; and the said Innkeepers and others shall then and there acquaint such Officer or Officers with the Accounts of Debts (if any shall be) between them and the Officers and Private Men so quartered in their respective Houses; which Accounts the said Officer or Officers are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed, either to the Officers or Private Men, provided the said Accounts exceed not for one Marine Commission Officer, under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, one Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses, for their Hay and Straw, *per Diem*, six Pence; nor for one Marine Private Man's Diet and Small Beer, four Pence; and if any Officer or Officers as aforesaid, shall not give Notice as aforesaid, and shall not immediately upon producing such Account stated, satisfy, content and pay the same, upon Complaint and Oath made thereof, by any two Witnesses, at the next Quarter Sessions for the County or City where such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer) the Paymaster or Person for the Time being authorized to pay the said Marine Forces, is hereby required and authorized (upon Certificate of the said Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers, upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future; and in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Person for the Time being authorized to pay the said Marine Forces, is hereby authorized and required to deduct the Sums he shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence-money of the Company to which such Officer or Officers shall belong; and such Officer or Officers shall, for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money as aforesaid, be deemed and taken, and are hereby declared *ipso facto* cashiered.

Officers to give Notice to Innkeepers of Subsistence-money in their Hands.

Rates of Subsistence to be paid to Innkeepers, &c. for Soldiers Quarters.

Officers not giving Notice of Subsistence-money and paying Quarters, Paymaster to satisfy them out of Officers Arrears,

or deduct it out of his Pay.

XXII. And where it shall happen that the Subsistence-money due to any Marine Officer or Private Man, shall, by occasion of any Accident, not be paid to such Officer or Private Man, or such Officer or Private Man shall neglect to pay the same, so that Quarters cannot be or are not paid as this Act directs, in every such Case it is hereby further enacted, That every such Officer shall before his or their Departure out of his or their Quarters, where such Company shall remain for any Time whatsoever, make up the Accounts as this Act directs, with every Person with whom such Company shall have quartered, and sign a Certificate thereof, and give the said Certificate so by him signed to the Party to whom such Money is due, with the Name of such Company to which he or they shall belong; to the end the said Certificate may be forth-

On moving from Quarters the Officer to make up Accounts, and give Certificates for Money due, &c.

Paymaster to pay the Sum certified.

with transmitted to the proper Paymaster of the Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Monies shall be due, to the end the same may be applied to such Company, under Pain as is before in this Act directed for Non-payment of Quarters.

Officers, &c. to be quartered in Scotland as the Laws in force at the Union direct.

XXIII. And be it enacted by the Authority aforesaid, That it shall and may be lawful to quarter Officers and Private Men in *Scotland*, in such and the like Places and Houses as they might have been quartered in by the Laws in force in *Scotland* at the Time of the Union; and that the Possessors of such Houses shall only be liable to furnish the said Officers and Private Men quartered there, as by the said Laws in force at the Time of the Union was provided; and that no Officer shall be obliged to pay for his Lodging, where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

Justices to order Constables to provide Carriages for Soldiers on their March.

XXIV. And be it further enacted by the Authority aforesaid, That for the better and more regular Provision of Carriages for his Majesty's Marine Forces in their Marches, or for their Arms, Clothes and Accoutrements, in *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, all Justices of the Peace within their several Counties, Ridings, Divisions, Shires, Liberties and Precincts, being duly required thereunto by the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, by an Order in Writing under his or their respective Hand or Hands, shall as often as such Order shall be brought and shewn unto one or more of them by the Officer or Officers of the Company or Companies of Marines so ordered to march, issue out his or their Warrants to the High Constables, or Petty Constables of the Division, Riding, City, Liberty, Hundred or Precinct, from, through, near or to which such Company or Companies shall be ordered to march, requiring them to make such Provision for Carriages, with able Men to drive the same, as shall be mentioned in the said Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burthen; and in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division or Precinct, then the next Justice or Justices of the Peace of the County, Riding or Division, shall, upon such Order as aforesaid being brought or shewn to one or more of them by any of the Marine Officers aforesaid, issue his or their Warrants to the High Constables or Petty Constables of such next County, Riding, Liberty, Division or Precinct, for the Purposes aforesaid, to make up such Deficiency; and the aforesaid Officer or Officers, who by virtue of the aforesaid Warrant from the Justices of the Peace, are to demand the Carriage or Carriages therein mentioned of the High Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sum of one Shilling for every Mile any Waggon with five Horses shall travel, and the Sum of one Shilling for every Mile any Wain with six Oxen, or four Oxen with two Horses shall travel; and the Sum of nine Pence for every Mile any Cart with four Horses shall travel; and so in proportion for less Carriages; for which respective Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same; and such Constable or Petty Constable shall order and appoint such Person or Persons having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly: And if any Marine Officer or Officers, for the Use of whose Company or Companies the Carriage was provided, shall force and constrain any Waggon, Wain, Cart or Carriage; to travel more than one Day's Journey, or shall not discharge the same in due Time for their Return home, or shall suffer any Marine or Servant (except such as are sick) or any Woman, to ride in the Waggon, Wain, Cart or Carriage aforesaid, or shall force any Constable or Petty Constable by Threatenings or menacing Words to provide Saddle-Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants or Private Men; every such Officer, for every such Offence, shall forfeit the Sum of five Pounds, Proof thereof being made upon Oath before two of his Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the proper Paymaster of his Majesty's Marine Forces, who is hereby required to pay the aforesaid Sum of five Pounds accordingly to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County or Riding, and is also hereby impowered to deduct the same out of such Officer's Pay.

Rates for Carriages.

Penalty on Officers forcing Waggons to travel more than one Day's Journey, &c.

Penalty on Constables, &c. Neglect to provide Carriages.

XXV. And be it enacted by the Authority aforesaid, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute such Warrants of the Justices of the Peace as shall be directed unto them for providing Carriages as aforesaid, or if any Person or Persons appointed by such Constable or Petty Constable to provide or furnish any Carriage and Man, shall refuse or neglect to provide the same, or any other Person or Persons whatsoever shall wilfully do any Act or Thing whereby the Execution of the said Warrants shall be hindered or frustrated; every such Constable or other Person or Persons so offending, shall, for every such Offence, forfeit any Sum not exceeding forty Shillings, nor less than twenty Shillings, to the Use of the Poor of the Parish where any such Offence shall be committed; and all and every such Offence and Offences shall and may be enquired of, heard and fully determined, by two of his Majesty's Justices of the Peace dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to the Owner.

'XXVI. And whereas the respective Sums of Money by this Act appointed to be paid to the Constables 'by the Officers demanding such Carriages, may not, in many Cases, be sufficient to answer the Charge 'and Expence of providing the same, whereby the said Constables may be frequently at great Charges, 'over and above what is received by them of the said Officers, to the great Burthen of the Township of 'which he is Constable, or else the Persons performing such Carriages may be grievously oppressed:' To prevent which, and that such Overplus Charge may be borne by each County or Riding, at the general Charge of such County or Riding, be it further enacted by the Authority aforesaid, That the Treasurer

or

or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money, so by him paid or laid out for such Carriages, over and above what was or ought to have been paid by the Marine Officer requiring such Carriages, out of the publick Stock of such County or Riding, according to such Rates, Orders, Rules and Directions, as the said Justices of the Peace, in their Quarter-Sessions assembled, within their respective Jurisdictions, shall from Time to Time, during the Continuance of this Act, make, direct and appoint (which Orders shall be made without Fee or Reward) Regard being always had to the Season of the Year, and the Length and Condition of the Ways through which such Carriages are to travel.

Treasurers of the County to repay the Constables extraordinary Charges.

XXVII. And in case the said publick Stock of the County or Riding be not sufficient (over and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages before-mentioned; it is hereby further enacted, That the said Justices of the Peace, in their general Quarter-Sessions, shall have Power from Time to Time to raise Monies upon their respective Counties or Ridings, in such manner as they now raise Monies for County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages.

The Money for those Purposes how to be raised.

XXVIII. Provided always, and be it further enacted, That no Waggon, Wain, Cart or Carriage, impressed by Authority of this Act, shall be liable or obliged by virtue of this Act to carry above twenty hundred Weight; any Thing in this Act contained to the contrary notwithstanding.

No Waggon, &c. to carry above 20 hundred Weight.

XXIX. And be it further enacted, That the Carriages for the Service of the Marine Forces quartered or marching in *Scotland*, shall be provided in like Manner, and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in force in *Scotland* at the Time of the Union.

Carriages in Scotland how to be provided.

'XXX. And whereas several Marines, who being duly entered, may afterwards desert and be found 'wandering, or otherwise absenting themselves illegally from his Majesty's Service;' It is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough or Tythingman, of the Town or Place where any Person who may be reasonably suspected to be such a Deserter shall be found, to apprehend or cause him to be apprehended, and to cause such Person to be brought before any Justice of the Peace living in or near such Town or Place, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of one or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found that such suspected Person is a Marine duly entered, and ought to be with the Company to which he belongs, such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found, or to the House of Correction, or other publick Prison, in such Town or Place where such Deserter shall be apprehended, or to the *Savoy* in case such Deserter shall be apprehended within the Cities of *London* or *Westminster*, or Places adjacent, and transmit an Account thereof to the Secretary of the Admiralty for the Time being, to the end such Person may be proceeded against according to Law; and the Keeper of such Gaol, House of Correction or Prison, shall receive the full Subsistence of such Deserter or Deserters, during the Time that he or they shall continue in his Custody, for the Maintenance of the said Deserter or Deserters, but shall not be intitled to any Fee or Reward on account of the Imprisonment of such Deserter or Deserters; any Law, Usage or Custom to the contrary notwithstanding.

Constables may apprehend Deserters, and carry them before a Justice;

Justice to commit them,

and transmit an Account to the Secretary of the Admiralty.

Gaol-keeper to receive the Subsistence of Deserters.

XXXI. And, for the better Encouragement of any Person or Persons to secure or apprehend such Deserters aforesaid; Be it further enacted by the Authority aforesaid, That such Justice of the Peace shall also issue his Warrant in Writing to the Collector or Collectors of the Land Tax Money of the Parish or Township where such Deserter shall be apprehended, for paying out of the Land Tax Money arisen or to arise in the Year one thousand seven hundred and fifty-five, into the Hands of such Person who shall apprehend or cause to be apprehended any Deserter from his Majesty's Service, the Sum of twenty Shillings for every Deserter that shall be so apprehended and committed; which Sum of twenty Shillings shall be satisfied by such Collector to whom such Warrant shall be directed, and allowed upon his Account.

Reward for taking Deserters.

XXXII. Provided always, That if any Person shall harbour, conceal or assist any Deserter from his Majesty's Marine Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of five Pounds; or if any Person shall knowingly detain, buy or exchange, or otherwise receive any Arms, Clothes, Caps or other Furniture belonging to the King, from any Marine or Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be changed, the Person so offending shall forfeit for every such Offence the Sum of five Pounds; and upon Conviction, by the Oath of one or more credible Witness or Witnesses, before any one or more of his Majesty's Justices of the Peace, the said respective Penalties of five Pounds, and five Pounds shall be levied by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the Offender; one Moiety of the said first-mentioned Penalty of five Pounds to be paid to the Informer, by whose Means such Deserter shall be apprehended; and one Moiety of the said last-mentioned Penalty of five Pounds to be paid to the Informer, and the Residue of the said respective Penalties to be paid to the Officer to whom any such Deserter or Marine did belong: And in case any such Offender who shall be convicted as aforesaid of harbouring or assisting any such Deserter or Deserters, or having knowingly received any Arms, Clothes, Caps or other Furniture belonging to the King, or of having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalties recovered against him for such Offence, or shall not pay such Penalties within four Days after such Conviction; then, and in such case, such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, either commit such Offender to the common Gaol, there to remain without Bail or Mainprize, for the Space of three Months, or cause such Offender to be publickly whipped, at the Discretion of such Justice or Justices.

Penalty on concealing Deserters, or buying their Arms, Clothes, &c.

Application of the Penalties.

For want of Distress, Offender to be committed.

The preceding Clause to extend to Ireland also.

XXXIII. Provided always, That so much of this Act as relates to the Punishment of such who shall harbour, conceal or assist Deserters, or shall knowingly detain, buy, exchange or otherwise receive any Arms, Clothes, Caps or other Furniture belonging to the King, from any Marine or Deserter, or cause the Colour of such Clothes to be changed, shall extend to all Ends and Purposes whatsoever to *Ireland*, and shall be put in Execution in that Kingdom by all Justices of the Peace, and other Officers respectively, according to the Tenor, and during the Continuance of this Act.

Continuance of this Act.

XXXIV. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall be and continue in force from the said twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-five, until the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-six.

No Volunteer liable to Process, unless for some criminal Matter; or a real Debt of the Value of 10l. of which Oath to be made before a Judge,

XXXV. And to prevent as far as may be any unjust or fraudulent Arrests that may be made upon Marines, whereby his Majesty and the Publick may be deprived of their Service; it is hereby further enacted by the Authority aforesaid, That no Person whatsoever who is entered, or shall enter himself as a Volunteer in his Majesty's Service as a Marine, during the Continuance of this Act, shall be liable to be taken out of his Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt, or other just Cause of Action, and unless before the taking out of such Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court of Record, or other Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum justly due and owing to the Plaintiff or Plaintiffs, from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be issued out, amounts to the Value of ten Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ, for which Memorandum or Oath no Fee shall be taken; and if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for one or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his Superior Officer, to examine into the same by the Oath of the Parties, or otherwise, and by Warrant under his or their Hands and Seals to discharge such Marine so arrested, contrary to the Intent of this Act, (without paying any Fee or Fees) upon due Proof made before him or them, that such Marine so arrested was legally entered as a Marine in his Majesty's Service, and arrested contrary to the Intent of this Act, and also to award to the Party so complaining, such Costs as such Judge or Judges shall think reasonable, for the Recovery whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs, against the Defendant in the said Action.

and a Memorandum thereof marked on the Back of the Process;

otherwise Prisoner to be discharged, with Costs.

XXXVI. And to the end that honest Creditors who aim only at the Recovery of their just Debts, due to them from Persons entered as Marines into his Majesty's Service, may not be hindered from suing for the same, but on the contrary may be assisted and forwarded in their Suits, and instead of an Arrest, which may at once hurt the Service, and occasion a great Expence and Delay to themselves, may be enabled to proceed in a more speedy and cheap Method; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so entered, or left at his or their last Place of Residence, before such entering, to file a common Appearance in any Action to be brought for or upon Account of any Debt whatsoever, so as to intitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so entered as aforesaid; this Act, or any Thing herein, or any former Law or Statute to the contrary notwithstanding.

Plaintiff giving Notice may file a Common Appearance,

and proceed to Judgment and Execution.

Justices may order Constables to give an Account of the Number of Officers and Private Men, and where quartered.

XXXVII. And for the better preventing Abuses in quartering or billeting Marines in pursuance of this Act; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any one or more Justice or Justices of the Peace within their respective Counties, Cities or Liberties, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command any High Constable, Constable, Bedel or other Officer, who shall quarter or billet any Marines in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and Private Men who shall be quartered or billeted by them, and also the Names of the House-keepers or Persons upon whom every such Officer or Private Man shall be quartered or billeted, together with an Account of the Street or Place where every such House-keeper dwells, and of the Signs (if any) belonging to their Houses, to the end it may appear to the said Justice or Justices where such Officers and Private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

Officers and Private Men while on board the King's Ships to be governed according to 22 Geo. 2. c. 33. *See farther* 29 Geo. 2. c. 6.

XXXVIII. Provided always, and it is hereby declared, That all his Majesty's Marine Forces, as well Officers as Private Men, shall from Time to Time, during their being respectively born as Part of the Complement of any of his Majesty's Ships or Vessels, be subject and liable, in like manner, in all Respects as any Officers or Seamen employed in his Majesty's Sea Service are subject and liable to be governed, according to the Purport, Tenor, Effect and true Intent and Meaning of an Act of Parliament made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for amending, explaining, and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels and Forces by Sea*; this present Act, or any Thing herein contained, notwithstanding.

CAP. XII.

An Act to explain and amend a Clause in an Act made in the fifth Year of the Reign of Queen *Anne*, intituled, *An Act for the better Preservation of the Game*, in relation to the selling or offering to sale any Game.

'WHEREAS by an Act of Parliament made in the fifth Year of her late Majesty Queen *Anne*, intituled, *An Act for the better Preservation of the Game*; it was enacted, That if any Higlar, Chapman, Carrier, Inn-keeper, Victualler or Alehouse-keeper, should have in his Custody or Possession, or should buy, sell or offer to sell, any Hare, Pheasant, Partridge, Moor, Heath-Game or Grouse, every such Higlar, Chapman, Inn-keeper, Victualler, Alehouse-keeper or Carrier, (unless such Game in the Hands of such Carrier be sent up by Person or Persons qualified to kill the Game) shall, upon Conviction of such Offence, forfeit for every Hare, Pheasant, Partridge, Moor, Heath-Game or Grouse, the Sum of five Pounds, one Half to be paid to the Informer, and the other to the Poor of the Parish where the Offence was committed: And whereas Doubts have arisen with respect to the Meaning of the Word Chapman, whereby the Intent of the said Act hath been in some Degree defeated;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons whatsoever, whether qualified or not qualified to kill Game, shall sell, expose, or offer to Sale any Hare, Pheasant, Partridge, Moor, Heath-Game or Grouse, every such Person or Persons shall, for every such Offence, be subject and liable to the same Forfeitures, Pains and Penalties, as are inflicted by the said recited Act upon Higlars, Chapmen, Carriers, Inn-keepers, Victuallers or Alehouse-keepers, for buying, selling or offering of Game to Sale.

5 Annæ, c. 14. 13 R. 2 st. 1. c. 13. 11 H. 7. c. 17. 19 H. 7. c. 11. 32 H. 8. c. 8. 5 El. c. 21. 23 El. c. 10. 1 Jac. 1. c. 27. 2 2 & 23 Car. 2. c. 25. 4 & 5 W. & M. c. 23. 26 Geo. 2. c. 2.

Persons selling or exposing to Sale, any Game, liable to the Penalties, in the recited Act, on

Higlars, &c. offering Game to Sale.

II. And be it further enacted by the Authority aforesaid, That if any Hare, Pheasant, Partridge, Moor, Heath-Game or Grouse, shall be found in the Shop, House or Possession of any Poulterer, Salesman, Fishmonger, Cook or Pastry-cook, the same shall be adjudged, deemed and taken to be an Exposing thereof to Sale within the true Intent and Meaning of this Act, and the said recited Act, or any other Act; which said Forfeitures shall be recovered, and such Penalties inflicted, by such Means, and in such Manner, and from and within such Time, and shall be applied to such Uses, as are prescribed by the said recited Act, or by any other Act or Acts since made for the Preservation of the Game; any Thing in the said recited Act, or any other Law or Statute to the contrary thereof in any wise notwithstanding.

Game found in the House or Possession of a Poulterer, Salesman, Fishmonger, Cook, or Pastry-cook, deemed exposing thereof to Sale.

Forfeitures and Penalties how to be recovered and applied. *See farther* 2 *Geo.* 3. *c.* 19.

CAP. XIII.

An Act for Relief of Insolvent Debtors.

'WHEREAS many Persons, by Losses and other Misfortunes, are rendered incapable of paying their whole Debts; and though they are willing to make the utmost Satisfaction they can, are nevertheless detained in Prison by their Creditors: And whereas such unhappy Debtors have always been deemed the proper Objects of publick Compassion, and by several Acts of Parliament have been discharged:' For the Relief therefore of Insolvent Prisoners who shall faithfully discover upon Oath, and deliver up and assign all their Effects and Estates whatsoever for the Benefit of their Creditors; and to prevent, as far as possible, the many Frauds and Abuses which in a great measure have obstructed the good Ends of such Acts; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Sheriff or Sheriffs, Gaoler or Keeper of any Prison or Prisons, in any County, Riding, Division, City, Town and Liberty, within this Kingdom respectively, shall, and is or are hereby impowered and required to take and make a true, exact and perfect List, alphabetically, of the Name or Names of all and every Person and Persons, who, upon the first Day of *January* one thousand seven hundred and fifty-five, was or were really a Prisoner or Prisoners, in the actual Custody of any such Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any Prison respectively, upon any Process whatsoever, for or by reason of any Debt, Damages, Costs, Sum or Sums of Money, and of the Time when such Prisoner or Prisoners were charged in Custody, and received in Prison, together with the Name or Names of the Person or Persons at whose Suit such Prisoner or Prisoners is or are detained; and shall deliver the same to the Justices at their first General or Quarter-Sessions of the Peace, to be held after the thirty-first Day of *March* one thousand seven hundred and fifty-five, for such County, Riding, Division, City, Town and Liberty respectively; and shall, in open Court, take an Oath to the Effect following; that is to say,

Explained by 29 *Geo.* 2. *c.* 18.

Alphabetical List to be made out of Prisoners in Custody for Debt, on 1 Jan. 1755, with the Time when charged, and at whose Suit.

To be delivered in to Quarter-Sessions, on Oath.

'I *A. B.* upon my Corporal Oath, in the Presence of Almighty God, solemnly swear, profess and declare, That all and every Person and Persons, whose Name or Names are inserted and contained in the 'foregoing List, by me now delivered and subscribed, were, to the best of my Knowledge and Belief, upon 'the first Day of *January* one thousand seven hundred and fifty-five, really and truly Prisoners, in actual 'Custody, in the Prison or Gaol of at the Suit or Suits of the several Persons therein 'respectively mentioned; and that all and every of them have really and truly continued and remained in 'actual Custody ever since; and that the said List is a true, exact, perfect and just List of all such Persons 'as were really and truly Prisoners in actual Custody in the said Gaol or Prison of on the said 'first Day of *January* one thousand seven hundred and fifty-five.

So help me GOD.'

Which Oath the said Justices, at the General or Quarter-Sessions, in open Court, are hereby impowered to administer; the Words of which Oath shall be entered or written at the End or Bottom of every such List so delivered and subscribed in open Court, by every such Sheriff, Gaoler or Keeper respectively; which List so subscribed and sworn unto, shall be kept by the Clerk of the Peace of every such County, Riding, Division, City, Town or Liberty respectively, for the better Satisfaction of the said Justices, and Information of all Creditors, and to be seen without Fee or Reward.

List to be kept by the Clerk of the Peace.

II. And, to the end that no such poor Prisoner may be defeated of his or her Discharge, according to the true Intent and Meaning of this Act, by having his, her or their Name or Names left out of the said Lists so to be delivered, Be it further enacted by the Authority aforesaid, That all and every such Sheriff and Sheriffs, Gaoler or Gaolers, or Keeper of any Prison, is and are hereby required to fix up, in the most conspicuous Place or Places in every such Prison, and at the most frequented and usual Gate, Door, or Entrance into every such Prison, three or more true Copies of the List or Lists to be delivered at the said General or Quarter-Sessions, or any Adjournment thereof, ten Days before the said Sessions; and if any such Sheriff or Sheriffs, Gaoler and Gaolers, Keeper or Keepers of any such Prison, shall, in any such List to be delivered in as aforesaid, neglect or refuse to insert the Name of any Prisoner or Prisoners who was or were actually in Custody in their Prison on the said first Day of *January* one thousand seven hundred and fifty-five, the Person or Persons so neglecting or refusing to insert the same, shall, for every such Name or Names so omitted, incur and be subject to such Penalty or Penalties as are herein after imposed or laid on every such Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers, who shall neglect or refuse to make out, fix up, or deliver such List as aforesaid; to be recovered in the same Manner, and to be applied to such Use and Uses, as are herein after directed for the Recovery and Application of the Penalty, in case of such Neglect or Refusal to make out such List as aforesaid.

Copies of the List to be affixed within the Prisons, and on the Gates.

Penalty of not delivering in, &c. perfect Lists.

III. And be it further enacted by the Authority aforesaid, That all and every Person and Persons whose Names shall be inserted in such Lists, to be delivered in as aforesaid, who upon the first Day of *January* one thousand seven hundred and fifty-five, were really and truly Prisoners in the actual Custody of any Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any Prison respectively of this Kingdom, who shall take the Oath herein after-mentioned, shall and may be for ever released and discharged from their Imprisonment, in such manner as hereafter is provided; that is to say, It shall and may be lawful for any Justice or Justices of any County, Riding, Division, City, Town or Liberty, within this Kingdom (upon the Petition of such Prisoner or Prisoners) by Warrant under his and their Hands and Seals, to require the said Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any such Prison, within his or their respective Jurisdictions, to bring before the Justices at the next General or Quarter-Sessions of the Peace, or any Adjournment thereof, to be held next after the Expiration of ten Days from the Date of the said Warrant, for such respective County, Riding, Division, City, Town or Liberty, the Body of any Person being in the said Prison as aforesaid, with the Warrant or Warrants of his or her Detainer, together with a Copy or Copies of the Cause or Causes which he, she or they, is or are charged with, in the several Gaols or Prisons as aforesaid, at the Time aforesaid; which Warrant of the said Justice or Justices every such Gaoler or Keeper is hereby commanded to obey; and such Prisoner coming before such Justices at the said General or Quarter-Sessions, or any Adjournment thereof, shall in open Court subscribe and deliver in a Schedule of his or her whole Estate, Real and Personal, either in Possession, Reversion or Remainder, or held in Trust for him or her, or for his or her Benefit or Advantage, and the Names of his or her several Debtors, and the several Sums of Money from them respectively secured or owing, upon any Specialty, Contract, or other Account whatsoever, and the Names and Places of Abode of the several Persons from whom such Debts are due and owing, and of the Witnesses who can prove such Debts or Contracts (if there be any such) and make Oath, and swear to the Effect following; that is to say,

Persons inserted in the Lists, and conforming to this Act, to be discharged by the Justices.

Prisoner to deliver in a Schedule of his Estate, Debts, and Debtors.

'I *A. B.* upon my Corporal Oath, in the Presence of Almighty God, do solemnly swear, protest, and declare, That on the first Day of *January* one thousand seven hundred and fifty-five, I was a Prisoner within the Prison of in the actual Custody of the Gaoler or Keeper of 'the said Prison of at the Suit of without my Consent or Procurement 'and without any Fraud or Collusion whatsoever; and that the Schedule now delivered, and by me subscribed, doth contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true 'and perfect Account and Discovery of all the Goods, Effects and Estates, Real and Personal, 'either

'either in Possession, Reversion or Remainder, or in Trust for me, or for my Benefit or Advantage, unto 'me in any wise belonging or appertaining; and such Debts as are to me owing, or to any Person or Per- 'sons in Trust for me; and of all the Securities and Contracts whereby any Money now is, or will or may 'hereafter become payable, or any Benefit or Advantage accrue to me, or to my Use, or to any Person or 'Persons in Trust for me, and the Names and Places of Abode of the several Persons from whom such 'Debts are due and owing, and of the Witnesses that can prove such Debts or Contracts; and that neither 'I, nor any other Person or Persons in Trust for me, have Lands, Money, Stock or any Estate, Real or 'Personal, in Possession, Reversion or Remainder, other than what are in the said Schedule contained, 'except Wearing Apparel, Bedding for myself and Family, Working Tools, and necessary Implements 'for my Occupation and Calling, and these in the whole not exceeding the Value of ten Pounds; and that 'I have not, nor any Body for me, directly or indirectly sold, lessened or otherwise conveyed, disposed of 'in Trust or concealed, all or any Part of my Land, Money, Goods, Chattels, Stock, Debts, Securities, 'Contracts or Estate Real or Personal, whereby to secure the same, or to receive or expect any Profit or 'Advantage thereof, or to defraud or deceive any Creditor or Creditors to whom I am indebted, in any 'wise howsoever.

So help me GOD.'

Schedule to be lodged with Clerk of the Peace,

And which said Schedule, being so subscribed in the Presence of the Justices, in open Court and Sessions aforesaid, is to remain with the Clerk of the Peace, for the better Information of all the Creditors of such Prisoner; and all the Estate, Right, Title, Interest and Trust of such Prisoner, of, in, and unto such Real Estate, as well Copy or Customary held, as Freehold, and such Personal Estate, Debts and Effects, contained in such Schedule as aforesaid, and all other the Real and Personal Estate of such Prisoner, shall, immediately after the Discharge of such Prisoner, be, and is hereby vested in the Clerk of the Peace of and for the County, Riding, City or Town Corporate, who is hereby directed and authorized by Order of the Justices at their General or Quarter-Sessions of the Peace so held as aforesaid, to make an Assignment of the Estate and Effects to such of the Creditors of the said Prisoner, as the major Part of the said Creditors of the said Prisoner, who shall apply for the same, by any Writing under their Hands, shall direct and appoint (which Assignment so made as aforesaid, shall be a good and effectual Assignment in Law to all Intents and Purposes whatsoever; and for the Execution of which the said Clerk of the Peace shall take a Fee of two Shillings, and no more) in Trust for themselves, and the rest of the Creditors; which said Assignee or Assignees is and are hereby impowered to sue in his, her, or their own Name or Names for, and to recover and receive the same; and also to execute any Trust or Power vested in, or created for the Use or Benefit of such Prisoner, for the Use and Benefit of themselves, and the rest of such Creditors; and to give sufficient Discharge and Discharges to such respective Debtor or Debtors; and fully to divide the said Prisoner's Estate and Effects, or the Monies arising from the Sale or Disposition thereof (such Sale or Disposition to be approved of by the major Part of the said Creditors in Writing as aforesaid) among the Creditors of such Prisoner, who, within one Month after Notice of such intended Dividend published in the *London Gazette*, shall produce to such Assignee or Assignees, an Affidavit made before one or more Justice or Justices of the Peace, who is and are hereby impowered to take the same, proving his or her Debt due from the said Prisoner so discharged, in equal Proportions, according to their respective Debts; and after the same is recovered and received, to render the Overplus, if any shall be (their own Debts and Charges first deducted) to the Prisoner, his Executors, or Administrators.

who is to assign over the Effects to Assignees, for Benefit of Creditors.

Assignees of Copyhold Estates to compound with the Lord of the Manor;

IV. Provided always, That all and every such Assignee and Assignees of every Copyhold or Customary Estate of such Prisoner as aforesaid, shall, before such Time as he or they, or any of them, shall enter, or take any Profit thereof, agree and compound with the Lord or Lords of the Manor or Manors, of whom the same shall be holden, for such Fine or Income, upon any Surrender and Admission, as heretofore have been most usual and accustomed to be paid; and that, upon every such Agreement or Composition, the said Lord or Lords for the Time being, at the next Court to be holden for the said Manor or Manors, shall grant unto the said Assignee or Assignees the Copyhold or Customary Estate, by Copy of Court-roll, according to the Custom of the said Manor or Manors, for and during the Estate and Interest to him or them so assigned as aforesaid; reserving the Rents, Duties, Heriots, Customs and Services, to which the said Copyhold or Customary Estate was subject and liable at the Time of the said Assignment; and shall also, at the same Court, admit the said Assignee or Assignees, Tenant or Tenants of the same, according to the Custom of the said Manor or Manors.

Copyhold, &c. to be thereupon granted them.

Estate in Expectancy not affected by this Act.

V. Provided also, That nothing herein contained shall extend to prejudice or affect any Estate or Interest, or Right whatsoever of any other Person or Persons than the said Prisoner, which may be expectant upon or subject unto the Estate or Interest of the said Prisoner hereby vested in the said Clerk of the Peace; but that the Estate, Interest and all Rights whatsoever, of every such Person or Persons as aforesaid, shall remain and continue in the same manner as if this Act had not been made.

Effects, where Rent is due, to be assigned to Landlord;

VI. Provided always, and be it enacted by the Authority aforesaid, That where any Rent, not exceeding two Years Rent, shall be due to any Person or Persons from such Prisoner or Prisoners at the Time of his or their respective Discharges in respect to any Messuages, Lands or Tenements then in Lease to such Prisoner or Prisoners respectively, for Life or Lives, for Years, at Will or otherwise, no Goods or Chattels then lying or being in or upon the respective Tenements so in Lease or liable to be distrained, shall be assigned by the Clerk of the Peace in manner aforesaid, but shall by such Clerk of the Peace be transferred to such Landlord or Landlords, or some Person or Persons intrusted for him or them respectively, towards Satisfaction of the Rent then due, not exceeding two Years Rent as aforesaid, unless the Person or Persons to whom such Assignment shall be made by such Clerk of the Peace, shall, by Writing under his or their respective

unless the Assignees satisfy the Landlord.

respective Hands and Seals, before such Assignment, agree to pay or satisfy to such Landlord or Landlords the Rent to him or them respectively due, not exceeding two Years Rent as aforesaid, to the Intent that such Landlord or Landlords may be satisfied the Rent or Rents to him or them respectively due, before any Division of the Estate or Effects of such Prisoner or Prisoners among his other Creditors, in like manner as he or they might be satisfied the Rent to him or them respectively due before the Removal of such Goods and Chattels, by virtue of an Execution by force of the Statute made in the eighth Year of her late Majesty's Reign, intituled, *An Act for the better Security of Rents, and to prevent Frauds committed by Tenants*; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

8 Ann. c. 14.

VII. Provided also, and be it enacted by the Authority aforesaid, That nothing in this Act shall extend or be construed to hinder or prevent any Mortgage or Mortgages upon the Estate of such Prisoner or Prisoners or any Part thereof, to take place upon the Lands, Tenements or Hereditaments, comprised in such Mortgage or Mortgages respectively; nor to prevent any Statute-Staple, Statute-Merchant, Recognizance or Judgment, acknowledged by or obtained against, any such Prisoner or Prisoners, to take place upon the Lands, Tenements or Real Estate of such Prisoner or Prisoners; and also where any Inquisition shall have been taken upon any such Statute or Recognizance, or any Writ of Execution shall have been taken out, and delivered to the Sheriff or proper Officer, upon any such Judgment, before such Assignment made by the Clerk of the Peace, as aforesaid, upon his or their personal Estate respectively, preferable and prior to any Division of the Estate and Effects of such Prisoner or Prisoners among his other Creditor or Creditors, for so much as shall remain really due upon such Mortgage, Statute, Recognizance or Judgment respectively, in like manner as such Mortgagees and Creditors by Statute, Recognizance or Judgment, would have been preferred to other Creditors of an inferior Nature against the Real or Personal Estate of such Prisoner and Prisoners respectively, if this Act had not been made; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

Mortgages, &c. not affected,

'VIII. And whereas many Persons who may be intitled to and claim the Benefit of this Act, are seised and 'possessed of Lands, Tenements and Hereditaments, to hold to such Prisoners for the Term of their natu-'ral Lives, with Power of granting Leases (for Fines reserving small Rents) on such Estates for one, two 'or three Lives, in Possession or Reversion, or for some Number of Years, determinable upon Lives, which 'said Powers ought to be executed for the Benefit of the Creditors of such Prisoners:' Be it therefore enacted by the Authority aforesaid, That in every such Case, all and every the Powers of leasing such Lands, Tenements and Hereditaments, which are or shall be vested in or claimed by any such Prisoner or Prisoners as aforesaid, shall be, and are hereby vested in the Assignee or Assignees of the Real and Personal Estate of such Prisoner by virtue of this Act, to be by such Assignee or Assignees executed for the Benefit of all and every the Creditors of such Prisoners, as aforesaid.

Power in Prisoner of leasing Lands, &c. to vest in Assignees.

Prisoners intending to take the Benefit of this Act, to give Notice in London Gazette.

IX. And be it further enacted by the Authority aforesaid, That all and every Prisoner and Prisoners who shall so petition to be discharged under this Act, as aforesaid, shall cause publick Notice to be inserted in three several *London Gazettes*, previous to such General or Quarter-Sessions, or any Adjournment thereof, at which the said Prisoner and Prisoners shall apply to be discharged, containing the Name, Trade or Occupation, and two last Places of Abode, if so many, of every such Prisoner and Prisoners, and the Prison, wherein he, she or they is or are confined, and of his, her or their Intention to take the Benefit of this Act, and mentioning such Notice in each *Gazette*, to be the first, second and third Notice, according to the Time of publishing each of such Notices; for each of which said several Notices, there shall be paid by each Prisoner two Pence, and no more; the first of which said Notices shall be so inserted in the said *Gazette*, thirty Days at least, and the last of the said Notices, ten Days at least before such General or Quarter-Sessions so held as aforesaid, so that as well all the Creditors who have not charged the said Prisoner or Prisoners in Custody, as those Creditors who have charged such Prisoner or Prisoners, may have sufficient Notice as aforesaid; and in case it shall be proved either upon Oath, or by producing the said three *Gazettes*, before the said Justices at their said Sessions, that the said publick Notices were so inserted in the *London Gazette*, in manner as herein before is directed; and that the said Person or Persons so petitioning was or were actually a Prisoner or Prisoners on the said first Day of *January* one thousand seven hundred and fifty-five; and the Oath taken by the said Prisoner or Prisoners be not disproved by good Testimony of any credible Person or Persons on Oath, to be administered by the said Justices, then the said Justices in their said General or Quarter-Sessions, or any Adjournment thereof, or the major Part of them being satisfied therewith, shall thereupon, by Order of the said Sessions, command the said Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any such Prison or Prisons, forthwith to set at Liberty such Prisoner or Prisoners, without having or taking any Fee or Reward, other than one Shilling for his or their Attendance with such Prisoner or Prisoners at such General or Quarter-Sessions, or any Adjournment thereof, in order for his, her or their Discharge; which Sum of one Shilling, such Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers of such Prison or Prisons, are hereby authorized and impowered to receive and take for the Purposes aforesaid, and no more; which Order shall be a sufficient Discharge to the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of such Prison or Prisons, and shall indemnify him or them against any Escape or Escapes, or Action or Actions whatsoever, which shall or may be brought, commenced or prosecuted against him or them by reason thereof.

Fee for the same.

Prisoner's Oath, &c. not being disproved, the Justices are to discharge him.

Gaoler's Fee.

Court, if required by Creditor, to administer an Oath to the Gaoler.

X. And be it further enacted by the Authority aforesaid, That any Court of General or Quarter-Sessions, which, pursuant to the true Intent and Meaning of this Act, shall make any Order for the Discharge of any Prisoner or Prisoners aforesaid, shall, if required by any Creditor or Creditors, who shall oppose such Prisoner's Discharge, administer and give such Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers of such Prison or Prisons, wherein the said Prisoner or Prisoners is or are, an Oath, to the following Effect; that is to say,

† *A. B.*

'I *A. B.* do swear, That was really and truly my Prisoner in my Custody, in the Prison of to the best of my Knowledge and Belief, at or upon the first Day of *January* one thousand seven hundred and fifty-five; and the Warrant or Warrants of his or her Detainer, and the Copy or Copies of the Cause or Causes, now by me brought with the Body of the said is the Warrant of his or her Detainer; and is or are a true Copy or Copies, without any Fraud or Deceit by me, or by any other to the best of my Knowledge.

'*So help me GOD.*'

XI. Provided always, and be it enacted by the Authority aforesaid, That if such Person or Persons, as was the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of such Gaol or Prison on the said first Day of *January* one thousand seven hundred and fifty-five, shall not happen to be the Sheriff or Sheriffs, Gaoler or Gaolers or Keeper of such Gaol or Prison, at the Time of making such Order, that the said General or Quarter-Sessions, held as aforesaid, if required as aforesaid, shall administer and give to such Persons as shall be Sheriffs, Gaolers or Keepers of such Prison or Prisons, at the Time of making such Order, an Oath touching the Commitments, or Books of Commitment, to the Effect following; that is to say, Gaolers who were not so on 1 Jan. 1755, to take the following Oath.

'I *A. B.* do swear, That I have examined the Commitments, or Books kept of or concerning the Commitment of Prisoners to the Prison of in the County of and I verily believe, that the said Commitments or Books of Commitment, are really true, and not fictitious, nor calculated for this Purpose; and by them it does appear, that was, on the first Day of *January* one thousand seven hundred and fifty-five, really and truly a Prisoner in the actual Custody of the then Sheriff, Gaoler or Keeper of the said Prison, without Fraud or Deceit by me, or the said or any other Person or Persons to my Knowledge.

'*So help me GOD.*'

'XII. And whereas great Numbers of Workmen skilful in the several Trades and Manufactures of this Kingdom, and also many able Seamen and Mariners finding themselves unable to satisfy the Whole of their respective Debts, and dreading the Miseries of a Gaol, have chose to leave their Employments and Native Country, and have entered themselves in Foreign Service: And whereas their Continuance Abroad must be of great Prejudice to the Trade of this Kingdom:' In order therefore to induce and enable such Persons to return; Be it enacted by the Authority aforesaid, That all and every Debtor and Debtors, who was or were actually beyond the Seas in Foreign Parts on the said first Day of *January* one thousand seven hundred and fifty-five, who shall return and surrender himself or themselves unto the Gaoler or Gaolers, Keeper or Keepers, of the Prisons of the *King's Bench*, *Marshalsea* or *Fleet*, or to the Prison or Prisons of such County or Counties where such Debtor or Debtors last dwelt for the Space of six Months (which said Gaoler or Gaolers, Keeper or Keepers, are hereby required and impowered to receive and detain such Debtor or Debtors surrendering as aforesaid, in order to their Discharge, as herein after-mentioned) shall, from and immediately after such Surrender as aforesaid, be deemed a Prisoner or Prisoners within, and be to all Intents and Purposes intitled to the Benefit of this Act, and shall upon due Proof of the said Premisses, by the Oath of such Debtor or Debtors (not disproved by any credible Witness) be discharged in the same manner, as if he, she or they, had been actually in Prison on the said first Day of *January* one thousand seven hundred and fifty-five, and continued therein as aforesaid, subject nevertheless to the same Restrictions and Provisions, and upon Compliance with the same Terms, Conditions and Qualifications, herein before imposed upon the said Prisoners actually in Custody upon the said first Day of *January* one thousand seven hundred and fifty-five, and also subject to the Terms and Provisions, relating to the Estate and Effects of such Prisoner as aforesaid, excepting only such Particulars thereof, as require the Name of a Prisoner to be inserted in the Sheriffs, Gaolers or Keepers List as aforesaid, or relate to the Oaths of such Sheriff, Gaoler or Keeper herein before appointed to be taken; which Particulars cannot possibly be applied to the Case of Persons surrendering themselves as aforesaid; and also except the said Oath herein before appointed to be taken by Prisoners in Custody upon the said first Day of *January* one thousand seven hundred and fifty-five, instead whereof the said Person or Persons so surrendering shall take an Oath to the Effect following, which the said Justices, authorized to put this Act in Execution, are hereby required and impowered to administer, in such manner as the Oaths herein before-mentioned are to be administered. Debtors who were beyond Seas on 1 Jan. 1755, surrendering, and conforming, to have the Benefit of this Act.

'I *A. B.* do, upon my Corporal Oath, in the Presence of Almighty God, solemnly swear, protest, and declare, That I was actually, on the first Day of *January* one thousand seven hundred and fifty-five, beyond the Seas in Foreign Parts, *videlicet*, at and that the Schedule now delivered, and by me subscribed, doth contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true and perfect Account and Discovery of all the Estate, Goods, and Effects to me in any wise belonging; and such Debts as are to me owing, or to any Person or Persons in Trust for me; and of all the Securities and Contracts, whereby any Money now is, or will or may hereafter become payable, or any Benefit or Advantage accrue to me, or to my Use, or to any other Person or Persons in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are due and owing, and of the Witnesses that can prove such Debts or Contracts; and that neither I, nor any other Person or Persons in Trust for me, have Land, Money, Stock or any Estate, Fugitive's Oath.

'Real or Perſonal, in Poſſeſſion, Reverſion or Remainder, other than what are in the ſaid Schedule contained, 'except Wearing Apparel, Bedding for myſelf and Family, Working Tools, and neceſſary Implements 'for my Occupation and Calling, and theſe in the Whole not exceeding the Value of ten Pounds; 'and that I have not directly or indirectly ſold, leſſened or otherwiſe conveyed, diſpoſed of in Truſt, or 'concealed, all or any Part of my Land, Money, Goods, Chattles, Stocks, Debts, Securities, Contracts 'or Eſtates Real or Perſonal, whereby to ſecure the ſame, or to receive or expect any Profit or Advan- 'tage thereof, or to defraud or deceive any Creditor or Creditors to whom I am indebted, in any wiſe 'howſoever.

'*So help me GOD.*'

Gaoler and Printer of Gazette, not complying with the Regulations of this Act, to forfeit to the Priſoner 100 l. and treble Coſts.

XIII. And be it further enacted by the Authority aforeſaid, That if any Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any Priſon, ſhall without juſt Cauſe to be approved of by the ſaid Juſtices, refuſe or delay to bring any ſuch Priſoner or Priſoners as aforeſaid, to the ſaid General or Quarter Seſſions, in order to his or her Diſcharge, or ſhall neglect or refuſe to make out and deliver ſuch Liſt as aforeſaid, or to take any of the ſaid Oaths before-mentioned, or ſhall upon any Account or Pretence whatſoever take or receive more than the ſaid Sum of one Shilling herein before allowed for his or her Attendance, in order to be diſcharged of ſuch Priſoner or Priſoners as aforeſaid, or ſhall detain the Priſoner after he or ſhe ſhall be diſcharged as aforeſaid; or if the Printer of the *London Gazette* ſhall wilfully refuſe or neglect to inſert therein the Name, Trade, Occupation and laſt Place of Abode of ſuch Priſoner, on reaſonable Requeſts to him made for that Purpoſe, or ſhall take or receive any Fee or Gratuity more than two Pence as aforeſaid for ſo doing; every ſuch Sheriff, Gaoler and Keeper of ſuch Priſon or Priſons, and ſuch Printer of the *London Gazette*, ſhall reſpectively forfeit and pay to each Priſoner the Sum of one hundred Pounds, which ſhall and may be recovered with treble Coſts of Suit, by Action of Debt, Bill, Plaint or Information, in any of the Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

Gaolers convicted of Perjury, to forfeit 500 l. to the Aſſignees,

XIV. And be it further enacted by the Authority aforeſaid, That if any ſuch Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any Priſon, ſhall, in taking any of the afore-mentioned Oaths, forſwear or perjure himſelf, and ſhall thereof be lawfully convicted, ſuch Sheriff, Gaoler or Keeper of ſuch Priſon or Priſons (over and above ſuch Penalties as may be inflicted on Perſons convicted of Perjury) ſhall, upon every ſuch Conviction, forfeit and pay the Sum of five hundred Pounds, to be recovered with full Coſts, by Bill, Plaint or Information, or Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law or other Delay to be allowed, by and in the Name of ſuch Perſons, their Executors and Adminiſtrators, as ſhall in purſuance of this Act be appointed Aſſignees of the Eſtate and Effects of the Priſoner or Priſoners, for diſcharging of whom ſuch Perjury ſhall be committed; and for want of ſuch Aſſignees, in the Name or Names of any other Creditor or Creditors, who ſhall ſue for the ſaid Penalties; to be applied one Moiety to the Informer or Informers, and the other Moiety towards Satisfaction of the Debts of ſuch his Creditor or Creditors.

Gaolers inſerting wrong Names, &c. to forfeit 200 l.

XV. And be it further enacted by the Authority aforeſaid, That if any Perſon who now is or was on the firſt Day of *January* one thouſand ſeven hundred and fifty-five, Sheriff or Gaoler, or Keeper of any Priſon, ſhall inſert in any Liſt or Liſts delivered as aforeſaid, the Name or Names of any Perſon or Perſons who was or were not Priſoner or Priſoners, actually in Cuſtody on the ſaid firſt Day of *January* one thouſand ſeven hundred and fifty-five, according to the Tenor of the ſaid Oath taken at the Time of delivering in ſuch Liſts, every ſuch Sheriff, Gaoler or Keeper, ſhall, for every Name ſo inſerted as aforeſaid, forfeit and pay the Sum of two hundred Pounds, to be recovered in the ſame Manner, and applied to the ſame Uſe or Uſes, as herein before directed for the Recovery of the ſaid Penalty and Forfeiture in caſe of Conviction of Perjury.

Clerk of the Peace refuſing to give Priſoner a Copy of his Diſcharge, or taking extraordinary Fees, to forfeit 20 l.

XVI. And be it further enacted by the Authority aforeſaid, That if any Clerk of the Peace ſhall delay or refuſe to give every or any ſuch Priſoner, ſo diſcharged as aforeſaid, within ten Days after his or her Diſcharge, a Copy of the Order of his or her Diſcharge, on the Payment of two Shillings and ſix Pence, or ſhall take more than the ſaid Sum of two Shillings and ſix Pence for ſuch Copy, every Clerk of the Peace ſo offending ſhall forfeit and pay to every ſuch Priſoner the Sum of twenty Pounds, to be ordered to be paid by the Juſtices of the Peace at their General or Quarter-Seſſions of the Peace, who are hereby impowered to levy the ſame by Diſtreſs and Sale of the Goods of the Perſon ſo offending.

Priſoner convicted of Perjury, to ſuffer as a Felon.

XVII. And be it further enacted by the Authority aforeſaid, That if any Priſoner, as aforeſaid, or any Perſon or Perſons enabled to take the Benefit of this Act, ſhall forſwear or perjure himſelf, herſelf or themſelves, in any of the Matters aforeſaid, and ſhall be lawfully convicted of wilful Perjury, he or ſhe ſhall be adjudged a Felon, and ſuffer as ſuch, without Benefit of Clergy.

Priſoners diſcharged by this Act, not liable to Impriſonment for Debts, &c. contracted before 1 Jan. 1755.

XVIII. And be it further enacted by the Authority aforeſaid, That no Perſon to be diſcharged by this Act, ſhall, at any Time hereafter, be impriſoned by reaſon of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Damages, Contempts, Coſts, Sum or Sums of Money, contracted, incurred, occaſioned, owing or growing due, before the ſaid firſt Day of *January* one thouſand ſeven hundred and fifty-five; but that upon every Arreſt upon every Judgment, or ſuch Decree, or for ſuch Debts, Damages, Contracts, Coſts, Sum and Sums of Money, it ſhall and may be lawful for any Judge of the Court where the Proceſs is ſued, upon ſhewing the Copy of the Order of ſuch Priſoner's Diſcharge or Diſcharges, to releaſe and diſcharge out of Cuſtody ſuch Priſoner or Priſoners, as aforeſaid; and the Judge is hereby impowered ſo to do, ſo as every ſuch Priſoner or Priſoners arreſted or detained upon Execution

cution or mesne Process, do give a Warrant of Attorney to appear to every such Action, and to plead thereunto.

Gaoler may plead the General Issue against Suits for Escape of Prisoners.

XIX. And be it further enacted by the Authority aforesaid, That if any Action of Escape or any Suit or Action, be brought against any Justice or Justices of the Peace, Sheriff, Gaoler or Keeper of any Prison, for performing their Office, in pursuance of this Act, they may plead the General Issue, and give this Act in Evidence; and if the Plaintiff be nonsuited or discontinue his Action, or Verdict pass against him, or Judgment upon Demurrer, the Defendant shall have treble Costs; provided that the Discharge of any Person, by virtue of this Act, shall not acquit any other Person from such Debt, Sum or Sums of Money, or any Part thereof, but that all others shall be answerable for the same, in such manner as they were before the passing of this Act.

Treble Costs.

Discharge of Prisoner, not to acquit others answerable for the same Debt.

Debts and Judgments to stand good against Prisoners Lands and Effects.

XX. Provided always, and be it enacted by the Authority aforesaid, That notwithstanding the Discharge of the Person of such Prisoner or Prisoners as aforesaid, all and every Debt and Debts due or owing from the said Prisoner or Prisoners, and all and every Judgment or Judgments had and taken, and Decree obtained against him or her, shall stand, and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements and Hereditaments, Goods and Chattels of the said Prisoners so discharged as aforesaid, which he, she or they, or any other Person or Persons in Trust for him, her or them, at the Time of such Discharge hath or have, or at any Time hereafter shall or may be any wise seised or possessed of, interested in, or intitled to, either in Law or Equity; except his, her or their Wearing Apparel, Bedding for his, her or their Families, and Working Tools, and Implements necessary for his, her or their Occupations, not exceeding the Value of ten Pounds in the Whole; and it shall and may be lawful to and for such Creditor or Creditors of such Prisoner or Prisoners so discharged as aforesaid, his, her or their Executors or Administrators, to take out a new Execution against the Lands, Tenements and Hereditaments, Goods and Chattels of such Prisoner or Prisoners (except as before excepted) for the Satisfaction of his, her or their Debts, in such Sort, Manner or Form, as he, she or they might have done, if the Person or Persons of such Prisoner or Prisoners had never been in Execution; any Act, Statute, Law or Custom, to the contrary in any wise notwithstanding.

Wearing Apparel, Bedding, and Working Tools, excepted; and Creditor may take out a new Execution.

Persons discharged may plead generally, &c. to Actions, &c. brought on Judgments, &c. before 1 Jan. 1755, &c.

XXI. Provided also, That it shall and may be lawful for any Person discharged by this Act, in case any *Scire facias*, or Action of Debt, shall be brought against him or her upon any Judgment obtained against him or her, or Statute or Recognizance acknowledged by him or her, before the said first Day of *January* one thousand seven hundred and fifty-five, with respect to Prisoners in actual Custody, or with respect to Debtors beyond the Seas, as aforesaid, upon the said first Day of *January* one thousand seven hundred and fifty-five, to plead generally in discharge of his or her Person or Persons from Execution, that he or she was actually a Prisoner in such Prison, at such Person's Suit, or was or were beyond the Seas in Foreign Parts, on the said first Day of *January* one thousand seven hundred and fifty-five, and was or were duly discharged according to this Act at the General or Quarter-Sessions held at such Time and Place for such County, Riding, Division, Liberty, City, Town or Place, (as his, her or their Case is) without pleading any Matter specially; and in case any other Suit or Action shall be commenced against him, her or them, for any other Debt, Sum or Sums of Money, due before the said first Day of *January* one thousand seven hundred and fifty-five, to plead in discharge of his or her Person from Execution (over and above such Matters as aforesaid) that such Debt, or Sum of Money (as the Case shall happen) was contracted or due before the said first Day of *January* one thousand seven hundred and fifty-five, without pleading any other Matter specially, whereto the Plaintiffs shall or may reply generally, and deny the Matters pleaded as aforesaid, or reply any other Matter or Thing which may shew the said Defendant not to be intitled to the Benefit of this Act, or not duly discharged according to it, in the same manner as the Plaintiff might have replied in case the Defendant had pleaded this Act, and his Discharge by virtue of this Act, specially; and if the Plaintiff be nonsuited, discontinue his Action, or Verdict pass against him, or Judgment on Demurrer, the Defendant to have treble Costs.

Bankrupts not obtaining Certificates;

not to be benefited by this Act.

XXII. Provided always, and be it enacted by the Authority aforesaid, That no Person against whom a Commission of Bankrupt hath been awarded and issued out, and who hath not already obtained his Certificate, and Discharge of his Debts, in pursuance of, and in such manner, as is directed by some or one of the Acts of Parliament now in Force, relating to or concerning Bankrupts, or shall not obtain such Certificate and Discharge before such Time as he shall be brought before the Justices of the Peace, at their General Quarter-Sessions held as aforesaid, in order to be discharged in pursuance of this Act, shall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Meaning thereof.

Attornies, &c. imbezzeling, &c. Clients Money, not to be benefited.

XXIII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to release or discharge any Attorney at Law or Solicitor, or any other Person or Persons acting or pretending to act as such, with regard to any Debt with which he or they shall stand charged for any Money or other Effects recovered and received by him or them, for the Use of any Person or Persons, Bodies Corporate or Politick, and by any Attorney, Solicitor or other Person or Persons acting as such, imbezzeled, concealed or converted to his or their own Use; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Not to extend to Scotland.

XXIV. Provided always, That this Act shall not extend to that Part of *Great Britain* called *Scotland*.

Gaoler to permit Persons to speak with Prisoners

XXV. And be it further enacted by the Authority aforesaid, That every Sheriff, Gaoler or Keeper of any Prison, shall, and is hereby required to suffer, in the Day-time, any Person or Persons desiring the same, to see and speak in the Lodge, or some convenient Room of the said Prison, with any Prisoner or Prisoners,

who are inserted in the List or Gazette; and to see the Books of Entries,

Prisoners, whose Names are inserted in the afore-mentioned List or Lists or *London Gazette*, or either of them, or any Persons surrendering themselves pursuant to this Act; and also see, in the true and genuine Books of the said Prison, the Entries made of the Name or Names of such Prisoner or Prisoners, together with the Name or Names of the Person or Persons at whose Suit or Suits he, she or they are detained; and if any such Sheriff, Gaoler or Keeper, shall neglect or refuse to comply with what is here above required, such Sheriff, Gaoler or Keeper, shall forfeit and pay to the Person so refused and aggrieved the Sum of forty Pounds, over and above all the Penalties provided by any other former Law now in being, to be recovered with Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of the Courts of *Westminster*, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed.

on Penalty of 40 l. &c.

Prisoner not declaring the Abode, &c. of the Person at whose Suit he is detained, or not coming to the Creditor, not to be benefited.

XXVI. And be it further enacted by the Authority aforesaid, That if any Prisoner, being thereunto required by any Creditor, shall refuse to discover and declare the Trade or Occupation and Habitation, or last Place of Abode, of the Person or Persons at whose Suit he or she are detained; or being called for, shall, without reasonable Cause, refuse to come to the Lodge of the Prison where he or she is detained; every such Prisoner shall, upon Proof thereof before the Justices at the General or Quarter-Sessions held as aforesaid, be incapable of receiving any Benefit by this Act; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Gaoler making false Entries, &c. forfeits 1,000 l. &c.

XXVII. And be it further enacted by the Authority aforesaid, That if any Sheriff, Gaoler or Keeper of any Prison or Prisons, shall make or cause to be made, any false Entries in any Book or Books belonging to the said Prison, or shall prepare or keep, or cause to be prepared and kept, any false Books, in order for such false Entries, such Sheriff, Gaoler or Keeper, shall, over and above the Penalties which may be inflicted for such Fraud, Forgery or Corruption, forfeit and pay the Sum of one thousand Pounds, to be recovered, with treble Costs of Suit, by and in the Name of any Person or Persons to whose Prejudice such false Entries shall in any wise tend, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

Petitioner to leave with the Justices a Copy of the Schedule,

XXVIII. Provided also, and be it enacted by the Authority aforesaid, That all and every Prisoner and Prisoners petitioning to be discharged by this Act, shall, at the Time of such petitioning, leave with the Justice or Justices petitioned, a true Copy of the Schedule, containing his or her intended Discovery, to be sworn unto at the General or Quarter-Sessions aforesaid; which Copies shall be transmitted to the respective Clerks of the Peace, and there to be seen, without Fee or Reward, by any Creditor desiring the same.

Justices for Com' York and Lincoln to meet at their respective Gaols for Discharge of Prisoners.

'XXIX. And whereas there is but one Common or County Gaol for each of the respective Counties 'of *York* and *Lincoln*, which said Counties are each of them divided into three several Ridings or Divisions, 'all which have several Commissions of the Peace; and if the Gaoler of those Gaols be obliged to carry 'the Debtors Prisoners therein, to the Quarter-Sessions of each Riding or Division, the same will be a 'very great Charge, not only to such Gaolers, but also to the Prisoners, in those large Counties:' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for two or more Justices of the Peace for each of the said Ridings and Divisions, in their respective Counties, at the Common or County Gaol thereof respectively, to assemble and meet, and to hold Session there by Adjournment from their respective Quarter-Sessions, from Time to Time, for the Discharge of the respective Prisoners therein, according to the Powers, Limitations, and Directions of this Act.

Persons confined for Fees, and other Demands of the Gaoler, &c. to be discharged.

XXX. And be it further enacted by the Authority aforesaid, That all Debtors and others, who were in Prison on or before the said first Day of *January* one thousand seven hundred and fifty-five, in the several Gaols of this Kingdom, for want of paying their Fees, Rents, Charges or any other Demands, due to the Keeper or Gaoler of any Prison respectively, or to any other Officer, (and upon no other Account) shall be discharged, he, she or they, taking the Oath by this Act required to be taken by Prisoners.

Debtors to the Crown excepted; and Prisoners who owe above 500 l. to one Person, unless Creditor consent.

XXXI. Provided always, That this Act shall not extend to discharge any Person out of Prison, seeking his or her Discharge under this Act, with respect to any Debt with which he or she shall stand charged at the Suit of the Crown, or shall be indebted to any Body Politick or Corporate, or to any one Person, in any Sum exceeding the Sum of five hundred Pounds, besides Interest and Costs, unless such Body Politick or Corporate or Creditor, shall consent thereto; and if any such Body Politick or Corporate or Creditor, to whom a Sum exceeding five hundred Pounds shall be owing, shall oppose the Discharge of such Prisoner, and shall insist that such Prisoner be continued in Gaol; that then, and in such Case, such Body Politick or Corporate or Creditor or Creditors, opposing the said Prisoner's Discharge as aforesaid, shall, at his, her or their proper Costs and Charges, allow and pay such a weekly Maintenance to the said Prisoner, not exceeding three Shillings and six Pence *per* Week, in such manner as the said Justices in their General or Quarter-Sessions shall order; and upon Non-payment of the same for the Space of six Weeks, the said Prisoner, upon Application to the said Justices in their General or Quarter-Sessions held as aforesaid, shall be discharged, pursuant to the Intent and Meaning of this Act.

Creditor opposing the Discharge, to allow Prisoner 3 s. 6 d. per Week.

On Nonpayment, Prisoner to be discharged.

No Discharges to be obtained after 31 March 1757.

XXXII. Provided also, That every Person and Persons, intitled or to be intitled to the Benefit of this Act, shall obtain their respective Discharges on or before the thirty-first Day of *March* one thousand seven hundred and fifty-seven, or to be for ever excluded from all Benefit thereof.

Where Prisoner has been removed, Gaoler in whose Custody he

'XXXIII. And whereas several Persons who were confined in Prison on the said first Day of *January* 'one thousand seven hundred and fifty-five, may have been removed to some other Prison, by Process 'of Law;' Be it enacted, That the Gaoler of the Prison wherein any such Prisoner was confined on the said first Day of *January* one thousand seven hundred and fifty-five, shall make Affidavit of such Confinement, and shall transmit such Affidavit, to be attested on Oath, to the Sessions where such Prisoner may claim

claim to be discharged; and it shall and may be lawful for the Justices of the Peace, at such Sessions as aforesaid, upon such Oath as aforesaid, and upon such Prisoner's performing all other Matters required in this Act, to discharge such Prisoner.

was on 1 Jan. to make Affidavit of his Confinement.

'XXXIV. And whereas the Prisons of the *Fleet* and *King's Bench*, being the Prisons of and belonging 'to the Superior Courts, and for the most part containing such Prisoners as brought themselves thither by '*Habeas Corpus* from other Prisons, or have surrendered themselves into Custody in discharge of their 'Bail, which could not be done without their own Consent or Procurement:' Be it therefore enacted by the Authority aforesaid, That every Person so coming to either of those Prisons, whether by *Habeas Corpus* or voluntary Surrender in Discharge of Bail, and being qualified to take the Benefit of this Act in all respects, according to the true Intent and Meaning thereof, shall be discharged or intitled to any other Benefits arising thereby, on taking the Oath that is herein prescribed for each Prisoner to take, omitting only the Words [*without my Consent or Procurement*] and with respect to their being a Prisoner or Prisoners, in either of said Prisons above-mentioned only; any Thing herein contained to the contrary notwithstanding.

Prisoners in the Fleet or King's Bench by Habeas Corpus, not to swear that it was without their Procurement.

'XXXV. And whereas it may happen, that several Persons, who may claim and be intitled to the Be-'nefit of this Act, are seised of an Estate Tail in some Freehold or Copyhold Lands, Tenements or He-'reditaments; which Entail, with the Remainders thereupon expectant, they have by Law Power to de-'feat and bar, either by levying a Fine or Fines, suffering a Common Recovery or Common Recoveries, 'or by Surrender or Surrenders thereof; and thereby such Persons said Freehold or Copyhold Lands, Te-'nements or Hereditaments, shall be liable to the Payment of their Debts, and be delivered up according 'to the Terms of this Act, for the Benefit of their Creditors:' Be it therefore enacted by the Authority aforesaid, That in every such Case, such Person or Persons so seised as aforesaid, and who shall be intitled to, and claim the Benefit of this Act, shall, to all Intents and Purposes whatsoever in Law, be deemed and taken, and is and are hereby declared to be seised of such Lands, Tenements and Hereditaments, in Fee-simple; and the same shall be delivered up to the Creditor or Creditors, in the same manner as if such Person or Persons had actually levied a Fine, suffered a Common Recovery or Recoveries, or made a Surrender or Surrenders thereof, and thereby had become seised in Fee-simple; any Law or Construction of Law to the contrary thereof in any wise notwithstanding.

Prisoners seised of Estates Tail, &c. to deliver up the same to Creditors.

'XXXVI. And whereas many Prisoners who may be intitled to, and claim the Benefit of this Act, have 'been great Dealers, or otherwise engaged in large Transactions, whereby they may be intitled to sundry 'and great Debts and Demands of various and intricate Natures; and they may be intitled to Equities of 'Redemption of Estates subject and liable to Mortgages, Judgments or other Incumbrances, or to Rever-'sions, Remainders or other contingent Estates in Lands, Tenements or Hereditaments, or to other 'Trusts or Interests in Estates, both Real and Personal, which may not be sufficiently described or disco-'vered in the Schedule or Inventory before directed to be delivered in upon Oath by the Prisoner to be dis-'charged as aforesaid, or which may want his Aid or Assistance to adjust, make out, recover or manage, 'for the Benefit of the Creditors:' Be it therefore provided and enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Assignees of the Estate and Effects of such Prisoner or Prisoners, who shall obtain his, her or their Discharge in pursuance of this Act, or any other Person or Persons duly authorized by them for that Purpose, from Time to Time, to apply to any two or more of the Justices of the Peace for the County, Riding, Division, City, Town or Liberty, where such Prisoner or Prisoners shall be then residing, thereby desiring, that such Prisoner or Prisoners may be further examined as to any Matters or Things relating to his, her or their Estate or Effects; whereupon such Justices shall send for or call before them, such Prisoner or Prisoners, by such Warrant, Summons, Ways or Means, as they shall think fit; and upon such Prisoners appearing, shall examine him, her or them, as well upon Oath as otherwise, as to such Matters and Things as such Assignee shall desire, relating to the Estate or Effects of such Prisoner or Prisoners; and if any Prisoner or Prisoners (on Payment, or Tender of Payment, of such reasonable Charges as such Justices shall judge sufficient) shall neglect or refuse to come and appear, not having a lawful Excuse, to be made known to such Justices, and by them allowed; or being come before them, shall refuse to be sworn, or to answer to all such Questions as by such Justices shall be put to him, her or them, relating to the Discovery of his, her or their Estate or Effects, so vested or intended to be vested in such Clerk of the Peace, or in such Assignees as aforesaid; that then it shall and may be lawful to and for such Justices, by Warrant under their Hands and Seals, to apprehend such Prisoner or Prisoners so offending as aforesaid, and him, her or them, to commit to the County Gaol, there to remain without Bail or Mainprize, until such Time as he, she or they shall submit him, her or themselves, to such Justices, and answer, upon Oath, to all such Questions as shall, by such Justices, be put to him, her or them, for the Purposes aforesaid.

Assignees of Prisoners discharged, may apply for further Discovery of his Effects, &c.

Justices to summon and examine Prisoner thereon;

Prisoner refusing to make Discovery, to be committed.

XXXVII. And be it further enacted by the Authority aforesaid, That all and every such Person and Persons, who shall, within twelve Months after the Discharge of such Prisoner or Prisoners, voluntarily come in, and make a Discovery of any Part of such Debtor or Debtors Real or Personal Estate as shall not be comprized in such Schedule as aforesaid, before any such Justices aforesaid, shall be allowed after the Rate of twenty Pounds *per Centum*, out of the net Produce of such Debtor or Debtors Estate, which shall be recovered on such Discovery; and which shall be paid such Person or Persons so discovering the same, by the Creditor or Creditors who shall receive, or be intitled to any Benefit and Advantage by such Discovery.

Discovery of Debtor's Estate, &c. not comprized in the Schedule, to have 20 l. per Cent.

XXXVIII. Provided always, and be it enacted, That notwithstanding the Discharge of any Prisoner or Prisoners, by virtue of this Act, if it shall hereafter appear the same was obtained fraudulently, the same shall be void and of none Effect.

Discharge obtained fraudulently, void.

XXXIX.

'XXXIX. And whereas several Persons who are Prisoners for Debt choose rather to continue in Prison, 'and spend their Substance there, than discover and deliver up to their Creditors their Estates or Effects, 'in order to the Satisfaction of their just Debts;' Be it enacted by the Authority aforesaid, That it shall and may be lawful to or for any one or more of the Creditors of any Prisoner committed since the first Day of *January* one thousand seven hundred and forty-seven, at whose Suit he or she was detained in Prison upon the said first Day of *January* one thousand seven hundred and fifty-five, upon twenty Days Notice in Writing to be given to such Prisoner, and the Person in whose Custody he or she is, to require the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of the Prison wherein such Prisoner is detained, to bring such Prisoner before the Justices, at their next General or Quarter-Sessions of the Peace, or any Adjournment thereof, for the respective County, Riding, Division, City, Town or Liberty, together with a Copy or Copies of the Cause or Causes of his or her Detainer; and such Prisoner coming before such Justices, at their said General or Quarter-Sessions held as aforesaid, shall at the Desire of any one or more of his or her Creditors, at whose Suit he or she appears to be detained, be obliged to deliver in upon Oath, and subscribe the like Schedule of his or her Estate or Effects, to be vested, assigned and equally divided, for the Benefit of his or her Creditors, in like manner as Persons desiring to take the Benefit of this Act are required to do, subject to the same Penalty of being adjudged a Felon, and suffering as such, without Benefit of Clergy, on Conviction of wilful Perjury therein, as the said other Prisoners are hereby subjected to; and shall upon such Discovery, to the Satisfaction of the said Justices, in their said General or Quarter-Sessions held as aforesaid, or the major Part of them, be discharged and set at Liberty, in the same Manner, and with the same Benefit of making use of their Discharge, as is hereby provided for Prisoners seeking their Discharge under this Act; and if any such Prisoners, so brought up as aforesaid, shall neglect or refuse to deliver in and subscribe such Schedule within forty Days, he, she or they so neglecting or refusing, shall, upon Conviction thereof, be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Creditor may compel a Prisoner to deliver in a Schedule of his Effects.

Prisoner making Discovery to be discharged;

on Refusal to make the same, to suffer as a Felon.

XL. Provided always, That the Creditors who intend to compel such Prisoners to deliver in any such Schedule of their Estate and Effects, do give publick Notice thereof in the *London Gazette*, twenty Days at least before the said General or Quarter-Sessions held as aforesaid, to the end the other Creditors of such Prisoners may be apprized thereof, and come in for their Distributive Share, which they are hereby impowered to do, in like manner as is provided for the Creditors of Persons seeking their Discharge under this Act.

Notice thereof to be given, that other Creditors may come in.

XLI. And be it further enacted by the Authority aforesaid, That the Oath to be taken by the Prisoner, delivering in any Schedule, at the Desire of any one or more of his or her Creditors, according to the Provision hereby made for that Purpose, shall be in the Words following; that is to say,

Oath to be made by Prisoner compelled to give in such Schedule.

'I *A. B.* upon my Corporal Oath, in the Presence of Almighty God, do solemnly swear, protest, and declare, That the Schedule now delivered, and by me subscribed, doth contain, to the best of my 'Knowledge, Remembrance, and Belief, a full, just, true and perfect Account and Discovery of all the 'Goods, Effects and Estate, Real and Personal, either in Possession, Reversion, Remainder, or in Trust 'for me, or for my Benefit or Advantage, unto me in any wise belonging or appertaining; and such Debts 'as are to me owing, or to any Person or Persons in Trust for me; and of all the Securities and Contracts, 'whereby any Money now is, or will or may hereafter become payable, or any Benefit or Advantage accrue 'to me, or to my Use, or to any Person or Persons in Trust for me, and the Names and Places of Abode 'of the several Persons from whom such Debts are due and owing, and of the Witnesses that can prove 'such Debts or Contracts; and neither I, nor any Person or Persons in Trust for me, have Lands, Money, 'Stock, or any Estate, Real or Personal, in Possession, Reversion or Remainder, other than what are in the 'said Schedule contained, except Wearing Apparel, Bedding for myself and Family, Working Tools, and 'necessary Implements for my Occupation and Calling, and these in the Whole not exceeding the Value 'of ten Pounds; and that I have not, nor any Body for me, directly or indirectly, sold, lessened, or other-'wise conveyed, disposed of in Trust, or concealed, all or any Part of my Lands, Money, Goods, Chat-'tels, Stock, Debts, Securities, Contracts or Estates, Real or Personal, whereby to secure the same, to 'receive or expect any Profit or Advantage thereof, to defraud or deceive any Creditor or Creditors to 'whom I am indebted, in any wise howsoever.

'*So help me GOD.*'

Such Prisoners liable also to be examined, &c.

And such Prisoner shall be obliged to undergo the like Examination, on the Application of the Assignee or Assignees of his or her Estate or Effects, as Prisoners seeking their Discharge are by this present Act required to undergo, and subject to the like Commitment for refusing to appear, or answer upon Oath, as before is provided for the said other Prisoners.

Assignees may compound with Persons indebted to Prisoner.

XLII. And be it further enacted by the Authority aforesaid, That any Assignee or Assignees, to whom by virtue of this or any former Act of Parliament made for Relief of Insolvent Debtors, the Estate or Effects of any Prisoner or Prisoners hath been or shall be assigned, is and are hereby impowered, by and with the Consent of the major Part in Value of such Prisoner or Prisoners Creditors, who shall be present at a Meeting to be had for that Purpose, of which twenty-one Days publick Notice shall be previously given in two *London Gazettes*, to make Composition with any Person or Persons, Debtors or Accountants to such Prisoner or Prisoners, where the same shall appear necessary or reasonable, and to take such reasonable Part as can upon such Composition be gotten, in full Discharge of such Debts and Accounts; and also to submit any Difference or Dispute between such Assignee or Assignees, and any Person or Persons whatsoever, for or on account, or by reason or means of any Matter, Cause or Thing, relating to such Prisoner or Prisoners

Differences relating thereto may be determined by Arbitrators.

Estate

Estate or Effects, or to any Debt or Debts due or claimed to be due to or from such Prisoner or Prisoners, to the final End and Determination of Arbitrators, to be chosen by the said Assignee or Assignees, and the major Part in Value of such Creditors, and the Party or Parties with whom they shall have such Difference, and to perform the Award of such Arbitrators, or otherwise to settle and agree the Matters in Difference and Dispute between them, in such manner as the said Assignee or Assignees, with such Consent as aforesaid, shall think fit, and can agree; and the same shall be binding to all the Creditors of such Prisoner or Prisoners; and the said Assignees are hereby indemnified for what they shall fairly do, according to the Direction aforesaid.

Creditor petitioning, Assignees may be removed for Insufficiency or Misbehaviour;

XLIII. And, to the Intent and Purpose that the Estate and Effects of such Prisoner or Prisoners as shall be discharged by virtue of this Act, may be truly and faithfully applied for the Benefit of his, her or their real Creditors; Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Courts at *Westminster*, from whence any Process issued, upon which such Prisoner or Prisoners was or were committed, whose Effects are so assigned, or where the Process issued out of any other Court, to and for the Judges of the Court of *King's Bench*, *Common Pleas* and *Exchequer*, or any one of them, from Time to Time, upon the Petition of any Creditor or Creditors of such Prisoner or Prisoners, complaining of any Insufficiency, Fraud, Mismanagement or other Misbehaviour, of all or any of the Assignees to whom the Estate or Effects of such Prisoner or Prisoners shall be assigned by such Clerk of the Peace as aforesaid, upon hearing the Parties concerned therein, to make and give such Orders and Directions therein, either for the Removal or Displacing such Assignee or Assignees, and the appointing any new Assignee or Assignees, in the Place or Stead of such Assignee or Assignees so to be removed or displaced, or for the prudent, just or equitable Management or Distribution of the said Estate and Effects for the Benefit of the respective Creditors, as the said Courts or Judges respectively shall think fit; and in case of the Removal or Displacing of any Assignee or Assignees, and the appointing of any such new Assignee or Assignees, the Estate or Effects of such Prisoner or Prisoners shall from thenceforth be divested out of the Assignee or Assignees so removed or displaced, and be vested in and delivered over to such new Assignee or Assignees, in the same Manner, and for the same Intents and Purposes, as the same were before vested in the Assignee or Assignees as aforesaid; any Thing in this Act contained to the contrary notwithstanding.

and new ones appointed.

Where mutual Credit has been given the Balance to be stated.

XLIV. Provided always, and be it enacted by the Authority aforesaid, That in all and every Case or Cases, where mutual Credit hath been given between any Prisoner or Prisoners to be discharged in pursuance of this Act, and any other Person or Persons, or Body Politick or Corporate, before the Delivery of such Schedule or Inventory of the Estate and Effects of such Prisoner or Prisoners upon Oath as aforesaid, then and in every such Case the respective Assignees of such Prisoner or Prisoners shall and have hereby Power, on their Part, to state and allow an Account between them, and nothing more shall be deemed to be vested in such Clerk of the Peace, or such Assignees, as the Estate or Effects of such Prisoner or Prisoners, than what shall appear to be due to him, her or them respectively, for the Balance of such Account when truly stated.

This Act not to extend to Benjamin Thomas and Richard Beddoes.

XLV. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend to *Benjamin Thomas* and *Richard Beddoes*, two of the People called *Quakers*, now Prisoners in the Common Gaol of the County of *Salop*, at the Suit of *Joyce Smith*, Executrix of the last Will and Testament of *Thomas Smith* Clerk, deceased, for Tythes, or either of them, so as to oblige the said *Benjamin Thomas* and *Richard Beddoes* to deliver in and subscribe a Schedule of their respective Estates and Effects; but it shall and may be lawful for the Justices of the Peace of the said County, upon Application made by the said *Joyce Smith*, or by any Person or Persons for or on Behalf of the said *Benjamin Thomas* or *Richard Beddoes*, to cause the said Prisoners respectively to be brought before them at their next General Quarter-Sessions of the Peace, together with a Copy or Copies of their Detainer, and to examine into the Value of the Estate and Effects of the said Prisoners, by the Oath of one or more Witness or Witnesses, and to issue a Warrant under their Hands and Seals, or the Hands and Seals of any two or more of them, thereby directing and requiring the respective Sums due from them the said Prisoners respectively, to the said *Joyce Smith*, and for which they are respectively charged and detained in the said Prison, to be levied upon their respective Goods and Chattels; and if the Goods and Chattels of the said Prisoners respectively shall not be found sufficient, then the Real Estates of the said Prisoners respectively (if any such there be) shall by the said Justices be assigned over to the said *Joyce Smith*, till such Time as the said Debts shall be respectively paid; and the said Prisoners shall, upon their Appearance respectively before the said Justices, and the said Debts due to the said *Joyce Smith* being respectively paid, be respectively discharged from their Imprisonment, as to the said Debt or Debts.

Justices may call the said Prisoners before them;

and examine into the Value of their Estate and Effects,

and levy the Debt by Warrant of Distress, and assign over their Real Estate, till Payment.

Prisoners thereupon to be discharged.

'XLVI. And whereas great Numbers of poor People have been and are now imprisoned for Debt, upon 'Processes issuing out of Courts of Conscience:' It is hereby enacted and declared, That all such Prisoners shall be intitled to have the Benefit of this Act, and be discharged hereby, provided he, she or they conform to the Directions herein before prescribed.

Prisoners of Courts of Conscience, to have the Benefit of this Act.

XLVII. And be it further enacted by the Authority aforesaid, That in all Cases wherein by this Act an Oath is required, the solemn Affirmation of any Person being a *Quaker*, shall and may be accepted and taken in lieu thereof, and every Person making such Affirmation, who shall be convicted of wilful and false affirming, shall incur and suffer such and the same Penalties as are inflicted and imposed by this Act, upon Persons convicted of wilful and corrupt Perjury.

Quaker's Affirmation to be taken in lieu of an Oath.

Persons who took the Benefit of 21 Geo. 2. c. 31. excluded.

XLVIII. Provided always, and be it enacted by the Authority aforesaid, That no Person who took the Benefit of an Act passed in the twenty-first Year of his present Majesty's Reign, intituled, *An Act for the Relief of Insolvent Debtors*, shall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Meaning thereof; any Thing herein contained to the contrary notwithstanding.

CAP. XIV.

An Act for further explaining, amending and rendering more effectual an Act made in the twenty-third Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of the* British *White Herring Fishery*; and for giving further Encouragement for the carrying on the said Fishery; and for other Purposes therein mentioned.

23 Geo. 2. c. 24. WHEREAS by an Act made in the twenty-third Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of the* British *White Herring Fishery*, after impowering his Majesty, his Heirs and Successors, by Letters Patent under the Great Seal of *Great Britain*, to incorporate sundry Persons in the said Act named, and such other Bodies and Persons as in the said Act are mentioned, to be one Body Politick and Corporate, by the Name of *The Society of the Free* British *Fishery*, for the Purpose of carrying on and improving the *British* White Herring Fisheries, and to impower the said Society, by a voluntary Subscription, to raise the Sum of five hundred thousand Pounds, to be the Capital Stock of the said Society; it is, amongst other Things enacted, That for an Encouragement to such Persons as should become Subscribers to the Stock for carrying on the said Fisheries, that the Sum of three Pounds by the Year for each hundred Pounds which should be actually employed in the said Fishery, and proportionably for any greater or lesser Sum, should be paid to the Proprietors of the said Stock, for and during the Space of fourteen Years from the Date of their Charter, out of the Customs, by the Receiver General of his Majesty's Customs, by equal half-yearly Payments, provided that the said Society should employ the Sum of one hundred thousand Pounds, at least, in the said Fisheries, within the Space of eighteen Months after the Date of such Subscription; and it is, by the said Act, enacted, That no Transfer should be made of any of the Stock or Share of or in the said five hundred thousand Pounds, for the Space of five Years from the Date of the said Charter, but that the same should be absolutely void to all Intents and Purposes whatsoever; provided that it should be lawful for the Executors, and Administrators, or Devisees, of any Person or Persons who should happen to die possessed of, or interested in, any such Stock or Share of or in the said five hundred thousand Pounds, and also for the Assignees under any Commission of Bankrupts, to transfer such Stock or Shares, and dispose of the Produce thereof in such manner as they might by Law dispose of any other Effects of such Testator, Intestate, or Bankrupt; and as a further Encouragement to all Persons to engage in the said White Herring Fisheries, a Bounty of thirty Shillings *per* Ton is by the said Act given and made payable as therein mentioned, to the Owner or Owners of all decked Vessels, from twenty to eighty Tons Burthen, which should be built after the Commencement of the said Act, for the Use of the said Fisheries, whether by the said Society, or any other Person or Persons, in Manner, and under the Regulations, and upon such Conditions, as in the said Act are after-mentioned, such Bounty to be paid yearly, during the Space of fourteen Years from the Commencement of the said Act, and no longer, upon conforming to the Regulations of the said Act: And whereas, amongst other Qualifications by the said Act made necessary for obtaining a Licence and Authority for Busses or Vessels to proceed on the said Fishery, Oath is to be made by such Persons as in the said Act mentioned, that such Busses or Vessels shall proceed either to *Brassey Sound* in *Shetland*, and be at the Rendezvous of the said Fishery there, on or before the eleventh Day of *June*, and shall not shoot or wet their Nets before the thirteenth Day of the said Month of *June*, and shall continue following and fishing amongst the Shoals of Herrings as they move Southward, to the first Day of *October*; or shall proceed to *Campbell Town* in *Argyleshire*, and be at the Rendezvous of the said Fisheries on or before the first Day of *September*, and shall continue fishing among the Shoals of Herrings as they move, to the thirty-first Day of *December*, unless they shall have sooner completed their Loading of Fish; and that on the Return of such Vessel into any Port of *Great Britain* for her Discharge, Oath shall be made by the Master of such Vessel, that such Vessel was at one of the Places before-mentioned, at the Time appointed by the said Act, and hath not since been on any other Voyage, or pursued any other Design or View of Profit, and that they did remain fishing according to the Direction of the said Act: And whereas by

26 Geo. 2. c. 9. another Act made in the twenty-sixth Year of the Reign of his said Majesty, intituled, *An Act to explain, amend and render more effectual an Act made in the twenty-third Year of the Reign of his present Majesty, intituled,* An Act for the Encouragement of the *British* White Herring Fishery; *and for regulating the said Fishery according to the Calendar now in Use; and for other Purposes therein mentioned*; it is enacted, That the Oath and Oaths by the said first-mentioned Act required to be taken with respect to the Days thereby appointed for the Rendezvous of the said Society's Busses or Vessels, and for the Commencement and Duration of the said Fisheries, should be varied and made conformable to the Calendar then and now in Use in these Kingdoms; that is to say, That the Oath to be made in order to the procuring a Licence to proceed on the said Fishery, should import that it is the firm Purpose and determined Resolution of the Persons making such Oath, that the Bus or Vessel applying for Licence and Authority to proceed on the said Fishery, should proceed either to *Brassey Sound* in *Shetland*, and be at the Rendezvous of the said Fishery there on or before the twenty-second Day of *June*, and should continue fishing as in the said Act mentioned, to the twelfth Day of *October*, or should proceed to *Campbell Town* in *Argyleshire*, and be at the Rendezvous of the said Fisheries on or before the twelfth Day of *September*, and should continue fishing to the eleventh Day of *January*, unless they should have sooner completed their Loading of Fish; and that the Oath by the said first-mentioned Act required to be made by the respective Masters of the said Busses or Vessels, at their Return into Port, for their Discharge, might and should from the Commence-

'ment of the said last-mentioned Act, be varied and made conformable to the Alterations thereby made in 'respect of such several Days of Rendezvous: And whereas pursuant to the Powers by the said first-'mentioned Act given to his said Majesty, a Society by the Name of *The Society of the Free* British *Fishery*, 'hath been incorporated by Charter, bearing Date the eleventh Day of *October* one thousand seven hundred 'and fifty, and a very considerable Sum of Money hath been subscribed and paid in towards carrying on the 'Purposes of the said Act and Charter, in which the said Society did actually expend and employ, within 'eighteen Months from the Date of their Subscription, the Sum of one hundred and four thousand five 'hundred and nine Pounds, and the said Society have accordingly, in pursuance of the said two several 'Acts herein before recited, received of the Commissioners of his Majesty's Customs, Interest for the said 'Sum of one hundred and four thousand five hundred and nine Pounds, after the Rate of three Pounds *per* 'Centum *per Annum*, for two Years, computed from the said eleventh Day of *October* one thousand seven 'hundred and fifty, Old Stile, being the Date of the said Society's Charter, to the twenty-second Day of 'October one thousand seven hundred and fifty-two, New Style: And whereas since the said twenty-second 'Day of *October* one thousand seven hundred and fifty-two, the said Society have expended and employed 'in the said Fishery a further Sum of Money, over and beside the said Sum of one hundred and four thou-'sand five hundred and nine Pounds: And whereas it is conceived that it would be for the Benefit and Ad-'vantage of the said Society to be impowered to let out to Hire to any Person or Persons any of the Busses 'now belonging, or hereafter to belong to the said Society, to be employed only in the said Fisheries, and 'also for the said Society, and such Person or Persons to whom such Busses may be so let out to Hire, to be 'at Liberty to follow the said White Herring Fishery in any Part of the *British Seas:* And whereas some 'Doubts have arisen touching the Validity of the Payment of the Interest of three Pounds *per Centum per* '*Annum*, so made to the said Society on the said Sum of one hundred and four thousand five hundred and 'nine Pounds, to the said twenty-second Day of *October* one thousand seven hundred and fifty-two; and 'also touching the Times from whence the Computation of the Interest accrued due, or hereafter to grow 'due, to the said Society, from the said twenty-second Day of *October* one thousand seven hundred and 'fifty-two, ought to be made:' Therefore, for putting an End to all such Doubts, and for giving further Encouragement to the carrying on the said Fisheries; Be it enacted and declared, and it is hereby enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Payment of the Interest of three Pounds *per Centum per Annum*, made by the Commissioners of his Majesty's Customs, to the said Society on the said Sum of one hundred and four thousand five hundred and nine Pounds, and computed from the eleventh Day of *October* one thousand seven hundred and fifty, to the twenty-second Day of *October* one thousand seven hundred and fifty-two, shall be deemed a good and valid Payment, within the true Intent and Meaning of the said Act herein first recited; and that the said Society shall not be liable to any Deduction from or Re-imbursement of the Sum so paid to them for Interest as aforesaid, or any Part thereof; and that all future Interest on the said Sum of one hundred and four thousand five hundred and nine Pounds, shall be computed and paid from the said twenty-second Day of *October* one thousand seven hundred and fifty-two.

The Payment made to the Society of a Year's Interest on the Sum of 104,509l. approved and continued. Future Interest to be computed from 22d October 1752.

II. And be it further enacted and declared by the Authority aforesaid, That all future Computations of Interest, payable to the said Society by virtue of or under the said Act herein first recited, in respect of any additional Sums already paid in, or hereafter to be paid in, over and above the said Sum of one hundred and four thousand five hundred and nine Pounds, shall be made from the respective Day or Days on which each Sum respectively was or shall hereafter be paid into the Bank of *England*, in order to be expended or employed in the said Fisheries.

Future Interest of additional Sums to be from the Days of the Payments into the Bank.

III. And it is further enacted by the Authority aforesaid, That so much of the said herein first recited Act, as directs that no Transfer of any of the Stock or Share of or in the Sum of five hundred thousand Pounds, which the said Society are by the said Act impowered to raise as a Capital Stock, shall be made for the Space of five Years, from the Date of their Charter, except in such Cases as in the said Act are mentioned and excepted, shall be continued and be in force for the further Term of seven Years, to be computed immediately from and after the Expiration of the said Term of five Years.

Clause prohibiting Transfers continued for 7 Years. Exception.

IV. And be it further enacted by the Authority aforesaid, That the several Allowances of three Pounds *per Centum per Annum*, and the Bounty of thirty Shillings *per* Ton, granted by the said Acts, for the respective Terms therein and herein before-mentioned, shall be continued for the further Term of three Years, to be computed immediately from and after the Expiration of the said respective Terms, for which the same were granted as aforesaid, and shall be paid and payable for such further Term of three Years to the said Society, and to such other Person or Persons as are or may be intitled to the said Allowances respectively, by virtue of or under the said Acts, in such Manner, and by such Person and Persons, and out of such Monies, as the same are now payable by virtue of or under the said Acts, or either of them.

Allowances of 3l. per Cent. and Bounty of 30s. per Ton, continued for 3 Years.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Society, from Time to Time, to let out to Hire, to any Person or Persons, any of the Busses belonging or which may hereafter belong to the said Society, to be used and employed in the said Fisheries only, under and subject to such Regulations and Restrictions as the said Society would be liable and subject unto, in case such Busses so let out were immediately under the Direction and Employment of the said Society; and also that it shall and may be lawful for the said Society, and for such Person or Persons to whom any of their Busses may be so let out to Hire as aforesaid, to follow the said White Herring Fishery in any Part of the *British Seas*.

Society may hire out their Busses; subject to like Regulations. Fishery may be followed in any Part of the British Seas.

Forfeiture for Busses not arriving at the Places of Rendezvous by a certain Day, taken off; provided they took their Departure 5 Days before the Times limited in the Act; and that they be fitted out as the Acts direct.

VI. And be it further enacted by the Authority aforesaid, That the said Society shall not be deemed liable to forfeit or incur a Forfeiture of the said Bounty of thirty Shillings *per* Ton, so given and intended by the said Act herein first recited, to Vessels employed in the said Fisheries, in respect of such Busses as shall not arrive at one of the Places in and by the said Acts or either of them appointed, for the Rendezvous of the Busses or Vessels to be employed in the said Fisheries, by or on the respective Days in and by the said herein recited Act of the twenty-sixth Year of the Reign of his present Majesty appointed for the Rendezvous of such Busses or Vessels, provided that such Busses or Vessels did really and *bona fide* take their Departure for such respective Places of Rendezvous, or one of them, at least five Days before the respective Days in and by the said last-mentioned Act named and appointed for the Vessels employed in the said Fisheries to be at such respective Places of Rendezvous, and that such Busses or Vessels be fitted out in all Respects conformable to the Directions and Regulations in the said two several recited Acts.

The Oath to be taken by Masters at their Return to Port, to be conformable to the particular Circumstances of the Vessel, with respect to the Time of arriving at or quitting their Stations.

VII. And be it further enacted by the Authority aforesaid, That in all Cases where it shall happen that the Busses or Vessels to be employed in the said Fisheries shall, by virtue of the Liberty and Power in and by this present Act given and allowed for that Purpose, quit and leave the respective Stations at Sea, from whence the said Fishery is in and by the said first herein recited Act appointed to be carried on, in order for the Fishing at other Stations; and also in all Cases where the respective Busses employed in the said Fisheries, and taking their Departure for such respective Places of Rendezvous at the respective Times herein before mentioned, shall not arrive at the said respective Stations at *Brassey Sound* or *Campbell Town*, or at *Kirkwall*, or one of them, on or before the respective Days in and by the said Act of the twenty-sixth Year of the Reign of his said Majesty directed and appointed; the Oath by the said herein first recited Act required to be made by the respective Masters of such Busses or Vessels at their Return into Port for their Discharge, with respect to so much of such Oath as relates to their having arrived at such respective Places of Rendezvous, or one of them, on such Days as is for that Purpose mentioned and appointed in and by the said Acts, or either of them, and to their having remained fishing according to the Directions of the said several Acts, may and shall from henceforth be varied and made conformable to the particular Circumstances attending such respective Busses or Vessels so quitting the respective Stations at Sea, from whence the said Fisheries are, in and by the said herein first recited Act, directed to be carried on, or either of them, or to their not arriving at either of the said respective Stations of *Brassey Sound* or *Campbell Town*, or *Kirkwall*, on or before the respective Days in and by the said Act of the twenty-sixth Year of the Reign of his present Majesty appointed for the Rendezvous of such Busses or Vessels; and that such Oath shall be made and taken by the Master or other Chief Officer of such Buss or Vessel so returning into Port for a Discharge.

In a Court of Council when the Governor, President and Vice President is absent, an occasional President to be chosen;

'VIII. And whereas by his Majesty's said Charter of the eleventh Day of *October* one thousand seven 'hundred and fifty, the Court of the Council of the said Society is to consist at least of seven Members of 'the said Council, whereof the Governor, President or Vice President, is always to be one: And whereas 'it may frequently happen, that the Business of the said Society may be obstructed or delayed by the Non-'attendance in Council of the Governor, President or Vice President of the said Society;' Be it therefore enacted by the Authority aforesaid, That in the Absence of the Governor, President and Vice President, from any Meeting of the Court of the Council of the said Society, it shall and may be lawful for the Members of the said Council then present, being at the least seven in Number, to elect and choose one of their Members then present to preside for that Time in such Court of Council; and that all Acts done by such Court of the Council of the said Society, shall be deemed, and are hereby declared to be as good and valid, to all Intents and Purposes, as the same would have been in case the Governor, President or Vice President of the said Society, or one of them, had been present at such Court of Council.

'IX. And whereas divers wicked and malicious Persons have wilfully damnified, spoiled and destroyed, 'sundry Nets, Sails, Cordage, Stores and other Materials, of and belonging to the said Society, to the great 'Prejudice and Loss of the Society:' Therefore for preventing such Violences and Outrages for the future, and for bringing all Offenders in the Premisses to more speedy and exemplary Justice, Be it further enacted by the Authority aforesaid, That if any Person or Persons shall hereafter wilfully damnify, spoil or destroy, without the Consent of the said Society, any of the Nets, Sails, Cordage, Stores or other Materials, of or belonging to the said Society, every such Offender, being thereof lawfully convicted upon the Oath or Oaths of two or more credible Witness or Witnesses, before any one or more Justices of the Peace for the County, City, Town or Place, where such Offence shall be committed, upon any Information exhibited, or Prosecution, within six Calendar Months after the Offence committed (which Oaths the said Justices are hereby impowered and required to administer) shall forfeit and pay to the said Society treble the Value of such Nets, Sails, Cordage, Stores or other Materials, so damnified, spoiled or destroyed, to be levied by Distress and Sale of the Offenders Goods and Chattels, by Warrant or Warrants under the Hands and Seals of any one or more Justices of the Peace within their respective Jurisdictions; and for want of sufficient Distress, such Justices shall commit the Party or Parties offending to the House of Correction, there to remain, and be kept to hard Labour, for any Time not exceeding three Months, or until Satisfaction shall be made to the said Society for the said Offence.

Penalty of treble Value for destroying or damaging the Nets, or Stores of the Society, to be levied by Distress and Sale. For want of Distress the Offender to be committed.

Commissioners of the Customs to transmit to the Receiver of the Duties for Greenwich Hospital,

X. And be it further enacted by the Authority aforesaid, That for preventing any Difficulties about ascertaining, getting in, and receiving all such Sums of Money as shall for the future become due and payable by Law, as a Duty of six Pence *per* Month from all Seamen who are or shall be employed in the Service of the *British* White Herring Fishery, for the Support of the Royal Hospital at *Greenwich*, the Commissioners for the Time being of his Majesty's Customs shall, and they are hereby required, from Time

Time to Time, after the Commencement of this Act, to transmit, or cause to be transmitted, with all convenient Speed, to the Office of the Receiver for the Time being of the said Duty in *London*, a true and exact Copy of every Certificate which shall, from Time to Time, after the said Commencement, be transmitted to them the said Commissioners by all or any of the respective Collectors and Comptrollers of the several Out-ports in *Great Britain*, in order to the said Commissioners causing Payment to be made of the Bounty of thirty Shillings *per* Ton, pursuant to the Directions of an Act of Parliament made in the twenty-third Year of his present Majesty's Reign, intituled, *An Act for the Encouragement of the* British *White Herring Fishery*; and that from and after the said Commencement, it shall not be lawful for the said Commissioners of his Majesty's Customs to cause Payment to be made of any Monies for or on account of the said Bounty of thirty Shillings *per* Ton, to any Person or Persons whatsoever who shall be intitled to demand such Bounty under or by virtue of the said last mentioned Act of Parliament, unless and until he or they who shall be so respectively intitled to make such Demand, shall have first produced to the said Commissioners one or more proper Certificate or Certificates from the Receiver for the Time being of the said Duty of six Pence *per* Month, that all Monies due on account of the same Duty for every Seamen employed on board the Vessel in respect of which the said Bounty shall be demanded, hath been fully paid according to the Directions of the several Acts of Parliament in that Behalf made.

Copies of the Certificates from the Out-ports for obtaining the Tonnage Bounty, &c.

23 Geo. 2. c. 24.

No Payment to be made of the Bounty, till Certificate produced of Seamens Duty paid to Greenwich Hospital.

Concerning Fishery see further 29 *Geo.* 2. *c.* 23 & 39. 30 *Geo.* 2. *c.* 21 & 30. 33 *Geo.* 2. *c.* 27. 2 *Geo.* 3 *c.* 15.

CAP. XV.

An Act for granting to his Majesty the Sum of one Million, to be raised by a Lottery.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, being desirous to enable your Majesty to augment your Forces by Sea and Land, and to take such Measures for the Security of your Majesty's Dominions, as may be necessary in the present Conjuncture, have freely and unanimously resolved to give and grant unto your Majesty for these Purposes the Sum of one Million, to be raised in such Manner and Form as is herein after directed, and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Annuities which by this Act shall be granted and made payable in respect of the principal Sum of nine hundred thousand Pounds, Part of the principal Sum of one Million, to be raised in such Manner and Form as herein after is directed, until Redemption thereof by Parliament, in manner herein after-mentioned, shall be charged and chargeable upon, and payable out of the Monies which shall from Time to Time arise and be remaining in the Receipt of his Majesty's Exchequer, of or for the Surpluses, Excesses or Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*; and the said Surpluses, Excesses, Overplus Monies, and other Revenues, are hereby appropriated for that Purpose accordingly.

One Million granted to his Majesty.

Annuities granted in respect of 900,000 l. to be charged on the Sinking Fund.

II. And whereas it is intended that the said Sum of one Million shall be raised by way of a Lottery, in manner herein after-mentioned, Be it therefore enacted by the Authority aforesaid, That the Annuities which shall become due and payable to the Contributors to the Lottery herein after-mentioned, their Executors, Administrators and Assigns, at the Rate of three Pounds *per Centum per Annum*, in respect of the said principal Sum of nine hundred thousand Pounds, Part of the said principal Sum of one Million, in manner herein after in this Act expressed, shall commence and be computed from the fifth Day of *January* which shall be in the Year of our Lord one thousand seven hundred and fifty-six, and shall from Time to Time be paid half-yearly, on the fifth Day of *July*, and the fifth Day of *January*, by even and equal Portions; the first Payment thereof to be due and payable for the Half-year ended on the fifth Day of *July* one thousand seven hundred and fifty-six.

Annuities to carry 3 l. per Cent. Interest, to commence from 5 Jan. 1756, and payable half-yearly.

III. And be it further enacted by the Authority aforesaid, That for or towards raising the said Sum of one Million, it shall and may be lawful for the several Persons, Natives and Foreigners, and Bodies Politick or Corporate, who before five of the Clock in the Afternoon, of the fifteenth Day of *April* one thousand seven hundred and fifty-five, in pursuance of the Resolutions of the Commons of *Great Britain*, in Parliament assembled, shall have, in Books opened at the Bank of *England* for that Purpose, subscribed and agreed to contribute to the Payment of the said Sum of one Million, and who shall have before that Time deposited with, or paid to the first chief Cashier or Cashiers of the Governor and Company of the Bank of *England* for the Time being, one fifth Part of every Sum of ten Pounds to be paid for each Ticket in the said Lottery, to advance and pay unto the said Cashier or Cashiers (who is and are hereby appointed the Receiver and Receivers of such Contributions, without any further or other Warrant to be sued for, had or obtained in that Behalf) the Remainder of the principal Sums so subscribed, at or before the respective Days or Times, and in the Proportions in this Act limited in that Behalf; that is to say, one other fifth Part thereof, on or before the fifteenth Day of *May* one thousand seven hundred and fifty-five; one other fifth Part thereof, on or before the thirtieth Day of *June* then next ensuing; one other fifth Part thereof, on or before the thirtieth Day of *July* then next ensuing; and the remaining fifth Part thereof, on or before the tenth Day of *September* then next following; and that every such Contributor or Adventurer, for every Sum of ten Pounds which he or she shall have so advanced, shall be intitled to such Lot or Share, and shall receive such Sum or Sums of Money, as is or are hereby directed and appointed.

Natives or Foreigners who subscribed, &c. according to the Resolutions of the Commons, to pay their Contributions at the Times herein directed.

Cashier of the Bank to give Receipts for Money paid in;

the same to be assignable.

IV. And be it further enacted by the Authority aforesaid, That the said Cashier or Cashiers of the said Governor and Company of the Bank of *England* for the Time being is and are hereby authorized and required forthwith to give Receipts in Writing, signed by himself or themselves, to such Contributor or Contributors, for all Sums of Money deposited with, or paid unto such Cashier and Cashiers, before the passing of this Act; and also for such other Sum and Sums of Money as shall after the passing of this Act be advanced or paid to him or them by any such Contributor or Contributors; which Receipts shall be assignable by Endorsement thereupon made.

Cashier to give Security,

and to pay over the Monies to the Exchequer,

V. Provided always, That such Cashier or Cashiers shall give Security to the good Liking of any three or more of the Commissioners of the Treasury now being, or the High Treasurer, or Commissioners of the Treasury for the Time being, for duly answering and paying into the Receipt of his Majesty's Exchequer, for the Publick Use, all the Monies which he or they have already received by way of Deposit, or otherwise, or shall hereafter receive, from Time to Time, of or for the said Sum of one Million so advanced and contributed, and for accounting duly for the same, and for Performance of the Trusts hereby in him or them reposed; and shall, from Time to Time, so pay all such Monies as fast as he or they shall receive the same, or any Part thereof, or within five Days afterwards at the fartheſt, and shall account for all Monies so advanced or paid to him or them in his Majesty's Court of *Exchequer*, according to the due Course thereof.

Cashier to determine the Number of Tickets belonging to each Subscriber.

In what Proportions the Reductions are to be made.

'VI. And whereas it hath been proposed, that every Contributor to the said Lottery should be at Liberty 'to subscribe for any Number of Tickets in the said Lottery, and that in case a larger Sum than one Million 'should be subscribed within the Term herein before limited for such Subscription, a proportionable 'Reduction upon such Excess should, as near as possible, be made out of each Subscriber's Share: And 'whereas, in pursuance of such Proposal, a much larger Sum than one Million hath been subscribed: 'Now, to prevent any Disputes which may arise in respect to the Reduction in that Case intended to be 'made out of each Subscriber's Share;' Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Cashier or Cashiers to determine and appoint what Number of Tickets shall belong to the several Subscribers, so as in making such Reduction no Fraction be made of a Ticket, and so as every Person subscribing for four Tickets, or any less Number, be allowed one Ticket only, and so as it be lawful to the said Cashier or Cashiers to allow two Tickets to every Subscriber for five, and three to every Subscriber for ten, in case it be found practicable to allow one Ticket in four to every Subscriber for sixteen, and upwards; and that so much of every such Deposit as shall exceed one fifth Part of the Sum to which the Share of every such Subscriber shall be so limited, shall be allowed and accepted in further Part of the remaining Sum which shall, in consequence of such Reduction, be payable by every such Subscriber.

" Managers and Directors to be appointed by the Treasury. Books to be prepared with 3 Columns, in " each of which 50,000 Tickets to be printed. Chances of the Tickets in the Books of two Columns, to " be determined by drawing of the Tickets in the Books of three Columns. Cashier to give a Ticket for " every Sum of 10 *l.* paid in. Tickets undisposed of to be delivered into the Exchequer. Tickets of the " middle Columns to be rolled up. Other Books to be prepared with two Columns, in each of which " 50,000 Tickets to be printed; 2,150 thereof to be fortunate, *viz.* 1 of 10,000 *l.* 2 of 5,000 *l.* 3 of 2,000 *l.* " 15 of 1,000 *l.* 20 of 500 *l.* 99 of 100 *l.* 2010 of 50 *l.* to the First drawn 500 *l.* to the Last 1000 *l.* amount- " ing to 162,900 *l.* and 47,850 Blank Tickets at 6 *l.* each. Tickets in the outermost Columns to be rolled " up, and cut off into a Box. Boxes with the Tickets to be brought to *Guild Hall* on *October* 6, and the " Drawing to be then begun. Tickets to be filed as drawn. Prizes to be entered in a Book. When the " Lottery is drawn, a List of the Prizes to be printed. Disputes to be determined by the Managers. " Counterfeiting of Tickets, Certificates, or the Numbers of them, shall be adjudged Felony. Receivers " may take Money, and give Receipts, before they receive the Books, and give Tickets for those Receipts " afterwards. Adventurer not paying his whole Consideration-money by the Times limited, shall lose the " advanced Money. Guardians may adventure Infants Money in the Lottery. Persons selling Shares in " Tickets of which they are not possessed, to forfeit 500 *l.* After the Drawing of the Lottery, the Tickets " to be exchanged for Certificates. Accomptant General to give Credit for the Sums named in the Certi- " ficates; which may be transferred, and carry 3 *per Cent.* Interest."

The Sinking Fund appropriated to Payment of the Annuities.

XXVI. And for the more easy and sure Payment of the several and respective Annuities payable after the Rate of three Pounds *per Centum per Annum*, on the said principal Sum of nine hundred thousand Pounds, Part of the said principal Sum of one Million; it is hereby further enacted by the Authority aforesaid, That so much of the Monies arising, from Time to Time, into the Receipt of the Exchequer, of or for the said Surplusses, Excesses, Overplus Monies, and other Revenues, composing the Fund commonly called *The Sinking Fund*, by this Act appropriated for this Purpose, as shall be sufficient, from Time to Time, to answer the said several Annuities, and other Payments directed to be paid or discharged out of the same, shall, by Order of the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or Commissioners of the Treasury of his Majesty, his Heirs or Successors, for the Time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, from Time to Time, at the respective half-yearly Days of Payment, in this Act before appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer, to the said chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Imprest and upon Account, for the Payment of the said several Annuities payable in respect of the said principal Sum of nine hundred thousand Pounds, Part of the said principal Sum of one Million, at such Times,

Monies for Payment thereof to be issued from the Exchequer by way of Imprest, &c.

Times, and in such Manner and Form, as are by this Act prescribed in that Behalf; and that such Cashier or Cashiers, to whom the said Monies shall from Time to Time be issued, shall from Time to Time, without Delay, apply and pay the same accordingly, and render his or their Account thereof according to the due Course of the Exchequer; any Thing herein contained to the contrary notwithstanding.

Accomptant General to inspect the Cashier's Receipts.

XXVII. And it is hereby also enacted, That the said Accomptant General for the Time being, shall, from Time to Time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all and every Person and Persons whatsoever, who shall be intitled to any of the said several and respective Annuities, after the Rate of three Pounds *per Centum per Annum*, and all Persons lawfully claiming under them, shall be possessed thereof as of a personal Estate, and the same shall not be descendible to the Heir, and shall not be liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Statute, or Custom to the contrary notwithstanding.

Annuities to be a Personal Estate, &c.

Not to be charged with Taxes, &c.

XXVIII. And be it further enacted by the Authority aforesaid, That no Part of the said Annuities shall be charged or chargeable with any Rates, Taxes, Duties, or Impositions whatsoever.

The Monies contributed to be deemed a joint Stock, &c.

XXIX. And be it further enacted by the Authority aforesaid, That all the Monies to which any Person or Persons shall become intitled by virtue of this Act, in respect of any Sum advanced or contributed towards the said Sum of one Million, on which the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall be attending, shall be added to the joint Stock of Annuities transferrable at the Bank of *England*, into which the several Sums carrying an Interest after the Rate of three Pounds *per Centum per Annum*, were by an Act made in the twenty-fifth Year of the Reign of his present Majesty converted, and shall be deemed Part of the said joint Stock of Annuities, subject nevertheless to Redemption by Parliament, in such Manner, and upon such Notice, as is in the said Act directed in respect of the several and respective Annuities redeemable by virtue of the said Act; and that all and every Person and Persons, and Corporations whatsoever, in proportion to the Money to which he, she, or they shall become intitled as aforesaid by virtue of this Act, shall have, and be deemed to have, a proportional Interest and Share in the said joint Stock of Annuities at the Rate aforesaid; and that such Interest and Share, and the proportional Annuity attending the same, shall be assignable and transferrable as this Act directs, and not otherwise; and that there shall constantly be kept at all seasonable Times, in the Office of the said Accomptant General for the Time being, within the City of *London*, a Book or Books, wherein all Assignments or Transfers of the said Interest and Share, or any Part thereof, and the proportional Annuity attending the same, at the Rate aforesaid, shall be entered and registered; which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if such Parties be absent, by his, her, or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her, or their Hands and Seals, to be attested by two or more credible Witnesses; and that the Person or Persons to whom such Transfer shall be made, do underwrite his, her, or their Acceptance thereof; and that no other Method of assigning or transferring the said Share and Interest, or any Part thereof, and the Annuities attending the same, shall be good or available in Law.

and to be transferrable.

Annuities devisable by Will, &c.

XXX. Provided always, That any Person or Persons possessed of such Share and Interest, with the Annuity or Annuities attending the same, or any Estate therein, may devise the same by Will in Writing, attested by two or more credible Witnesses; but that no Payment shall be made on any such Devise, till so much of the said Will as relates to the said Stock or Annuity be entered in the said Office; and in default of such Transfer or Devise, the said Stock and Annuities attending the same, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on the said Transfers, or any of them; any other Law or Statute to the contrary notwithstanding.

The Bank to continue a Company till Redemption of the Annuities.

XXXI. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Governor and Company, and their Successors (notwithstanding the Redemption of all or any their own Funds in pursuance of the said Acts for establishing the same, or any of them) shall continue a Corporation, with all the Powers, Privileges and Advantages thereunto belonging, for the Purposes in this Act expressed, till all the said Annuities payable by virtue of this Act shall be redeemed by Parliament, in manner herein before mentioned; and that the said Governor and Company, or any Members thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

Commissioners of the Treasury to pay the Charges of executing this Act out of the Duties,

and appoint Salaries for the Cashiers and other Officers.

XXXII. Provided always, and be it enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power, and they are hereby authorized, out of the said Surpluses, Excesses, Overplus Monies, and other Revenues composing the Fund, commonly called *The Sinking Fund*, to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances (out of the Contributions to the Lottery aforesaid) as they shall think just and reasonable, for the Service, Pains, and Labour of the said Cashier or Cashiers, for receiving and accounting for the Contributions to the said Lottery; and also such further Allowances as they shall think just and reasonable, for the Service, Pains, and Labour of the Cashier or Cashiers of the Governor and Company of the Bank of *England*, for receiving, paying, and accounting for the several and respective Annuities payable by virtue of this Act; and also for the Service, Pains, and Labour of the Accomptant General of the said Governor and Company, for performing the Duty and Trust incumbent on him by this Act; all which Allowances hereby impowered to be made as aforesaid, in respect to the Service, Pains, and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any Thing herein contained to the contrary notwithstanding.

XXXIII.

No Fee for Payment of Contribution-money.

XXXIII. And it is hereby enacted by the Authority aforesaid, That no Fee or Gratuity shall be demanded or taken of any of his Majesty's Subjects, for receiving or paying the said Contribution-monies, or any of them, or for any Tallies or Receipts concerning the same, or for issuing the Monies for paying the said several Annuities, or any of them, or for paying the said Annuities, or any of them; and that no Fee or Gratuity shall be demanded or taken for any Transfer, great or small, to be made in pursuance of this Act; upon pain that the Officer or Person offending, by taking or demanding any such Fee or Gratuity contrary to this Act, shall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*.

Transfers to be made gratis.

Penalty.

General Issue.

Treble Costs.

XXXIV. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall at any Time be sued or prosecuted, for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his or their Action, or be nonsuited, or Judgment shall be given against him or them upon Demurrer, or otherwise, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

CAP. XVI.

Refer to 7 & 8 W. 3. c. 21. 9 Ann. c. 21. §. 64. 10 Ann. c. 17. 8 Geo. 1. c. 24. 8 Geo. 2. c. 29. 20 Geo. 2. c. 38.

An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on board Merchant Ships, and other Trading Ships and Vessels.

'FOR the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on board Merchant Ships, and other trading Ships and Vessels;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, until the twenty-fifth Day of *March* one thousand seven hundred and fifty-six, and no longer (except in respect to such Merchant Ships, and other trading Ships or Vessels, which shall be on their Voyage before the said twenty-fifth Day of *March* one thousand seven hundred and fifty-six, who shall be and are hereby allowed the Liberty and Benefit of returning home, navigated in the Manner as herein after is provided) it shall and may be lawful for any Merchant Ship, or other trading Ship or Vessel, to be navigated by foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majesty's natural or naturalized Subjects, so as the Number of such foreign Seamen or Mariners do not exceed three fourths of the Mariners at any one Time employed to navigate such Merchant Ship, or other trading Ship or Vessel; and that one fourth at least of the Mariners or Seamen so employed be at all Times Natives, or his Majesty's naturalized Subjects of *Great Britain* (sudden Death, and Hazard and Casualties of War and the Seas saved and excepted) one Act of Parliament made in the twelfth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, or any other Statute or Law to the contrary notwithstanding.

Merchant Ships may be navigated by foreign Seamen;

so as the Number employed do not exceed three fourths of the whole Crew, and the other fourth be always Natives of Great Britain.

Death, and Casualties of War and Seas excepted;

12 Car. 2. c. 18.

II. Provided always, That nothing in this Act contained shall extend to take away or restrain the Effect of any such Royal Proclamation as his Majesty, his Heirs and Successors, are impowered to make by virtue of an Act passed in the thirteenth Year of his Majesty's Reign, intituled, *An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on board Merchant Ships and other trading Ships, and Privateers.*

Proclamations not affected by this Act.

13 Geo. 2. c. 3.

See farther 31 *Geo. 2. c.* 10.

CAP. XVII.

An Act to amend an Act made in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto.*

26 Geo. 2. c. 30.

'WHEREAS an Act passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto*, hath not answered the good Purposes intended thereby;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for three Years, to be computed from the twenty-fourth Day of *June* in the Year one thousand seven hundred and fifty-five, and no longer, it shall and may be lawful for all Waggons, Wains, Carts and Carriages, for all Goods and Merchandize, either loaden or unloaden, having the Fellies of the Wheels thereof of nine Inches from Side to Side, at the least, to pass through all and every Turnpike Gate or Gates, Bar or Bars, without paying of any Toll or Duty payable by virtue of any Act or Acts of Parliament, for the said Space of three Years, to be computed from the said twenty-fourth Day of *June*.

Carriages with Wheels 9 Inches broad exempted from Payment of Toll for 3 Years.

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* it shall and may be lawful for all Waggons, having the Fellies of the Wheels thereof of the Breadth or Gauge of six Inches from Side to Side, at the least, at the Sole or Bottom of the Wheel, to

Waggons with Wheels 6 Inches broad may be drawn by 6 Horses,

pass through all and every Turnpike Gate or Gates, Bar or Bars, with six Horses; and all Carts and other Carriages, having the Fellies thereof of the Breadth or Gauge of six Inches from Side to Side, at the least, at the Sole or Bottom of the Wheel, with four Horses; without paying any more Toll or Duty than is paid for Waggons now drawn by four, and Carts drawn by three Horses, or for the Horses drawing the same.

and Carts by 4 Horses; and pay reduced Tolls.

Repealed by 30 *Geo.* 2. *c.* 28. §. 10.

III. And be it further enacted by the Authority aforesaid, That for three Years, to be computed from the said twenty-fourth Day of *June*, and no longer, the Trustees appointed or to be appointed by virtue or under the Authority of any Act or Acts of Parliament made or to be made, or any five or more of them, shall and may demand and take, or cause to be demanded and taken, an additional Toll, if they shall find the same necessary upon considering the State of their respective Tolls, not exceeding one fourth Part more than the Tolls and Duties payable by virtue of such Acts respectively for every Coach, Caravan, Chaise Marine, Landau, Berlin, Chariot, Chaise, Chair and Calash, and for all Waggons, Wains, Carts, and other Carriages, not having the Fellies of their Wheels of the Breadth or Gauge of nine Inches, or six Inches from Side to Side, before the same shall respectively be permitted to pass through any of the Toll Gates where Tolls are payable by virtue of any of the said Acts respectively, to be applied to the same Uses as the other Tolls are by the said Acts.

Trustees may raise the Tolls one fourth on all Carriages with narrow Wheels.

IV. And, to avoid the least Suspicion that lessening the Tolls and Duties as aforesaid, may be any way prejudicial to Creditors who have lent, or shall lend their Money upon the Security of the Tolls, Be it enacted by the Authority aforesaid, That all and every Act and Acts of Parliament made this Session of Parliament, or heretofore made, for repairing and amending Turnpike Roads, shall be continued and be in full Force for five Years, to be computed from the several Ends and Expirations of all and every such Act and Acts respectively, and subject to the Tolls and Duties, and all the Penalties, Forfeitures, Remedies, Powers, Authorities, Clauses, Rules, Directions, Payments and Provisions, respectively made and enacted by any of the said Act or Acts of Parliament now or heretofore made for repairing and amending Turnpike Roads.

For Benefit of Creditors on the Tolls, the Road Acts and Tolls to be continued for 5 Years from their respective Expirations.

'V. And whereas a Doubt has arisen upon the Construction of the Words of the said recited Act, made 'in the twenty-sixth Year of the Reign of his present Majesty, which directs the Fellies of the Wheels of 'every Waggon, Wain, Cart or Wheel-Carriage, to be of the Breadth or Gauge of nine Inches from Side 'to Side, at the least;' Be it declared by the Authority aforesaid, That it is the true Intent and Meaning of this and the said recited Act, that the Sole or Bottom of such Fellies shall be of the Breadth or Gauge of nine Inches from Side to Side, at the least, and that the Sole or Bottom of all such Fellies shall be flat and even from Side to Side, or as near as may be.

Sole of the Fellies intended by the recited Act to be 9 Inches broad, and flat.

VI. And be it further enacted by the Authority aforesaid, That the Trustees appointed by or under the Authority of any Act of Parliament, made or to be made for repairing and amending Turnpike Roads, or any five of them, shall from Time to Time, as there shall be Occasion, cause all the Turnpike Roads, within their respective Districts, to be levelled and put into good Condition, in such manner as shall be most commodious for the Use of Travellers, and for the several Sorts of Carriages passing upon the same.

Trustees to cause the Roads to be levelled, and put into good Condition.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall unload, or cause to be unloaden, any Goods, Wares or Merchandize, from any Cart, Waggon or other Carriage, at or before the same shall come to any Turnpike Gate, with an Intent to avoid the Payment of any Part of the Tolls or Duties to be thereat collected, each and every Person being Owner of such Waggon or Carriage, and being thereof convicted before the Trustees of such Tolls or Duties, or any three or more of them, or one or more Justice or Justices of the Peace for the County, Riding, Division or Place, where the Offence shall be committed, upon the Oath of one or more credible Witness or Witnesses; which Oath the said Trustees, or any three or more of them, or the said Justice or Justices, are hereby impowered to administer, shall forfeit and pay the Sum of five Pounds; which Sum, in case the same be not forthwith paid, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals of the said Trustees, or any three or more of them, or the said Justice or Justices, rendering the Overplus to the Owner (if any be) on Demand, after deducting the reasonable Charges of making such Distress and Sale, to be settled by such Trustees, or any three or more of them, or by the said Justice or Justices; and each and every Driver of such Waggon or Carriage, so offending, and being thereof convicted, as aforesaid, shall be committed to the House of Correction for the Space of one Month; and in case any Collector or Receiver of the Tolls or Duties at any Gate or Turnpike where or near to which any Crane, Machine or Engine, for weighing of Carriages, shall be built or erected, shall permit or suffer any Cart, Waggon or Carriage aforesaid, not having the Fellies of their Wheels of the Breadth or Gauge of nine Inches from Side to Side, to pass or repass through any such Gate or Turnpike, without weighing the same, and being thereof convicted, in manner as aforesaid, such Collector or Receiver so offending shall be committed to the House of Correction, to be there kept to hard Labour for the Space of one Month.

Penalty of 5 *l.* on Persons occasionally unloading Waggons to avoid Payment of the Tolls,

to be levied by Distress and Sale;

and the Driver to be committed.

Collector permitting narrow wheeled Carriages to pass without weighing, to be committed.

Explained by 30 *Geo.* 2. *c.* 28. §. 14.

VIII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, all Waggons, Wains, or other four Wheel Carriages, not being common Stage Waggons or Carriages (though the Fellies of the Wheels are not of the Breadth of nine Inches or six Inches) may travel, pass or be driven upon any Turnpike Road, with any Number of Horses, or Beasts of Draught, not exceeding five Horses or Beasts of Draught; and if any Owner or Driver of any such Waggon, Wain or other four Wheel Carriage, shall travel, pass or drive any such Waggon or other four Wheel Carriage, with more than five Horses or Beasts of Draught, every such Owner so offending, shall for every such Offence forfeit and pay the Sum of five Pounds; which said Penalty shall be recovered and levied by Distress and Sale

Waggons with narrow Wheels, not being common Stage Waggons, may be drawn by five Horses; if drawn by more, to forfeit 5 *l.*

Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and Seals of the Truſtees, or any three or more of them, of ſuch Diſtrict, or any one or more Juſtice or Juſtices of the Peace, in or near to the Place or Places where the Offence ſhall be committed; or by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; where no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed; and in caſe any Driver of any Waggon, Wain or other Carriage aforeſaid, ſhall act contrary to the true Intent and Meaning hereof, ſuch Juſtice or Juſtices ſhall by Warrant or Warrants, under his or their Hands and Seals, commit ſuch Driver to the Houſe of Correction for the Space of one Month, there to remain without Bail or Mainprize.

and the Driver to be committed. *Repealed by* 30 *Geo.* 2. *c.* 28. §. 10.

'IX. And whereas by the ſaid Act paſſed in the twenty-ſixth Year of his preſent Majeſty's Reign, it is 'provided, That Waggons, Wains, Carts, or other Wheel Carriages (not having the Fellies of their Wheels 'of the Breadth or Gauge of nine Inches from Side to Side) may travel, paſs or be drawn upon any Turn-'pike Road, provided ſuch Waggon, Wain, Cart or other Wheel Carriage be drawn by Oxen or Neat 'Cattle only: And whereas the Allowance of Oxen or Neat Cattle only, without an Horſe or Horſes, 'hath been found inconvenient and dangerous;' Be it therefore enacted, That any Waggon, Wain or other four Wheel Carriage, not having the Fellies of their Wheels of the Breadth or Gauge of nine Inches from Side to Side, may travel, paſs or be drawn upon any Turnpike Road, provided every ſuch Waggon, Wain or other four Wheel Carriage, be not drawn by more than ſix Oxen or Neat Cattle in Pairs, and two Horſes; or eight Oxen in Pairs, with one Horſe; and that any Cart or other two Wheel Carriage, not having the Fellies of their Wheels of the Breadth or Gauge aforeſaid, may travel, paſs or be drawn upon ſuch Turnpike Road, provided ſuch Cart or two Wheel Carriage be not drawn by more than ſix Oxen or Neat Cattle in Pairs, and one Horſe; or four Oxen in Pairs, and two Horſes; any Thing in the ſaid Act to the contrary notwithſtanding.

Waggons, &c. with narrow Wheels may be drawn by 6 Oxen in Pairs and 2 Horſes, or 8 Oxen and 1 Horſe; and Carts by 6 Oxen and 1 Horſe, or 4 Oxen and 2 Horſes.

'X. And whereas Doubts may ariſe from the Conſtruction of divers Acts of Parliament, where the Toll 'or Duty is made payable upon the Horſe or other Beaſt drawing, and not upon the Carriage itſelf;' Be it enacted by the Authority aforeſaid, That in all ſuch Caſes, the Horſes or Beaſts drawing ſuch Carriage, uſing ſuch Broad Wheels as are directed by the ſaid Act made in the twenty-ſixth Year of the Reign of his preſent Majeſty, and by this preſent Act, ſhall for the Space of three Years, to be computed as aforeſaid, be intitled to ſuch Exemption from the Payment of any Toll or Duty payable by virtue of any former Act or Acts of Parliament, as all Carriages uſing Broad Wheels are intitled unto by virtue of this preſent Act.

The Horſes, &c. drawing Carriages with Broad Wheels exempted from Toll for 3 Years.

XI. And be it further enacted by the Authority aforeſaid, That in all Caſes where by virtue of any Act or Acts of Parliament now in force, the Toll or Duty on Horſes or other Beaſts, drawing or paſſing through any Turnpike, Bar or Gate, doth not amount to more than the Sum of one Halfpenny for every Horſe drawing any Wheel Carriage whatſoever, not having the Fellies of their Wheels of the Breadth or Gauge of nine Inches, or ſix Inches from Side to Side, or to more than one Penny for two Horſes drawing any ſuch Carriages as aforeſaid, or to more than three Half-pence for three Horſes drawing any ſuch Carriages as aforeſaid, the Truſtees, or any five or more of them, appointed by virtue or under the Authority of ſuch Acts of Parliament, ſhall and may, if they ſhall find the ſame neceſſary, upon conſidering the State of their reſpective Tolls, collect double the former Tolls or Duties, in caſe ſuch Tolls or Duties do not exceed one Half-penny, and three Half-pence in caſe the ſame do not exceed one Penny, and two Pence in caſe the ſame do not exceed three Half-pence, and may collect the additional Tolls or Duties which are directed to be taken by this Act, in Caſes where the preſent Toll or Duty amounts to two Pence or more upon the Horſes drawing any Carriage, in ſuch and the ſame Manner as if ſuch Toll or Duty was laid upon the Carriage; any Thing herein or in any former Act contained to the contrary in any wiſe notwithſtanding.

Where the Tolls do not amount to more than one Half-penny on each Horſe drawing, &c. the Truſtees, if neceſſary, may take additional Tolls.

'XII. And whereas Complaint has been made that fraudulent Contrivances have been practiſed by 'Offenders, their Friends, and others, to evade the juſt Recovery of Forfeitures and Penalties inflicted by 'the Laws relating to Turnpike Roads, by ſetting up colourable Proſecutions and Seizures with Intent to 'favour Offenders againſt the ſaid Laws, and to diſcourage juſt and real Proſecutions;' For Remedy whereof, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for all Courts, and all and every Juſtice or Juſtices of the Peace before whom there ſhall be any Action, Information or Proceeding, for any Penalty or Forfeiture inflicted by any Act or Acts of Parliament made or to be made for repairing and amending Turnpike Roads, or any way relating to or concerning the ſame; and they are hereby required, where any prior Seizure, Action, Information or Conviction, ſhall be ſet up, or inſiſted upon, by way of Defence, or to defeat any Action, Information or Proceeding, or any Seizure for any Forfeiture or Penalty inflicted as aforeſaid, to examine into the real Merits of ſuch prior Seizure, Action, Information, Proceeding or Conviction; and if thereupon it ſhall appear that the ſame was not done, made or proſecuted effectually, to recover and apply the Penalty or Forfeiture for the true and real Ends and Purpoſes for which ſuch Penalties or Forfeitures were enacted, but to favour the Offender, ſuch prior Seizure, Action, Information or Conviction, ſhall be deemed to be fraudulent, and null and void, to all Intents and Purpoſes whatſoever; and every ſuch Court, Juſtice or Juſtices of the Peace, ſhall proceed to determine and give Judgment, as if no ſuch prior Seizure, Action, Information or Conviction had been made, had, proſecuted or obtained.

Prior Proſecutions and Seizures to favour Offenders deemed fraudulent, and the Merits to be examined.

Judgment to be given as if no ſuch Seizure had been.

'XIII. And whereas great Miſchief hath ariſen from mean Perſons acting as Truſtees in the Execution 'of ſuch Acts of Parliament made for repairing publick Roads in that Part of *Great Britain* called *England*, 'as do not direct and require that the Truſtees thereby appointed ſhall be qualified to act as ſuch by the 'Poſſeſſion of Real or Perſonal Eſtate to a certain Value;' Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, no Perſon ſhall be qualified, or capable of acting

General Qualification of Truſtees;

acting as a Truſtee in the Execution of any ſuch Act as aforeſaid, unleſs he ſhall be in his own Right, or in Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements or Hereditaments, of the clear yearly Value of forty Pounds, or poſſeſſed of, or intitled to, Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Value of eight hundred Pounds, or ſhall be Heir Apparent of a Perſon poſſeſſed of an Eſtate in Land of the clear yearly Value of eighty Pounds, and unleſs he ſhall (not being ſuch Heir Apparent as aforeſaid) before he acts as ſuch Truſtee, take and ſubſcribe the Oath following before any two or more of the Truſtees appointed or to be appointed by or in purſuance of ſuch Act, who are hereby authorized and required to adminiſter the ſame in the Words, or to the Effect following; that is to ſay,

to be atteſted on Oath.

'I *A. B.* do ſwear, That I truly and *bona fide* am in my own Right, or in Right of my Wife, in the actual Poſſeſſion and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements or Hereditaments of the clear yearly Value of forty Pounds, or poſſeſſed of, or intitled to a Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Value of eight hundred Pounds.

'*So help me GOD.*'

Penalty of acting if not qualified, 50 l.

And if any Perſon ſhall preſume to act contrary to the true Intent and Meaning hereof, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of fifty Pounds to any Perſon who ſhall ſue for the ſame; to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, or by Bill, Suit or Information, wherein no Eſſoin, Protection or Wager of Law, nor more than one Imparlance ſhall be allowed.

The Words Common Stage Waggon, or Cart, to be painted on ſuch Carriages with narrow Wheels.

XIV. And be it further enacted by the Authority aforeſaid, That every Owner or Owners of any common Stage Waggon or Cart, from and after the ſaid twenty-fourth Day of *June*, having the Fellies of the Wheels of leſs Breadth and Gauge than nine Inches, or ſix Inches, from Side to Side, ſhall over and above what he or they is or are obliged by Law to write or paint, or cauſe to be written or painted, upon his or their Waggon or Cart, paint or cauſe to be painted, upon the Tilt of every ſuch Waggon or Cart which has a Tilt, and upon the moſt conſpicuous Part of ſuch Waggon or Cart which has not a Tilt, the following Words in large and legible Characters; that is to ſay, COMMON STAGE WAGGON, or CART, as the Caſe may be; and if any Owner or Owners of any ſuch Waggon or Cart ſhall, from and after the ſaid twenty-fourth Day of *June*, travel with or uſe by himſelf or Servant, any ſuch Waggon or Cart, without the Words hereby required to be painted as aforeſaid, he ſhall forfeit and loſe one of the Horſes or Beaſts of Draught (not being the Shaft or Thill Horſe) together with all the Geers and Accoutrements to ſuch Horſe or Beaſt of Draught belonging, to the ſole Uſe and Benefit of the Perſon or Perſons who ſhall ſeize or diſtrain the ſame; and the Perſon or Perſons making ſuch Seizure or Diſtreſs, ſhall proceed in like manner, and be intitled to the like Remedy, as is directed and given in Caſes of Seizures of Horſes by the ſaid Act made in the twenty-ſixth Year of the Reign of his preſent Majeſty.

Penalty, and how to proceed therein.

Method of Proſecution for Recovery of Penalties which are pecuniary;

'XV. And whereas many Perſons are deterred from proſecuting Offences committed againſt the ſeveral 'Turnpike Laws, and it is inconvenient to others being upon Journies, or engaged on neceſſary Buſineſs, 'to proſecute the ſame as the Law now ſtands: And whereas many Laws have been made for and relating 'to Turnpike Roads ſince the twenty-fourth Year of the Reign of his preſent Majeſty, and more Acts of 'the ſame Kind are likely to be made;' Be it enacted by the Authority aforeſaid, That every Proſecutor or Informer may at his Election ſue for and recover any Forfeiture or Penalty impoſed by this or any Act or Acts of Parliament made or to be made for erecting Turnpikes for repairing and amending Turnpike Roads, or by any other Act or Acts of Parliament relating to Turnpike Roads, in the ſame Manner as ſuch Forfeitures and Penalties are ſeverally and reſpectively directed to be ſued for and recovered, or by Action at Law, to be brought by ſuch Informer or Proſecutor in any of his Majeſty's Courts of Record at *Weſtminſter* in Manner following, (that is to ſay) Where any Perſon ſhall be liable to any ſuch pecuniary Penalty, it ſhall be lawful to ſue for and recover the ſame by Action of Debt, in which it ſhall be ſufficient to declare that the Defendant is indebted to the Plaintiff in the Sum of

and of ſuch where the Horſe, &c. is forfeited.

being forfeited by an Act, intituled, *An Act to amend an Act made in the twenty-ſixth Year of the Reign of his preſent Majeſty, intituled*, An Act for the Amendment and Preſervation of the publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto: And where the Penalty or Forfeiture is or ſhall be of any Horſe or Beaſt of Draught, or other Goods, by an Action of Trover againſt the Perſon liable to ſuch Penalty, in which the Value of any ſuch Horſe, Beaſt of Draught, or other Goods, as is or are liable to the Forfeiture, ſhall be given in Damages, without any Proof of any Seizure or Demand.

Limitation of Actions.

XVI. Provided, That there ſhall not be more than one Recovery for the ſame Offence duly and *bona fide*, and without Fraud, had and obtained for the ſame; and that no Action ſhall be brought by virtue of this Act in any of his Majeſty's ſaid Courts of Record, unleſs the ſame be brought before the End of ſix Months after the Offence committed.

Surveyor, Collectors, &c. neglecting to ſeize ſupernumerary Horſes, or to give Information,

XVII. And, to enforce further a due Obſervation of this and the ſaid recited Act, Be it enacted by the Authority aforeſaid, That every Surveyor of any Turnpike Road, and every Toll-gatherer, and all ſuch Perſons employed by Commiſſioners and Truſtees appointed for the repairing Roads, as receive Salaries or Rewards, who ſhall wilfully neglect to ſeize any ſupernumerary Horſe or Horſes drawing in any Waggon, Wain or Cart, contrary to the true Intent and Meaning of this and the ſaid recited Act, and ſhall alſo wilfully neglect to lay ſuch Information upon Oath before one or more of his Majeſty's Juſtices of the Peace for the County wherein ſuch Offence was committed, or before the proper Commiſſioners or Truſtees at their reſpective Meetings, as by the ſaid recited Act is directed, ſhall, upon due Information made upon Oath before one or more of his Majeſty's Juſtices of the Peace for the ſaid County or Place, forfeit the Sum

forfeit 10l. 5l. to the Informer, &c.

Sum of ten Pounds; five Pounds thereof to be paid to the Informer, and the remaining five Pounds to be laid out in amending the Roads, in such manner as the Commissioners and Trustees for such respective Turnpikes shall think fit.

Officers, &c. not liable for Neglects committed before 14 June 1755.

XVIII. Provided, That no such Surveyor, or other Person, shall be liable to the said Penalty for any such wilful Neglect committed before the said twenty-fourth Day of *June* one thousand seven hundred and fifty-five.

Concerning Highways see farther 30 *Geo.* 2. *c.* 28. 31 *Geo.* 2. *c.* 34.

CAP. XVIII.

An Act to continue several Laws relating to the Distemper now raging among the Horned Cattle in this Kingdom.

The several Laws made to prevent the spreading of the Distemper amongst the Horned Cattle, further continued to 1 *Sept.* 1755, *&c.* *Further continued by* 29 *Geo.* 2. *c.* 28. §. 2.

CAP. XIX.

An Act for making perpetual an Act passed in the twenty-fifth Year of the Reign of his present Majesty, for the better preventing Thefts and Robberies, and for regulating Places of publick Entertainment, and punishing Persons keeping disorderly Houses; for the further punishing Persons selling Ale or other Liquors without Licence; for the preventing the burning or destroying of Gos, Furze or Ferne, in Forests or Chaces; for giving further Time for the Payment of Duties omitted to be paid for the Indentures or Contracts of Clerks and Apprentices, and for the filing of Affidavits of the Execution of Contracts of Clerks to Attornies and Sollicitors.

Act 25 Geo. 2. c. 36. made perpetual.

'WHEREAS an Act passed in the twenty-fifth Year of the Reign of his present Majesty, intituled, *An Act for the better preventing Thefts and Robberies, and for regulating Places of public Entertainment, and punishing Persons keeping disorderly Houses*, which was to continue in Force until the Expiration of three Years, and from thence to the End of the then next Session of Parliament, has by Experience been found useful and beneficial, and is near expiring;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be, and the same is hereby made perpetual.

26 Geo. 2. c. 31.

'II. And whereas Doubts have arisen upon the Construction of an Act of Parliament passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for regulating the Manner of licensing Ale-houses, in that Part of* Great Britain *called* England; *and for the more easy convicting Persons selling Ale and other Liquors without Licence*, whether a Person having been convicted of three several Offences in selling Ale, Beer or other Liquors, without a Licence from two Justices of the Peace, as by the said Act is directed, is liable to any Punishment for any such Offence, of which he may be guilty after such Third Conviction;' Be it further enacted by the Authority aforesaid, That every Person so selling without a Licence as aforesaid, after such third Conviction, shall, for every such Offence, so often as it shall happen, forfeit the Sum of six Pounds, to be levied and disposed of in like manner as the Forfeitures on the first, second and third Conviction are directed to be, in and by the said Act; and in case no sufficient Distress shall be found, whereon to levy the said several Forfeitures, then the Justice of the Peace who shall have convicted such Offender, shall and may commit him or her so convicted to the common Gaol, or other Prison or House of Correction within his Jurisdiction, without Bail or Mainprize, until such Offender shall be discharged by Order of the Court of General or Quarter Sessions.

Offenders, after third Conviction, to forfeit 6l. for every Offence.

See farther 29 *Geo.* 2. *c.* 12.

'III. Whereas the burning and destroying of Gos, Furze and Fern, in and upon Forests and Chaces, as it is frequently done by divers disorderly and dissolute Persons, doth not only destroy the Cover necessary for the Preservation of the Deer and Game there, but hath also been the Occasion of burning, damaging and destroying of great Quantities of Timber, young Springs of Wood and Underwood and Fences, within the said Forests and Chaces, and Places thereunto adjacent, to the great Damage and Prejudice of the Owners and Proprietors thereof; and the Laws now in Being are not sufficient to prevent the same;' Be it therefore enacted by the Authority aforesaid, That if any Person or Persons not having a Right or legal Licence to do the same, shall at any Time after the first Day of *August* one thousand seven hundred and fifty-five set fire to, burn or destroy, or shall abet, aid or assist in, or at the burning or destroying of any Gos, Furze or Fern, growing or being in or upon any Forest or Chace, within that Part of *Great Britain* called *England*, without the Licence or Consent of the Owner or Proprietor, or the Person chiefly intrusted with the Care, Oversight, and Custody of such Forest or Chace, or some Part thereof, and being brought before one or more Justice or Justices of the Peace for the County, Riding, Division or Place, where such Forest or Chace shall lie, and shall be thereof convicted by Confession, or upon the Oath of one or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby impowered to administer) or upon the View of such Justice or Justices, every such Person or Persons being so convicted, shall for every such Offence forfeit and pay any Sum not exceeding five Pounds, nor less than forty Shillings, one Moiety thereof to the Informer, and the other Moiety to the Use of the Poor of the Parish where the Offence shall be committed; which Penalty, in case the same be not forthwith paid, shall and

Persons convicted of setting fire to Gos, Furze, Heath or Fern, in Chaces or Forests,

to forfeit not less than 40 s. or more than 5 l.

and may be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices; and in caſe no ſufficient Diſtreſs can be found, then it ſhall and may be lawful for ſuch Juſtice or Juſtices to commit ſuch Offender or Offenders to the common Gaol of the County or Place where ſuch Offence ſhall be committed, for any Time not exceeding three Months, nor leſs than one Month. to be levied by Diſtreſs and Sale, &c.

IV. And, for the Relief of any Perſon or Perſons, who, through Neglect or Inadvertency, have omitted to pay the ſeveral Rates and Duties, or any Part thereof, upon Monies given, paid, contracted or agreed for, with or in relation to any Clerk, Apprentice or Servant, who hath been put or placed to or with any Maſter or Miſtreſs to learn any Profeſſion, Trade or Employment, and to have ſuch Indentures, or other Writings which contain the Covenants, Articles, Contracts or Agreements, relating to the Service of ſuch Clerk, Apprentice or Servant, ſtamped within the Times by the ſeveral Acts of Parliament for thoſe Purpoſes reſpectively limited, or who have alſo in like manner omitted to inſert and write, in Words at Length, in ſuch Indentures or other Writings as aforeſaid, the full Sum or Sums of Money, or any Part thereof, received or in any wiſe directly or indirectly given, paid, or agreed or contracted for, with or in relation to every ſuch Clerk, Apprentice or Servant as aforeſaid; Be it enacted, That upon Payment of the Rates and Duties upon Monies, or ſuch Part of ſuch Monies, ſo neglected or omitted to be paid as aforeſaid, on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and fifty-five, to ſuch Perſon or Perſons to whom the ſame ought to be paid, and tendering the ſaid Indentures or other Writings to be ſtamped at the ſame Time, or at any Time on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-five (of which timely Notice is to be given in the *London Gazette*) the ſame Indentures or other Writings ſhall be good and available in Law and Equity, and may be given in Evidence in any Court whatſoever; and the Clerk, Apprentice or Servant therein named, ſhall be capable of following and exerciſing their reſpective intended Trades or Employments, as fully as if the ſaid Rates and Duties ſo omitted had been duly paid, and the full Sum or Sums received or agreed for as aforeſaid had been inſerted; and the Perſons who have incurred any Penalties by the Omiſſions aforeſaid, ſhall be acquitted and diſcharged of and from the ſaid Penalties; any Thing in the ſaid former Acts to the contrary notwithſtanding. Further Time allowed for Payment of the Duties omitted to be paid for Clerks and Apprentices.

'V. And whereas divers Perſons through Miſtake, Abſence, or ſome unavoidable Accident, to the Pre-'judice of Infants, and others, have omitted to cauſe Affidavits to be made and filed in the proper Offices 'of the actual Execution of ſeveral Contracts in Writing to ſerve as Clerks to Attornies and Sollicitors, 'within the Time limited and expreſſed by certain Acts paſſed in the twenty-ſecond and twenty-fourth 'Years of his preſent Majeſty's Reign, whereby many Perſons may be in danger of incurring the Diſabi-'lities of the ſaid Act of the twenty-ſecond Year of his preſent Majeſty's Reign ſpecified;' Be it therefore enacted by the Authority aforeſaid, That all and every Perſon and Perſons who have omitted to cauſe ſuch Affidavit or Affidavits to be made and filed as aforeſaid, and who ſhall, on or before the firſt Day of *Hillary Term* next, cauſe one or more Affidavit or Affidavits to be made and filed in ſuch manner as directed by the ſaid laſt recited Acts, or either of them, ſhall be and are hereby indemnified, freed and diſcharged from and againſt all Penalties, Forfeitures, Incapacities and Diſabilities in the ſaid Act of the twenty-ſecond Year of his preſent Majeſty's Reign mentioned, incurred or to be incurred, for or by reaſon of any Neglect or Omiſſion in cauſing ſuch Affidavit or Affidavits ſo to be made and filed as aforeſaid, according to the Directions of the ſaid laſt recited Acts, or either of them; and ſuch Affidavit or Affidavits ſo to be made and filed as aforeſaid, ſhall be as effectual to all Intents and Purpoſes, as if the ſame had been made and filed within the reſpective Times limited by the ſaid ſeveral laſt recited Acts, or either of them. Further Time allowed for filing of Affidavits of the Execution of Contracts of Clerks to Attornies.

CAP. XX.

An Act for continuing, explaining, and amending the ſeveral Acts of Parliament made for the further Encouragement of the Whale Fiſhery carried on by his Majeſty's Subjects; and to authorize the Payment of the Bounty to *Thomas Hood* and others, upon three Ships fitted out for the ſaid Fiſhery, and loſt in the *Greenland Seas*.

'WHEREAS divers Acts of Parliament have been made for the Encouragement of his Majeſty's 'Subjects to carry on and improve the Whale Fiſhery, which by the Bounties given by the ſaid Acts 'has of late Years gradually increaſed, and by the Continuance thereof will ſtill further increaſe, to the great 'Advantage of the Trade and Navigation of this Kingdom;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act for encouraging the* Greenland *Fiſhery*, which was to be in force for nine Years, from the twenty-fifth Day of *December* one thouſand ſeven hundred and thirty-one, and which Act by an Act of Parliament made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act for continuing ſeveral Laws therein mentioned, relating to the* Præmiums *upon the Importation of Maſts, Yards and Bowſprits, Tar, Pitch and Turpentine; to* Britiſh *made Sail Cloth, and the Duties payable on Foreign Sail Cloth; to the* Greenland *and to the Whale Fiſhery; for granting a further Bounty for all Ships employed in the Whale Fiſhery during the preſent War; for exempting Harpooners and others employed in the* Greenland *Fiſhery Trade, from being impreſſed; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices*, was continued unto the twenty-fifth Day of *December* one thouſand ſeven hundred and fifty, and from thence to the End of the then next Seſſion of Parliament; and which Act, by an Act of Parliament made in the twenty-ſecond Year of his preſent Majeſty's 5 Geo. 2. c. 28. 12 Geo. 2. c. 28. 22 Geo. 2. c. 45.

jesty's Reign, intituled, *An Act for the further Encouragement and Enlargement of the Whole Fishery, and for continuing such Laws as are therein mentioned, relating thereto; and for the Naturalization of such foreign Protestants as shall serve for the Time therein mentioned, on board such Ships as shall be fitted out for the said Fishery*, was further continued unto the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued, from the Time in the said last-mentioned Act limited for the Expiration thereof, unto the twenty-fifth Day of *December* which shall be in the Year one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament.

further continued to 25 Dec. 1764, &c.

6 Geo. 1. c. 33.

II. And be it further enacted by the Authority aforesaid, That an Act made in the sixth Year of his present Majesty's Reign, intituled, *An Act for the further Encouragement of the Whale Fishery, carried on by his Majesty's* British *Subjects*; which was to be in force during the Continuance of the last-mentioned Act of the fifth Year of his present Majesty's Reign, intituled, *An Act for encouraging the* Greenland *Fishery*; and which was by the said Act of the thirteenth Year of his present Majesty's Reign continued unto the said twenty-fifth Day of *December* one thousand seven hundred and fifty, and from thence to the End of the then next Session of Parliament; and which Act was by the said Act of the twenty-second Year of his present Majesty's Reign continued unto the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Time in the said last-mentioned Act limited for the Expiration thereof, unto the twenty-fifth Day of *December* which shall be in the Year one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament.

continued to 25 Dec. 1764, &c.

22 Geo. 2. c. 45. continued to 25 Dec. 1764.

III. And be it enacted by the Authority aforesaid, That the said Act of the twenty-second Year of his present Majesty's Reign, intituled, *An Act for the further Encouragement and Enlargement of the Whale Fishery, and for continuing such Laws as are therein mentioned, relating thereto; and for the Naturalization of such foreign Protestants, as shall serve for the Time therein mentioned, on board such Ships as shall be fitted out for the said Fishery*, which was to be in force from the twenty-ninth Day of *September* one thousand seven hundred and forty-nine, until the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby continued, from the Time therein limited for the Expiration thereof, unto the twenty-fifth Day of *December* in the Year one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament.

Tonnage Bounty to be paid out of any other of the Revenues, if the old Subsidy be not sufficient.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of the Customs in *England* and *Scotland* respectively, to order the respective Receivers General of the Customs, in case the Monies remaining in their Hands arising from the old Subsidy shall not be sufficient to satisfy the said Bounty of forty Shillings *per* Ton, payable on all Ships employed in the said Fishery, according to the Directions of the said several Acts, and of this present Act, to pay the same out of any Monies that shall be in their Hands arising from any of the Duties and Revenues under their Management respectively.

An Apprentice, for every 50 Tons, to be on board each Ship, &c.

V. Provided always, and be it enacted by the Authority aforesaid, That every Ship which shall be employed in the said Fishery, shall, from and after the twenty-fifth Day of *December* in the Year one thousand seven hundred and fifty-seven, have on board an Apprentice indentured for the Space of three Years at the least, for every fifty Tons Burthen, who shall be accounted as one of the Number of Men which by Law ought to be on board such Ship; and in case any Ship shall proceed on the Whale Fishery, without conforming to the above Regulation, the Owner or Owners of every Ship so offending, shall lose the Bounty which would otherwise be payable thereon.

No larger Bounty to be paid than for Ships of 400 Tons.

VI. Provided also, and be it enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *December* in the Year one thousand seven hundred and fifty-seven, no Ship to be employed in the said Fishery, although she be above the Burthen of four hundred Tons, shall be intitled to a larger Bounty than a Ship of four hundred Tons would be intitled to.

Ships above that Burthen not required to be fitted out otherwise than Vessels of 400 Tons,

VII. Provided always, That nothing in the said former Acts, or in this present Act contained, shall extend, or be construed to extend, to oblige the Owner or Owners of any Ship above the Burthen of four hundred Tons, in order to intitle him or them to the said Bounty, to fit out, equip and man any such Ship, otherwise than as a Ship of the Burthen of four hundred Tons only is by the said Acts or by this present Act required to be fitted out, equipped and manned.

'VIII. And whereas by the said Acts made in the sixth and twenty-second Years of the Reign of his 'present Majesty, the Bounty of forty Shillings *per* Ton is confined to Ships of the Burthen of two hun-'dred Tons and upwards; and it hath been found by Experience, that Ships under the Burthen of two 'hundred Tons are fit for the said Fishery;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-five, and during the Continuance of the said Bounty of forty Shillings *per* Ton, payable as aforesaid, the same shall be paid to the Owners of all Ships under the Burthen of two hundred Tons, which shall be employed in the said Fishery, according to the Admeasurement thereof, in such Manner, and by and under such Rules, Directions and Restrictions, as by the said Acts, and by this present Act, the said Bounty is made payable to the Owners of Ships of the Burthen of two hundred Tons and upwards, employed in the said Fishery; provided the Owner of no such Ship shall be intitled to such Bounty, unless he shall in all Respects conform to the Regulations prescribed by the said recited Acts, and by this present Act, to the Owners of Ships of the Burthen of two hundred Tons.

Bounty allowed to Vessels under 200 Tons.

Vessels under 200 Tons which shall sail before 25 March 1755,

'IX. And whereas the Dispatch of Ships to the *Greenland Seas* and *Davis's Streights*, and Seas adjacent, 'on the Whale Fishery, must of Necessity be within the Months of *March* or *April*;' Be it therefore enacted by the Authority aforesaid, That every Owner or Owners of any Ship or Ships under the Burthen of two hundred

hundred Tons, which shall sail on the said Voyage and Fishery on or before the twenty-fifth Day of *March* one thousand seven hundred and fifty-five, who have conformed themselves in all Respects to the Rules and Directions prescribed by the said Acts of the sixth and twenty-second Years of the Reign of his present Majesty, and of this present Act, shall be intitled to the said Bounty of forty Shillings *per* Ton, according to the Admeasurement of such Ship or Ships respectively. intitled to the Bounty.

X. And be it further enacted by the Authority aforesaid, That the Commissioners of his Majesty's Customs for *England* and *Scotland* respectively, shall, at the Beginning of every Session of Parliament, lay before both Houses of Parliament an Account in Writing, under their Hands, of what Number of Ships have been employed in the Whale Fishery, to *Davis's Streights* and the *Greenland Seas*, with their respective Names and Burthens, from whence they were fitted out, and at what Port in *Great Britain* they were discharged, and also what Quantity of Oil or Whale Fins each Ship shall have imported. Commissioners of the Customs to report to Parliament the Ships employed in the Fishery.

'XI. And whereas *Thomas Hood*, *James Manbey*, and *Leonard Bowles* of *London*, Merchants, did fit out 'in the Year one thousand seven hundred and fifty-four, three Ships called the *Elizabeth* and *Mary*, the 'Mary and the *Argus*, for the Whale Fishery in the *Greenland Seas*, in the Manner prescribed and appointed 'by the said Acts, and which said Ships were actually employed in the said Fishery, but were unavoidably 'lost in the said Seas;' Be it therefore enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall be, and he or they are hereby impowered to direct, if he or they think fit, the Payment of the Bounties which the said *Thomas Hood*, *James Manbey*, and *Leonard Bowles*, would have been intitled to, in case the said Ships had returned to this Kingdom; any Thing in the said two several Acts contained to the contrary notwithstanding. Bounties to be paid to Hood, Manbey, and Bowles, for Vessels employed and lost in the Greenland Seas.

'XII. And whereas a Doubt hath arisen, whether the Bounty payable on Ships employed in the said 'Fishery may be insured; for obviating such Doubt, and for preventing any future Applications to Parlia-'ment for the Bounty on any such Ship which may happen to be lost at Sea before her Return to *Great* 'Britain, although fitted out and navigated according to the Direction of the said former Acts, and this 'present Act, the Risk of which Loss ought to be borne by the Owner or Owners of such Ship, if he or 'they had the Liberty to insure the Bounty payable thereon;' Be it therefore declared and enacted by the Authority aforesaid, That it shall and may be lawful for the Owner or Owners of any Ship employed, or 'designed to be employed in the said Fishery, to insure the Bounty which such Owner or Owners would be intitled to, upon the Return of such Ship to the Port to which the Master and Mate of such Ship shall have declared on Oath their Intention to return, and on the Performance of all other Matters directed and appointed by the said Acts, and by this present Act to be performed, for obtaining the said Bounty. Owners may insure the Bounty.

CAP. XXI.

An Act for making more effectual the Laws prohibiting the Importation of Spirituous Liquors in Casks or Vessels not containing sixty Gallons, and of Tea above the Quantity of six Pounds, found on board any *British* Ship or Vessel, not belonging to, or employed by, the *East India* Company.

'WHEREAS, for preventing the Frauds frequently used in importing of strong Water, Spirits, 'Aqua Vitæ, or Brandy, in small Quantities, whereby the same is more easily conveyed away without Payment of the Duties thereof, it is by a Clause in an Act made in the fourth Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majesties certain additional Impositions upon several Goods and Merchandizes for the prosecuting the present War against* France, enacted, That no Brandy, single or double, shall be imported from Parts beyond the Seas, in any Vessel or Cask which shall not contain sixty Gallons at the least, upon pain of forfeiting the said Brandy, or the Value thereof, so to be imported as aforesaid: And whereas by a Clause in one other Act made in the fifth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act against clandestine running of uncustomed Goods, and for the more effectual preventing of Frauds relating to the Customs*, reciting, That Rum had been then imported in much greater Proportions than formerly; and that the importing thereof in small Casks or Vessels was many Times done with Design, that the same might more easily, privately and clandestinely be carried off and conveyed, without paying the Duties; it is enacted, That if any Rum shall be imported or brought into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof, in any Cask or Vessel not containing twenty Gallons at the least (excepting only for the Use of Seamen then belonging to and on board such Ship or Vessel) all such Rum, or the Value thereof, shall be forfeited; nevertheless, if it shall be made appear to the Satisfaction of the principal Officers of the Customs at the Port of Importation, that such Rum so imported in small Casks was for the Use of the Master or Seamen belonging to the Ship or Vessel in the Voyage, or imported by Merchants or Traders without Fraud or Concealment, that then, and in every such Case, the said Officers are thereby impowered and directed to admit such Rum to an Entry, and cause the Duties thereof to be accepted instead of the Forfeiture thereof before mentioned; which said last mentioned Clause, by virtue of several subsequent Acts, is continued until the twenty-ninth Day of *September* one thousand seven hundred and sixty, and from thence to the End of the then next Session of Parliament; And whereas by a Clause in one other Act made in the ninth Year of the Reign of his present Majesty, intituled, *An Act for indemnifying Persons who have been guilty of Offences against the Laws made for securing the Revenues of Customs and Excise, and for enforcing* 4 Will. & Mary, c. 5. 5 Geo. 1. c. 21. 9 Geo. 2. c. 35.

'those

'*those Laws for the future*; it is enacted, That where any Ship or Vessel whatsoever coming or arriving from 'foreign Parts, and having on board six Pounds of Tea, or any foreign Brandy, Arrack, Rum, strong 'Waters, or other Spirits whatsoever, in Casks under sixty Gallons (except only for the Use of the Sea-'men then belonging to, and on board such Ship or Vessel, not exceeding two Gallons for each Seaman) 'shall be found at Anchor, or hovering within the Limits of any of the Ports of this Kingdom, or within 'two Leagues of the Shore, or shall be discovered to have been within the Limits of any Port, and not pro-'ceeding on her Voyage, Wind and Weather permitting (unless in case of unavoidable Necessity and 'Distress of Weather, of which Necessity and Distress, the Master, Purser, or other Person, having or taking 'the Charge or Command of such Ship or Vessel, shall give Notice to and make Proof of before the Col-'lector, or other chief Officers of the Customs, of such Port as aforesaid, immediately after the Arrival of 'such Ship or Vessel into the said Port) all such Tea, foreign Brandy, Arrack, Rum, strong Waters and 'Spirits, together with the Chests, Boxes, Casks, and other Package whatsoever, containing the same 'Goods, or the Value thereof, shall be forfeited and lost (whether Bulk shall then have been broken or 'not) and the same Goods and Package shall and may be seized and prosecuted, or the Value thereof be 'sued for, by any Officer or Officers of the Customs or Excise, in such Manner and Form as in and by 'the said Act is expressed: And whereas, notwithstanding the several Provisions so made for preventing 'such Frauds, Ships and Vessels arriving from foreign Parts frequently have on board Quantities of such 'Liquors in small Casks, and also Tea, which Liquors and Tea are intended to be run on Shore, without 'Payment of the respective Duties thereof; but in order to prevent the Seizure and Forfeiture thereof, 'are brought into Port under Pretence that they are designed for Exportation, and are frequently reported 'for Exportation to foreign Parts, and nevertheless are afterwards run on Shore;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-five, no Brandy, Arrack, Rum, Geneva, strong Waters, or other Spirits whatsoever, which shall be imported or brought into *Great Britain*, in any Cask or other Vessel, which shall not contain sixty Gallons at the least of such Liquors respectively, shall be entered or reported for Exportation, or exported to Foreign Parts; and all Entries and Reports which, after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-five, shall be made of such Liquors, contrary to the Directions of this Act, are hereby declared to be null and void; and all Tea above the Quantity of six Pounds, which shall be found in any *British* Ship or Vessel, arriving in *Great Britain* from Foreign Parts (excepting those belonging to or employed by the *East India* Company) shall be forfeited and lost, whether such Tea shall be intended or reported for Exportation or not.

No Spirituous Liquors imported in Vessels under 60 Gallons, may be entered or reported for Exportation.

All Tea above 6lb. found in British Vessels arriving from Foreign Parts, to be forfeited.

India Company's Ships excepted.

Concerning Customs see farther 30 *Geo.* 2. *c.* 18 & 29. 32 *Geo.* 2. *c.* 10.

CAP. XXII.

An Act for granting to his Majesty a certain Sum of Money therein mentioned out of the Sinking Fund; and applying certain Monies remaining in the Exchequer for the Service of the Year one thousand seven hundred and fifty-five; and for carrying the Surplus of certain Duties to the Sinking Fund; and for the further appropriating the Supplies granted in this Session of Parliament.

MOST Gracious Sovereign; We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the Residue of the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, by Ways and Means the least burthensome to your Majesty's Subjects, have resolved to give and grant to your Majesty the Sum herein after-mentioned; and do therefore most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are, or shall from Time to Time be and remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the Fund commonly called the *Sinking Fund*, (after paying or reserving sufficient to pay all such Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may be issued and applied a Sum not exceeding the Sum of one million four hundred and twenty thousand Pounds, for and towards the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-five; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly.

1,420,000 l. granted out of the Sinking Fund for the current Year.

II. And be it further enacted by the Authority aforesaid, That the Sum of three thousand three hundred forty-one Pounds nineteen Shillings and two Pence Farthing remaining in the Receipt of the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-four; and also the Sum of sixteen thousand four hundred ninety-four Pounds seventeen Shillings and ten Pence Half-penny, remaining in the Receipt of the Exchequer, of the Surplus of the Duties on Coals since the twenty-fifth Day of *March* one thousand seven hundred and nineteen; and also the Sum of nineteen thousand nine hundred and twenty-three Pounds twelve Shillings and nine Pence, remaining in the Receipt of the Exchequer, of the Surplus of the Duties on Licences for retailing Spirituous Liquors; and also

3,341 l. 19 s. 2 d. 1 q. Overplus of the last Year's Grants; 16,494 l. 17 s. 10 d. 2 q. Surplus of Duty on Coals; 19,923 l. 12 s. 9 d. Surplus of Duties for retailing Spirituous Liquors;

also the Sum of twenty-eight thousand two hundred and one Pounds nineteen Shillings and eight Pence, remaining in the Receipt of the Exchequer, of the Surplus of the Funds for the Lottery in the Year one thousand seven hundred and fourteen, shall and may be issued and applied at the said Receipt as Part of the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-five. 28,201 l. 19 s. 8 d. Surplus of the Funds of the Lottery 1714, to be issued in Aid of the Supply.

'III. And whereas by an Act of the first Year of his Majesty's Reign, for granting an Aid to his Majesty by Sale of Annuities to the Bank of *England*, at four Pounds *per Centum per Annum*, redeemable by Parliament, and charged on the Duties on Coals and Culm, and for other Purposes therein mentioned, certain Duties upon Coals and Culm were charged with the Payment of an Annuity after the Rate of four Pounds *per Centum per Annum*, from the Feast of Saint *John the Baptist* one thousand seven hundred and twenty-eight, for and upon the Sum of one million seven hundred and fifty thousand Pounds, contributed by the Governor and Company of the Bank of *England*, in pursuance of the said Act; in which Act it is provided, That in case there shall be any Surplus or Remainder of the Monies arising by the said Duties at the End of any one Year, computing the same to end at *Christmas* yearly, after the said Annuity and all Arrears thereof are satisfied, or Money reserved for that Purpose, such Surplus or Remainder shall from Time to Time be reserved for the Disposition of Parliament: And whereas by an Act of the second Year of his Majesty's Reign, for raising one million two hundred and fifty thousand Pounds by Sale of Annuities to the Bank of *England* at four Pounds *per Centum*, redeemable by Parliament, and for other Purposes therein mentioned, certain Surplus Monies of the Duties and Revenues on Soap, Paper, certain Linens, Silks, Callicoes and Stuffs, and upon Starch, and exported Coals, and upon stampt Vellum, Parchment and Paper, which were granted by an Act made in the twelfth Year of the Reign of her late Majesty Queen *Anne*, were charged with the Payment of an Annuity after the Rate of four Pounds *per Centum per Annum*, from the Feast of Saint *John the Baptist* one thousand seven hundred and twenty-nine, for and upon the Sum of one million two hundred and fifty thousand Pounds, contributed by the Governor and Company of the Bank of *England*, in pursuance of the said Act; in which said Act it is provided That in case there shall be any Surplus or Remainder of the Monies arising by the said Duties at the End of any one Year, computing the same to end at *Christmas* yearly, after the said Annuity, and all Arrears thereof, are satisfied, or Money reserved for that Purpose; such Surplus or Remainder shall from Time to Time be reserved for the Disposition of Parliament:' Now, to the end the said several Surplus or Overplus Monies may be applied, Be it enacted by the Authority aforesaid, That from and after the fifth Day of *July* one thousand seven hundred and fifty-five, the Surplus or Overplus Monies of the said Duties on Coals and Culm, and also the Surplus or Overplus Monies of the Duties and Revenues on Soap, Paper, Linens, Silks, Callicoes and Stuffs, and upon Starch and exported Coals, and upon stampt Vellum, Parchment and Paper, which shall from Time to Time be and remain in the Receipt of his Majesty's Exchequer, at the End of any usual Quarterly Day on which the said Surplus or Overplus Moneys shall arise, after satisfying all Charges and Incumbrances thereupon, shall be carried to, and made Part of, the Fund commonly called *The Sinking Fund*; and shall and may be issued and applied in such Manner, and to such Uses and Purposes, as other Rates, Duties, Revenues and Incomes, composing the said Fund, are or shall be issued and applied, and for no other Use, Intent or Purpose whatsoever. 1 Geo. 2. c. 8. 2 Geo. 2. c. 3. 12 Ann. c. 9. Surplus of the Duties on Coals, Soap, Paper, Linens, &c. Starch, Coals exported, stampt Vellum, &c. to be carried to the Sinking Fund.

IV. And it is hereby enacted by the Authority aforesaid, That in case the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall think it adviseable to raise the said Sum of one million four hundred and twenty thousand Pounds, or any Part thereof, by Loans or Exchequer Bills, in manner herein after-mentioned; that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money, not exceeding the said Sum of one million four hundred and twenty thousand Pounds, upon the Credit of the said Surplusses, Excesses and Overplus Monies, or other Revenues composing the Sinking Fund; and to have and receive for the Forbearance of the Money lent, Interest after a Rate not exceeding three Pounds *per Centum per Annum*, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, who are hereby authorized to issue their Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service; and moreover, that no Money to be lent upon the Security of this Act, shall be rated or assessed to any Tax or Assessment whatever. Clause of Loan for raising 1,420,000 l. at 3 l. per Cent.

V. And be it further enacted, That all and every Person or Persons who shall lend any Money upon the Credit of this Act as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tally; in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, not exceeding the said Rate of three Pounds *per Centum per Annum*, and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Money so to be lent, shall be registered in course, according to the Dates respectively; and that all and every Person and Persons shall be paid in course, according as their Orders shall stand registered in the said Register Books, so as the person or Persons, Natives or Foreigners, his, her or their Executors, Administrators or Assigns, who shall have his, her or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surplusses, Excesses or other Revenues, and he, she or they, who shall have his, her or their Order or Orders next Tallies of Loan to be struck. The Manner of Payment.

next entered, shall be taken and accounted to be the second Person to be paid, and so successively and in course; and that the Monies to come in, of, or for the said Surpluses, Excesses and Overplus Monies, or other Revenues composing the Sinking Fund as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors or Assigns respectively, without any undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever (other than such Uses and Purposes as are appointed by any other Act or Acts of Parliament in that Behalf as aforesaid) and that no Fee, Reward or Gratuity, directly or indirectly, shall be demanded or taken of any of his Majesty's Subjects, for providing or making of any such Books or Registers or any Entries, Views or Searches, in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved, by the Party offending, with full Costs of Suits; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in Point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable by Action of Debt, or on the Case, to pay the Value of the Debt, with full Costs of Suit, to the Party grieved, and shall be fore-judged of his Place or Office; and if any such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Office or Place; and in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Orders, according to each Person's due Place and Order as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending, to be liable to such Action, Debt, Damages and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs, to be incurred by any of the Officers of the Exchequer, or any of their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint, shall be in any wise granted or allowed.

no undue Preference.

No Fee to be taken,

on Pain of treble Damages, and Costs.

Penalty of undue Preference.

Provisoes relating to Orders of the same Date,

VI. Provided always, and it is declared, That if it shall happen that several Tallies of Loan or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registered, then it shall be interpreted no undue Preference which of those be entered first, so as he enters them all the same Day.

and to Payment of subsequent Orders, before others not brought in Course.

VII. Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not take their Monies, and bring their Orders in Course, so as there be so much Money reserved as will satisfy precedent Orders, which shall not be otherwise disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Method of transferring.

VIII. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registered by virtue of this Act, after Order entered in the Book of Register as aforesaid, his, her, or their Executors, Administrators or Assigns, by proper Words of Assignment to be indorsed and written upon his, her, or their Order, may assign and transfer his, her, or their Right, Title, Interest and Benefit of such Order, or any Part thereof, to any other, which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid, for Orders (which the Officers shall upon Request, without Fee or Charge, accordingly make) shall intitle such Assignee, his, her or their Executors, Administrators, Successors and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons, who have or hath made such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

The said Sum may be raised by Exchequer Bills.

IX. And to the End there may be no Want or Failure of a certain Sum not to exceed in the whole the said Sum of one million four hundred and twenty thousand Pounds, to be raised either by such Loans as aforesaid, or by issuing Exchequer Bills as is herein after mentioned, or by both or either of those Ways or Means, for the publick Service; Be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall judge it more adviseable to raise the said Sum of one million four hundred and twenty thousand Pounds, or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorized and impowered at any Time or Times to prepare and make, or cause to be prepared and made at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the whole the said Sum of one million four hundred and twenty thousand Pounds, together with such Loans aforesaid, in the same or like Manner, Form or Order, and according to the same or like Rules and Directions, as in and by a certain Act of Parliament (for continuing and granting to his Majesty, certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-five) are enacted and prescribed concerning the Exchequer Bills to be made in pursuance of the said Act.

28 Geo. 2. c. 2.

X. And

X. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities, contained in the said last-mentioned Act, relating to the Loans of Exchequer Bills, authorized to be made by the same Act (except such Clauses as do charge the same on the Rates and Duties granted by the same Act) shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this present Act.

All Advantages and Penalties contained in the Malt Act, relating to Loans on Exchequer Bills, extended to this Act.

XI. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the growing Produce of the said Surplusses, Excesses and Overplus Monies, or other Revenues composing the Sinking Fund (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses, by any former or other Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be issued and applied, as fast as the same can be regularly stated and ascertained, for and towards the paying off, cancelling and discharging such Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

The Exchequer Bills to be paid out of the Sinking Fund.

'XII. And whereas the Governor and Company of the Bank of *England* do consent and agree 'to advance and lend the Sum of five hundred thousand Pounds, over and above all other Sum and 'Sums of Money that they have already agreed to advance on the Supplies of the present Year, at 'an Interest after the Rate of three Pounds *per Centum per Annum*, for so much thereof as shall be by 'them advanced, from the Time of such Advancement till the same shall be discharged, the said five 'hundred thousand Pounds and Interest to be secured by Exchequer Bills to be made forth and issued 'in pursuance of this Act, and to be charged upon and repaid out of such Monies as at any Time or 'Times hereafter shall be or remain in the Receipt of the Exchequer, of the Surplusses, Excesses, 'Overplus-Monies and other Revenues, composing the Fund, commonly called *The Sinking Fund*, after 'paying or reserving sufficient to pay the Sum of seven hundred and twenty thousand Pounds, Part 'of the said Surplusses, Excesses, Overplus-Monies, and other Revenues composing the Fund com-'monly called *The Sinking Fund*, by this Act directed to be issued and applied;' Be it enacted by the Authority aforesaid, That all such Exchequer Bills for any Sum or Sums not exceeding five hundred thousand Pounds as aforesaid, as shall be made forth and issued in pursuance of this Act, shall respectively be made to bear or carry an Interest at the Rate of three Pounds *per Centum per Annum*; and all such Exchequer Bills, together with the Interest attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid by or out of such Monies, as at any Time or Times hereafter shall be or remain in the Receipt of the Exchequer, of the said Surplusses, Excesses, Overplus-Monies, and other Revenues composing the Fund, commonly called *The Sinking Fund*, after paying or reserving sufficient to pay the Sum of seven hundred and twenty thousand Pounds, Part of the said Surplusses, Excesses, Overplus-Monies, and other Revenues composing the Fund, commonly called *The Sinking Fund*, by this Act directed to be issued and applied; and such Monies of the said Sinking Fund shall and may be issued and applied as fast as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Exchequer Bills and Interest, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient be kept and reserved in the Exchequer for that Purpose.

Bills to carry 3l. per Cent. Interest, and charged on the Sinking Fund.

XIII. Provided always, and it is hereby further enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-five; and for the Relief of the Inhabitants of certain Places in the County of* Lincoln, *in respect of Arrears of the Land Tax*; and so much Money (if any such be) of the Tax thereby granted as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-five*, and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made upon the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Monies sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and the Sum of three thousand three hundred forty-one Pounds nineteen Shillings and two Pence Farthing remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-four, but not applied to the Service of that Year; and the Sum of sixteen thousand four hundred ninety-four Pounds seventeen Shillings and ten Pence Halfpenny, remaining in the Receipt of the Exchequer, of the Surplus of the Duties on Coals, since the twenty-fifth Day of *March* one thousand seven hundred and nineteen; and the Sum of nineteen thousand nine hundred twenty-three Pounds twelve Shillings and nine Pence, remaining in the Receipt of the Exchequer, of the Surplus of the Duties on Licences for retailing Spirituous Liquors; and the Sum of twenty-eight thousand two hundred and one

Appropriation of the Supplies.

The Monies arising by the Land Tax,

Malt Tax,

and other Sums remaining in the Exchequer, &c.

Pounds nineteen Shillings and eight Pence, remaining in the Receipt of the Exchequer, of the Surplus of the Funds for the Lottery in the Year of our Lord one thousand seven hundred and fourteen; and also all the Monies coming into the Exchequer by Contributions for a Lottery granted by one other Act of this present Session of Parliament, (intituled, *An Act for granting to his Majesty the Sum of one million to be raised by a Lottery*) and also the Sum of one million four hundred and twenty thousand Pounds by this Act granted, shall be further appropriated, and are hereby appropriated for and towards the several Uses and Purposes herein after expressed; (that is to say) It is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million four thousand two hundred eighty-eight Pounds fourteen Shillings and one Penny, for or towards the naval Services herein after particularly expressed; (that is to say) For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers; and for or towards Building, Rebuilding and Repairs of his Majesty's Ships, in the Year one thousand seven hundred and fifty-five.

and the Lottery Money of 1714 and 1753.

1,004,288l. 14s. 1d. towards Naval Services.

XIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

10,000l. to Greenwich Hospital.

XV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding seven thousand Pounds, towards paying off and discharging the Debt of the Navy.

7,000l. towards the Navy Debt.

XVI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one hundred fifty-one thousand five hundred sixty-six Pounds eighteen Shillings and eight Pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and fifty-five, performed and to be performed; and for defraying the extraordinary Expence of the Office of Ordnance for the Land Service, not provided for by Parliament.

151,566l. 18s. and 8d. to the Ordnance;

XVII. And it is hereby also enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million one hundred thirty-nine thousand five hundred forty-eight Pounds one Shilling and one Penny Halfpenny, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; (that is to say) any Sum or Sums of Money not exceeding six hundred twenty-eight thousand three hundred fifteen Pounds seven Shillings and eleven Pence, for defraying the Charge of eighteen thousand eight hundred and fifty-seven effective Men, including Commission and Non-commission Officers, and also one thousand eight hundred and fifteen Invalids, for Guards, Garrisons and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding two hundred thirty-six thousand four hundred twenty Pounds eighteen Shillings and six Pence Halfpenny, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons of *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding forty thousand three hundred and fifty Pounds and fifteen Shillings, for defraying the Charge of two Regiments of Foot, to be raised for his Majesty's Service in *North America*, for the Service of the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding seven thousand three hundred thirty-eight Pounds two Shillings and six Pence, for defraying the Charge of several Officers appointed by his Majesty, to go with the Forces in the Expedition under the Command of Major General *Braddock*, for the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding one thousand seven hundred seventy-nine Pounds seven Shillings and six Pence, for defraying the Charge of the Officers appointed by his Majesty, to attend the Hospital established for the Service of the Expedition under the Command of Major General *Braddock*, for the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding fifty-nine thousand seven hundred ninety-one Pounds twelve Shillings and one Penny, upon account, for Out-pensioners of *Chelsea* Hospital, for the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding forty-seven thousand Pounds, upon account of Half-pay, for the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and fifty-five, subject to such Rules to be observed in the Application of the said Half-pay, as are hereafter prescribed concerning the same; and any Sum or Sums of Money, not exceeding three thousand seven hundred thirty-five Pounds nine Shillings and seven Pence, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse reduced, and to the superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding two thousand five hundred and sixty-two Pounds, for paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines, as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and fifty-five; which said Sum of two thousand five hundred and sixty-two Pounds, shall be issued to such Person or Persons as his Majesty shall, by Warrant

1,139,548l. 1s. 1d. 2q. to the Land Forces; of which 628,315l. 7s. 11d. for Guards and Garrisons, &c. in Great Britain, Guernsey and Jersey; 236,420l. 18s. 6d. 2q. for Garrisons, &c. in the Plantations, Minorca and Gibraltar, Nova Scotia, Newfoundland, and Providence. 40,350l. 15s. for 2 Regiments raised in America.

7,338l 2s. 6d. for Charge of Officers employed in the Expedition to America.

1,779l. 7s. 6d. for Charge of Officers attending the Hospital there.

59,791l. 12s. 1d. to the Out-Pensioners of Chelsea Hospital.

47,000l. to the reduced Officers of the Land Forces and Marines.

3,735l. 9s. 7d. to the Gentlemen of Horse Guards, &c.

Warrant or Warrants under his Royal Sign Manual, direct and appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assignees, according to such Establishments, Lists or other Directions, and with and subject to such Conditions, Qualifications, and other Allowances for the same, as his Majesty, by such and the like Warrant or Warrants, shall be graciously pleased to direct and appoint; and any Sum or Sums of Money, not exceeding sixty thousand two hundred fifty-four Pounds and eight Shillings, for defraying the extraordinary Expences of his Majesty's Land Forces, and other Services, incurred in the Year one thousand seven hundred and fifty-four, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding twenty thousand Pounds, to enable his Majesty to make good his Engagements with the Elector of *Bavaria*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding thirty-two thousand Pounds, to enable his Majesty to make good his Engagements with the King of *Poland*, Elector of *Saxony*, pursuant to Treaty.

reduced; 2,562 l. to reduced Officers Widows, &c. 60,254 l. 8 s. for Services incurred in 1754. 20,000 l. to the Elector of Bavaria. 32,000 l. to the King of Poland.

XVIII. And it is hereby also enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million, upon Account, towards enabling his Majesty to augment his Forces by Sea and Land, and to take such Measures for the Security of his Dominions, as may be necessary in the present Conjuncture.

1,000,000 l. for augmenting the Forces by Sea and Land.

XIX. And it is hereby also enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding forty thousand four hundred eighteen Pounds seven Shillings and eight Pence, upon Account, for supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia*, for the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding two thousand nine hundred fifty-seven Pounds and ten Shillings, upon Account, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same, from the twenty-fourth Day of *June* one thousand seven hundred and fifty-four, to the twenty-fourth Day of *June* one thousand seven hundred and fifty-five; and any Sum or Sums of Money, not exceeding ten thousand Pounds, to be employed in maintaining and supporting the *British* Forts and Settlements upon the Coast of *Africa*; and any Sum or Sums of Money, not exceeding six thousand Pounds, towards the Expences incurred in building a Fort at *Annamaboe*; and any Sum or Sums of Money, not exceeding six thousand Pounds, towards laying out, making and keeping in Repair a Road proper for the Passage of Troops and Carriages from the City of *Carlisle* to the Town of *Newcastle upon Tyne*; and any Sum or Sums of Money, not exceeding three thousand Pounds, to be paid to *Thomas Stephens*, as a Reward for discovering his Method of making Pot Ash, and introducing that Manufacture into the *British* Plantations in *America*.

40,418 l. 7 s. 8 d. towards the settling Nova Scotia. 2,957 l. 10 s. for defraying the Civil Establishment of Georgia. 10,000 l. for the British Forts, &c. on the Coast of Africa. 6,000 l. towards building a Fort at Anamaboe. 6,000 l. towards making a Road from Carlisle to Newcastle. 3,000 l. to Thomas Stephens, for discovering the Method of making Pot Ash.

XX. And it is hereby further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before-mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout, by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts in this present Session of Parliament.

These Aids to be applied to no other Uses.

XXI. And as to the said Sum of forty-seven thousand Pounds by this Act appropriated on Account of Half-pay as aforesaid; it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Imployment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

Rules to be observed in the Application of the Half-pay. *See* 29 *Geo.* 2. c. 29.

'XXII. And whereas by an Act of Parliament made and passed in the twenty-seventh Year of his Majesty's Reign, (intituled, *An Act for granting to his Majesty a certain Sum of Money therein mentioned out of the Sinking Fund; and applying certain Surplus Monies remaining in the Exchequer for the Service of the Year one thousand seven hundred and fifty-four; and for the further Disposition of the Sinking Fund, by paying thereout the Remainder of the Sum advanced on the Credit of the Duty on Sweets, and the Interest thereof; and carrying the said Duty to the said Fund; and for further appropriating the Supplies granted in this Session of Parliament;*) the several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to the several Uses and Purposes therein expressed; amongst which, any Sum or Sums of Money, not exceeding fifty-five thousand Pounds, was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of fifty-five thousand Pounds, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or lost their Limbs in the late Wars, or

27 Geo. 2. c. 16.

Application of the Surplus of 55,000 l. appropriated in 1754, to the Payment of reduced Officers.

or such others as by reason of their long Service or otherwise, his Majesty shall judge to be proper Objects of Charity; or to the Widows or Children of such Officers, according to such Warrant or Warrants under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act, or the said former Act to the contrary notwithstanding.

CAP. XXIII.

An Act to enable the Churchwardens, Overseers and Inhabitants of the Parish of Saint *Saviour*, in the Borough of *Southwark*, in the County of *Surry*, to hold a Market within the said Parish, not interfering with the High Street in the said Borough. PR.

'WHEREAS a Market hath for a long Tract of Time been held in the Parish of Saint *Saviour*, in the Town and Borough of *Southwark*, in the County of *Surry*, by virtue of a Royal Charter granted to the Mayor, Commonalty and Citizens of *London*, by King EDWARD the Sixth, and continued and made perpetual by an Act of Parliament, intituled, *An Act for erecting a Judicature to determine Differences touching Houses burnt and demolished by the late dreadful Fire in* Southwark: And whereas by the humble Petition of the Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, it hath been represented, That the said Market now held in the common Street, which is a great Thoroughfare for all Carriages and Cattle, continually passing to and from the Counties of *Kent*, *Surry* and *Sussex*, is become a Nusance by means of the great Number of Carts, Stalls and Stands, placed and set up in and about the same, and therefore praying for leave to give up the said Market, and the Profits arising thereby, for the Convenience and Accommodation of the Publick: And whereas by an
28 Geo. 2. c. 9. Act made and passed in this present Session of Parliament, in Consequence of such Petition, intituled, *An Act to prevent the holding of any Market for the future in the high Street of the Borough of* Southwark, *in the County of* Surry; it is enacted, That from and after the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-six, no Market whatsoever shall be kept or held in the said high Street of the Borough of *Southwark*, in the County of *Surry*: And whereas it is necessary for the Benefit and Accommodation of the Inhabitants of the said Borough of *Southwark*, and the neighbouring Towns and Villages, that a Market should be still continued as near as conveniently may be to the Place where it is now held, and the Churchwardens, Overseers of the Poor, and Inhabitants of the Parish of Saint *Saviour*, within the said Borough, are desirous to erect, hold and maintain such Market, and have found out a convenient Place for that Purpose, near the present Market, within the said Parish of Saint *Saviour*; to wit, a Piece of Ground in which is contained a Spot called *The Triangle*, abutting on a Place called the *Turnstile*, on the Backside of *Three Crown Court* Eastward, on *Fowle Lane*, and Buildings in *Rochester Yard* and *Dirty Lane* Northward, and towards *Deadman's Place* Westward: But whereas such new Market cannot be erected, held and maintained, nor many Difficulties be removed which may arise in the Purchase of the Ground, Houses and other Buildings, that shall be found necessary to be made use of for that Purpose, by reason of legal Disabilities, which the Owners or Occupiers thereof may be under to dispose of the same; all which cannot be done and effectually carried into Execution, otherwise than by the Aid and Authority of Parliament;' May it therefore please your Majesty, at the Prayer of the Churchwardens, Overseers of the Poor, and Inhabitants of the said Parish of Saint *Saviour*, in the Borough of *Southwark*, that it may be enacted, *&c.*

" Commissioners appointed to set out the Scite of the Market: Purchase thereof to be afterwards made by " the Parish. Right of holding the Market and Tolls, *&c.* vested in the Churchwardens and Inhabitants. " No Provisions, *&c.* to be sold without Licence within 1000 Yards of the Bounds of the Market, Hay " and Straw excepted. Penalty 5 *l.* Justices may mitigate Penalties. Persons aggrieved may appeal to " the Quarter-Sessions, *&c.* Proceedings not removeable by *Certiorari*. Persons interested in Lands, " *&c.* set out for the Scite of the Market, impowered to sell the same. Persons disabled, or refusing to " treat, Notice to be given them that the Value will be settled by a Jury. Jury to assess the Recompence " on Oath. Verdict to be recorded, *&c.* Upon Payment of the Purchase-money, Conveyance to be exe- " cuted. Where the Title can't be made good, *&c.* Purchase-money to be paid into the Bank, and Re- " ceipt to be given for the same; and to be entered on Record. Lands afterwards to vest in Parishioners. " Purchase-money subject to the Uses the Lands were limited to. After Payment, Lands may be con- " verted into a Market. 6,000 *l.* may be raised for making necessary Purchases, and building the Mar- " ket; or the Ground may be let out on building Leases. Money borrowed may be raised by Annuities, " not exceeding 8 *l. per Cent.* Annuities not to exceed 480 *l. per Annum*, to be paid quarterly. Names " of Annuitants, and Sums paid, to be entered in Books. Annuities to be for Lives of the Persons nomi- " nated by Contributors, and to be Tax free. Receipts to be given to Contributors, and Order for Pay- " ment of Annuities. Annuities may be assigned. Annuities payable out of the Rents, *&c.* of the Mar-
Explained and amended by 30 Geo. 2. c. 31. " ket. Deficiencies to be made good by a Rate. Payment of such Rates gives no Settlement. Market, " *&c.* vested in Churchwardens and Parish, in Trust for the Uses herein declared. Publick Act."

CAP.

CAP. XXIV.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Promotions within the Time limited by Law; and for allowing further Time for that Purpose.

'WHEREAS divers Persons who on Account of their Offices, Places, Employments or Professions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths or the Assurance respectively appointed to be by such Persons, in and by an Act made in the first Year of the Reign of his late Majesty King GEORGE, of glorious Memory (intituled, *An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors)* or to have qualified themselves according to an Act made in the thirteenth Year of the Reign of King CHARLES the Second (intituled, *An Act for the well governing and regulating Corporations)* or to have qualified themselves according to another Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, (intituled, *An Act for the preventing Dangers which may happen from Popish Recusants)* by receiving the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*, and making and subscribing the Declaration against Transubstantiation therein mentioned, have through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to take and subscribe the said Oaths and Assurance, or otherwise to qualify themselves as aforesaid, within such Time, and in such Manner, as in and by the said Acts respectively, or by any other Act of Parliament in that Behalf made and provided, is required, whereby they may be in Danger of incurring divers Penalties and Disabilities;' For quieting the Minds of his Majesty's Subjects, and for preventing any Inconveniencies that might otherwise happen by Means of such Omissions; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons, who shall on or before the twenty-eighth Day of *November* one thousand seven hundred and fifty-five, take and subscribe the said Oaths and Assurance respectively, in such Cases wherein by Law the said Oaths or Assurance ought to have been taken or subscribed, in such Manner and Form, and such Place and Places, as are appointed in and by the said Act made in the first Year of the Reign of his said late Majesty King GEORGE, or by any other Act or Acts of Parliament in that Behalf made and provided, and also to receive the Sacrament of the Lord's Supper according to the Usage of the Church of *England*, and to make and subscribe the said Declaration against Transubstantiation, in such Cases wherein the said Sacrament ought to have been received, and the said Declaration ought to have been made and subscribed, shall be and are hereby indemnified, freed and discharged from and against all Penalties, Forfeitures, Incapacities and Disabilities incurred or to be incurred for or by reason of any former Neglect or Omission of taking or subscribing the said Oaths or Assurance, or receiving the Sacrament, or making or subscribing the said Declaration respectively, according to the above mentioned Acts, or any of them, or any other Act or Acts concerning Persons in Offices or Places of Trust; and is and are, and shall be, fully and actually recapacitated and restored to the same State and Condition as such Person or Persons were before such Neglect or Omission, and shall be deemed and adjudged to have duly qualified him, her or themselves, according to the above mentioned Acts, and every of them; and that all Acts done or to be done by any such Person or Persons, or by Authority derived from him or them, are and shall be of the same Force and Validity as the same, or any of them would have been, if such Person or Persons had taken the said Oaths or Assurance, and received the Sacrament of the Lord's Supper, and made and subscribed the said Declaration respectively, according to the Direction of the said Acts, and every of them; and that such Person or Persons qualifying themselves in Manner and within the Time appointed by this Act, shall be to all Intents and Purposes as effectual as if such Person or Persons had respectively taken the said Oaths and Assurance, and received the Sacrament, and made and subscribed the said Declaration, within the Time and in the Manner appointed by the several Acts before mentioned.

1 Geo. 1. c. 13. 13 Car. 2. c. 1. 25 Car. 2. c. 2.

Further Time allowed to Persons who have omitted to qualify themselves.

Persons qualifying within the Time prescribed, indemnified, &c.

II. Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to restore or intitle any Person or Persons to any Office or Employment, Benefice, Matter or Thing whatsoever, already actually avoided by Judgment of any of his Majesty's Courts of Record, or already filled up or enjoyed by any other Person; but such Office, Employment, Benefice, Matter or Thing so voided, or filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now intitled to the same, as if this Act had never been made.

None to be restored to Offices already avoided or filled up.

CAP. XXV.

An Act for continuing an Act, intituled, *An Act for encouraging the making of* Indico *in the* British *Plantations in* America.

'WHEREAS the Law for encouraging the making of *Indico* in the *British* Plantations in *America*, is found to be very useful and beneficial to the Publick, and is so near expiring, that it is fit it should be continued;' Be it therefore enacted by the King's Most Excellent Majesty, by and

21 Geo. 2. c. 30. Continued to 25 March 1763, &c.

with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the twenty-firſt Year of the Reign of his preſent Majeſty, intituled, *An Act for encouraging the making of* Indico *in the* Britiſh *Plantations in* America, which was to continue in Force for ſeven Years from the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-nine, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the twenty-fifth Day of *March* one thouſand ſeven hundred and fifty-ſix, until the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-three; and from thence to the End of the then next Seſſion of Parliament.

CAP. XXVI.

An Act for repairing and widening the Road from the High Bridge in the Town of *Ramſay*, in the County of *Huntingdon*, through *King's Ripton*, to the Weſt End of *Saint Peter's Lane*, in the Pariſh of *Saint John*, within the Borough of *Huntingdon*. PR.

CAP. XXVII.

An Act for explaining, amending and making more effectual ſeveral Acts of Parliament relating to the Maintenance and Employment of the Poor of the Town of *Kingſton upon Hull*; and for better paving, preſerving and cleanſing the Streets, Squares, Lanes and Alleys in the ſaid Town, and preventing Obſtructions therein; and for preſerving the Lamps, which ſhall be ſet up to enlighten the Streets of the ſaid Town, and ſecuring the Property of ſuch Lamps to the Owners. PR.

CAP. XXVIII.

An Act for repairing and widening the Road from *Sutton* in the County of *Surry*, through the Borough of *Reigate*, by *Sidlow Mill* to *Povey Croſs*, and from *Sutton* aforeſaid through *Cheam*, and over *Howell Hill* to *Ewell*; and alſo the Road from *Tadworth* by the *Wind Mill*, to the Bottom of *Pebble Hill* in the ſaid County. PR.

CAP. XXIX.

An Act for continuing and rendering more effectual an Act paſſed in the ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for continuing the Duty of two Pennies* Scots, *or one ſixth of a Penny ſterling, on every Pint of Ale and Beer, that ſhall be vended or ſold within the City of* Glaſgow, *and for extending the ſame over the Villages of* Gorbels *and* Port Glaſgow, *and Privileges thereof, for the Benefit of the ſaid City and Villages*. PR.

CAP. XXX.

An Act to continue and render more effectual two Acts of Parliament paſſed in the ſixth and twelfth Years of the Reign of his late Majeſty King *George*, for repairing the Roads from *Stevenage*, in the County of *Hertford*, to *Biggleſwade*, in the County of *Bedford*; and for repairing the Roads from the North End of the ſaid Roads to the Toll-gate at the North End of the ſaid Town of *Biggleſwade*. PR.

CAP. XXXI.

An Act for repairing and widening the ſeveral Roads therein mentioned, leading to, through and from the Town of *Monmouth*. PR.

CAP. XXXII.

An Act for eſtabliſhing, maintaining and well governing a Nightly Watch within the City of *Briſtol*. PR.

CAP. XXXIII.

An Act for repairing the Road from the North End of *Brown's Lane*, in *Great Stoughton*, in the County of *Huntingdon*, through *Kimbolton* and *Higham Ferrers*, to the Way Poſt near *Wellingborough Bridge*, in the County of *Northampton*, and from the Pound in *Kimbolton*, to the Way Poſt in *Great Catworth Field*, near *Brington Bridge*, in the ſaid County of *Huntingdon*. PR.

CAP. XXXIV.

An Act for erecting and building a new Chapel in the Town of *Wolverhampton*, in the County of *Stafford*. PR.

CAP. XXXV.

An Act for repairing the Road from a certain Place in *Bury*, in the County of *Huntingdon*, through *Warboys*, *Old Hurſt*, *Saint Ives*, *Hilton*, *Eltiſley*, *Wareſley*, *Gamlingay* and *Potton*, to a Houſe called the *Spread Eagle* in *Stratton*, with the ſeveral Counties of *Huntingdon*, *Cambridge* and *Bedford*. PR.

CAP.

CAP. XXXVI.

An Act to continue and render more effectual several Acts for repairing the Road from *Stump Cross* to *Newmarket Heath*, and the Town of *Cambridge*; for repairing the Road from *Foulmire* to *Cambridge*; and for repairing other ruinous Parts of the Highways adjacent to the Road from *Foulmire* to *Cambridge*. PR.

CAP. XXXVII.

An Act for the better enlightening and cleansing the open Places, Squares, Streets, Lanes, Alleys, Passages and Courts, within the Parish of Saint *Bartholomew the Great*, *London*; and regulating the Nightly Watch and Beadles within the said Parish. PR.

CAP. XXXVIII.

An Act for the better Relief and Employment of the Poor of the Borough of *Dunheved*, otherwise *Launceston*, and Parish of Saint *Mary Magdalen*, in the County of *Cornwall*. PR.

CAP. XXXIX.

An Act for enlarging the Term and Powers granted by an Act of the twenty-fourth Year of his present Majesty's Reign, intituled, *An Act for repairing the high Roads in the County of* Edinburgh, *to and from the City of* Edinburgh, *and from* Crammond Bridge *to the Town of* Queen's Ferry, *in the County of* Linlithgow; and for making the said Act more effectual. PR.

CAP. XL.

An Act for repairing and widening the Road from the Town of *Market Harborough*, in the County of *Leicester*, through the Town of *Lutterworth*, in the said County, to the City of *Coventry*. PR.

CAP. XLI.

An Act for enlightening the Streets and Lanes, and regulating the Pavements, in the Town of *Leeds*, in the County of *York*. PR.

CAP. XLII.

An Act for enlarging the Term and Powers granted by an Act passed in the ninth Year of the Reign of his present Majesty, for repairing the Roads leading from *Henley Bridge*, in the County of *Oxford*, to *Dorchester Bridge*, and from thence to *Culham Bridge*, and to a Place called *Mile-stone*, in the Road leading to *Magdalen Bridge*, in the said County, and for widening the said Roads; and also for repairing and widening the Roads leading from the End of *Culham Bridge*, next to *Culham*, in the County of *Oxford*, to the End of *Burford Bridge*, next to *Abingdon*, in the County of *Berks*, and from the *Mayor's Stone*, at the End of the *Boar Street*, in the Town of *Abingdon* aforesaid, to *Shippon*, in the said County of *Berks*, and from thence to the West End of the Town of *Fyfield*, in the same County. PR.

CAP. XLIII.

An Act for establishing and maintaining a Ferry across the River *Thames*, between the Hamlet of *Ratcliff*, in the County of *Middlesex*, and the Parish of *Rotherhithe*, in the County of *Surry*. PR.

CAP. XLIV.

An Act for repairing and widening the Road from *Basingstoke*, through *Wortin*, *Overton*, *Whitchurch*, *Hursborn Pryors*, *Andover* and *Middle Wallop*, in the County of *Southampton*, to a Place called *Lobcomb Corner*, in the Parish of *Winterslow*, in the County of *Wilts*. PR.

CAP. XLV.

An Act for widening and repairing the Road leading from *Horsham*, in the County of *Sussex*, through *Capell*, *Dorking*, *Mickleham* and *Leatherhead*, to the Watch-house in *Ebbisham*, in the County of *Surry*; and from *Capell* to *Stone Street*, in the Parish of *Ockley*, in the said County of *Surry*. PR.

CAP. XLVI.

An Act for repairing and widening the Roads leading from the *Cross of Hand*, near *Finford Bridge*, in the County of *Warwick*, through the Town of *Southam*, in the same County, to the Borough of *Banbury*, in the County of *Oxford*, and from the *Guide Post*, in the Village of *Adderbury*, in the same County, through *Kidlington*, to the *Mile-way* leading towards the City of *Oxford*; and also the Road leading from a Place called the *Two Mile Tree*, near the City of *Oxford*, over *Gosford*, otherwise *Gossard Bridge*, to a certain Gate entering upon *Weston on the Green*, in the said County. PR.

CAP.

CAP. XLVII.

An Act for repairing and widening the Road from *The Hand and Post*, at the Top of *Burford Lane*, in the County of *Gloucester*, to *Stow on the Wold*, and from thence to *Halford Bridge*, in the County of *Warwick*; and also the Road from *The Cross Hands* on *Salford Hill*, to *The Hand and Post*, in the Parish of *Dowdeswell*, in the County of *Gloucester*. PR.

CAP. XLVIII.

An Act for repairing and widening the Roads therein mentioned, lying within the Borough of *Droitwich*, in the County of *Worcester*, or leading from the said Borough, to the several Places therein mentioned, in the said County. PR.

CAP. XLIX.

An Act for repairing and widening the Road from *Chudleigh Bridge*, in the Parish of *Hennock*, in the County of *Devon*, through the Town and Borough of *Ashburton*, to *Brent Bridge*, in the Parish of *South Brent*, in the said County. PR.

CAP. L.

An Act for amending and widening the Roads from the West End of *Toller Lane*, near *Bradford*, through *Haworth*, in the County of *York*, to a Place called *Blue Bell*, near *Colne*, in the County of *Lancaster*, and from a Place called the *Two Laws*, to *Kighley*, in the said County of *York*. PR.

CAP. LI.

An Act for repairing and widening the Road from *Thirsk*, over *Skipton Bridge*, through *Baldersby*, to *Baildersby Gate*, adjoining to *Hutton Moor*, in the Way to *Ripon*, and through *Ainderby Quernhow* and *Nosterfield*, by *Well-flashes Gate*, to *Masham*, in the County of *York*; and likewise for removing the Toll-house and Turnpike-gates at *Busby Stobb*, in the said County, to some other convenient Place in the Road leading from *Borough Bridge* to the City of *Durham*. PR.

CAP. LII.

An Act for amending, altering, continuing and making more effectual two Acts of Parliament made in the second and seventeenth Years of his present Majesty's Reign, for repairing the Roads from *Coleshill*, in the County of *Warwick*, through the City of *Litchfield*, to *Stone*, in the County of *Stafford*, and from thence to the City of *Chester*, and several other Roads in the said Acts mentioned; and for enlarging the Term and Powers in the said several Acts. PR.

CAP. LIII.

An Act for repairing and widening the Road from *Rochdale*, to *Burnley*, in the County of *Lancaster*. PR.

CAP. LIV.

An Act to enable the Reverend *William Markham*, Doctor of Laws, and *Thomas Salter*, Esquire, to build Houses, and open a Square in and upon a certain Piece of Ground called *Dean's Yard*, *Westminster*, and several Pieces of Ground contiguous thereto. PR.

CAP. LV.

An Act for building a Bridge over the Water or Haven, between the Town of *Sandwich*, and the opposite Shore in the County of *Kent*. PR.

CAP. LVI.

An Act to enable the Parishioners of the Parish of the *Holy Trinity* in *Guldeford*, in the County of *Surry*, to sell divers Houses, Lands, Rents and Annuities in the said Parish, and in *Stoke*, next *Guldeford* aforesaid; and to apply the Money arising by Sale thereof towards rebuilding their Parish Church, and for other Purposes therein mentioned. PR.

CAP. LVII.

An Act for amending, widening and keeping in Repair the Roads from *Epsom*, through *Ewell*, to *Tooting*, and from *Ewell* to *Kingston upon Thames*, and *Thames Ditton*, in the County of *Surry*. PR.

CAP. LVIII.

An Act for repairing and widening the Roads from the Town of *Manchester*, by a Place called the *White Smithy*, in the Township of *Crumpsal*, to the Town of *Rochdale*, and from the said Place called the *White Smithy*, by a Place called *Besses of the Barn*, to the Town of *Bury*, and from the said Place called *Besses of the Barn*, to *Radcliffe Bridge*, in the County Palatine of *Lancaster*. PR.

CAP. LIX.

An Act for repairing, widening and amending the Road from *Cocking End*, near *Addingham*, in the West Riding of the County of *York*, through *Kildwick*, to *Black Lane End*, in the County Palatine of *Lancaster*. PR.

CAP. LX.

An Act for repairing and widening the Roads from the Town of *Leeds*, in the West Riding of the County of *York*, through *Otley*, *Skipton*, *Colne*, *Burnley* and *Blackburn*, to *Burscough Bridge* in *Walton*, in the County of *Lancaster*, and from *Skipton*, through *Gisburn* and *Clitheroe*, to *Preston*, in the said County of *Lancaster*. PR.

Anno Regni vicesimo nono GEORGII II.

'AT the Parliament begun and holden at *Westminster*, the thirty-first Day of *May*, *Anno Domini* one thousand seven hundred and fifty-four, in the twenty-seventh Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by several Prorogations to the thirteenth Day of *November*, one thousand seven hundred and fifty-five, being the third Session of this present Parliament.'

CAP. I.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-six. EXP.

CAP. II.

An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty-six; and for the Relief of the Inhabitants of the City and County of the City of *Lincoln*, in respect of Arrears of the Land Tax. EXP. At 4s. in the Pound.

CAP. III.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. EXP.

CAP. IV.

An Act for the speedy and effectual Recruiting of his Majesty's Land Forces and Marines.

'WHEREAS for recruiting his Majesty's Land Forces and Marines it is necessary that a new Supply of Men be forthwith raised within the Kingdom of *Great Britain*, by common Consent and Grant in Parliament;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within and throughout the several and respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Parishes, Towns and Places of *Great Britain*, a speedy and effectual Levy of able-bodied Men to serve his Majesty as Soldiers shall be forthwith had, made, practised and put in Execution, according to the Rules and Directions of this present Act. A Levy of able Men to be made.

II. And it is hereby further enacted, That the Justices of the Peace of every County, Shire, Stewartry, Riding, Liberty or Place within *Great Britain*, and all and every the Persons who were named or otherwise appointed to be Commissioners for putting in Execution an Act of Parliament made and passed at *Westminster* in the twenty-eighth Year of the Reign of his present Majesty, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year one* Justices, Commissioners of the Land Tax, and Magistrates of Burghs, to put this Act in Execution.

one thousand seven hundred and fifty-five; *and for the Relief of the Inhabitants of the County of* Lincoln, *in respect of Arrears of the Land Tax*, or any subsequent Act or Acts of Parliament for that Purpose, within the several and respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places therein particularly expressed, who are still living, and have duly qualified themselves according to the said Acts, or shall duly qualify themselves according to this present Act in that Behalf, shall be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for the same Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places of *Great Britain*, for which they were so named or appointed respectively; and that all and every the other Persons who are named or otherwise appointed to be Commissioners for putting in Execution an Act passed in the present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-six*; *and for the Relief of the Inhabitants of the City and County of the City of* Lincoln, *in respect of Arrears of the Land Tax*, within or for the said Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places, or any of them respectively, or such of the Persons last mentioned, as shall also duly qualify themselves according to this Act in that Behalf, shall also be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for the same respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places of *Great Britain* for which they are so named or appointed respectively; and that all and every the Justices of the Peace and Magistrates of Corporations and Burghs in any Part of *Great Britain*, who are or shall be in any of his Majesty's Commissions of the Peace, or in the Magistracy of such Corporation or Burgh, at any Time during the Execution of this Act, who shall duly qualify themselves according to this present Act in that Behalf (although not specially named or appointed Commissioners by the said Act) shall be likewise Commissioners for putting in Execution this present Act, and all the Powers therein contained, within the Limits of their Commissions and Jurisdictions respectively; all which Commissioners by this Act intrusted with the Execution of the same, are hereby strictly enjoined and required to use their utmost Care and Diligence that his Majesty's Service, in making such Levies as aforesaid, be not disappointed or neglected.

High Sheriffs, &c. upon Notice from the Secretary at War, to issue Precepts for summoning the Commissioners to meet.

III. And be it further enacted by the Authority aforesaid, That the High Sheriff of every County, or his Deputy, immediately upon receiving Notice for that Purpose from the Secretary at War, shall send Precepts to their respective Bailiffs, or others who are usually employed to summon Juries, directing them to summon the several Justices of the Peace and Commissioners of the Land Tax within their respective Divisions, to attend at the usual Place of Meeting in every Division upon a certain Day in the said Precepts named, within the Time limited by the Secretary at War (Notice of which Day shall be sent to the War Office upon the issuing of the Precepts by the Sheriff) to qualify themselves for the Execution of this Act; and the said Commissioners shall then and there appoint the several Times and Places for the succeeding Meetings in each of their respective Sub-divisions during the Continuance of this Act; and the said Justices of the Peace and Commissioners of the Land Tax shall at such Meeting issue their Precepts to the High Constables, Headboroughs or other proper Officers for the respective Hundreds, Lathes, Rapes, Wapentakes or other Sub divisions within the said Counties, Shires, Stewartries, Ridings or Divisions as aforesaid; which Precept shall contain an Account of the Times and Places appointed for the succeeding Meetings, and shall be returnable on a Day therein to be named within twenty Days, and not less than fourteen Days, from the Time of issuing thereof; and such High Constables, Headboroughs or other proper Officers are hereby required forthwith to signify the Times and Places appointed for such Meetings, to the several Commissioners residing within their respective Districts; and the said Commissioners assembled at such first Meeting to qualify themselves as aforesaid, shall also give Notice of the Time and Place of all and every succeeding Meeting to be appointed as aforesaid, to such military Officer or Officers as shall be directed to attend this Service, who shall demand the same.

Notice of the Day of Meeting to be sent to the War Office.

Commissioners to issue Precepts to the High Constables, &c.

and give Notice to such military Officers as shall attend.

Sheriffs to be allowed the Expences.

IV. Provided always, and it is hereby enacted, That all reasonable Charges or Expences incurred by any Sheriff or Deputy Sheriff in the Execution of this Act, shall be allowed in the Accounts of such Sheriff at the Receipt of his Majesty's Exchequer.

Times, &c. of Meeting for London and Westminster, to be settled at the Quarter-Sessions, &c.

V. And be it further enacted by the Authority aforesaid, That the Justices of the Peace for the Cities of *London* and *Westminster* in their Quarter-Sessions, together with such Commissioners for the said Cities as may be present at the said Quarter-Sessions, shall and may set down and appoint the several Times and Places of Meeting of the said Commissioners within the said Cities respectively, provided there be not more than three Meetings appointed on one Day within each of the said Cities, nor more than two Days in one Week; of which Meetings the respective Clerks of the Peace for the said Cities shall give timely Notice to the Admiralty and Office of his Majesty's Secretary at War, in order that the said Commissioners may be attended by proper Officers for receiving such impressed Men as aforesaid.

Notice to be given to the Admiralty and Secretary at War.

Three Commissioners impowered to levy such Men as are herein described;

and to call in the Assistance of Parish and Town Officers;

VI. And it is hereby further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, in their respective Places or Stations, shall be and are hereby authorized and impowered to raise and levy, and to cause to be raised and levied, at any Time or Times during the Continuance of this Act, within their several Limits and Jurisdictions, such able-bodied Men as do not follow or exercise any lawful Calling or Employment, or have not some other lawful and sufficient Support and Maintenance, to serve his Majesty as Soldiers; and to require and command all and every the High Constables, Churchwardens, Overseers of the Poor, Petty Constables, Headboroughs and Tithingmen, and other Parish and Town Officers, or any of them within their respective Limits and Jurisdictions, to be aiding and assisting to them the said Commissioners, or any three or more of them,

them, in the Performance of this his Majesty's Service; and for that Purpose the said Commissioners, or any three of them, are to meet in their respective Subdivisions according to the Appointment of the Justices and Commissioners as aforesaid, and to issue out their Warrants under their Hands and Seals, thereby requiring and commanding such Churchwardens, Overseers of the Poor, Petty Constables, Headboroughs, Tythingmen or other Parish or Town Officers, or else requiring and commanding the said High Constables to issue their Precepts to such Churchwardens, Overseers, Petty Constables, Headboroughs, Tythingmen and other Parish and Town Officers as aforesaid, every or any of them, to make or cause to be made a General Search within their respective Parishes, Townships, Constablewicks or other Places, for all such Persons as they can find, who are or shall appear to them to be within the Description of this Act, and to bring all such Persons before the Commissioners who have Power to execute this Act, in and for such County, Shire, Stewartry, Riding or Division, at such Time and Place as shall have been appointed by the Justices and Commissioners as aforesaid for the second Meeting of the said Commissioners in their respective Sub-divisions, which Time and Place shall be prefixed in the said Warrants and Precepts respectively; and afterwards the said Commissioners within their respective Limits and Divisions shall meet at such convenient Time or Times as they shall think fit, in order to issue their like Warrants or Precepts for making General Searches for Persons within the said Description, and for bringing them before the Commissioners at any future Times and Places appointed by the Justices and Commissioners as aforesaid, during the Continuance of this Act.

and meet in their Sub-divisions, and issue General Search Warrants, &c. for Persons within the Description.

VII. Provided always, That in case the second Meeting appointed to be held in any Sub-division, shall be at so great a Distance of Time as may render it inconvenient to issue Warrants for bringing Persons before such Commissioners at the second Meeting, then the Commissioners of such Sub-division respectively may adjourn themselves to some convenient Day, previous to such second Meeting, in order to issue their Warrants as aforesaid.

If the second Meeting be too distant, Commissioners in their Sub-divisions may adjourn to a previous Day.

VIII. Provided always, and it is hereby enacted, That it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, Constables, Headboroughs, Tithingmen and other Officers of any Parish or Townshiip, or any of them, at any Time after the said second Meeting of the said Commissioners, without tarrying for any such Warrant or Precept as aforesaid, to search for, apprehend and secure all or any such Persons as they or any of them shall find, or shall appear to them or any of them to be within the Description of this Act, and to convey them before the Commissioners at their next Meeting for listing of Soldiers, to be examined, and (if judged within the Description of this Act) to be listed, and delivered into his Majesty's Service, according to the true Intent and Meaning hereof.

After such second Meeting, the Parish Officers may secure such Persons as come within the Description, and convey them before Commissioners.

IX. And be it further enacted by the Authority aforesaid, That the Commissioners for executing this Act, who shall attend this Service at the Place or Places for listing Soldiers as aforesaid, shall strictly examine the Persons who shall be brought before them by the said Churchwardens, Overseers, Constables, Headboroughs, Tithingmen or other Parish or Town Officers as aforesaid; and in case the said Commissioners, or the major Part of them then present, upon Examination of the Persons so brought before them, shall find that such Persons shall come within the Descriptions herein mentioned, and the said Commissioners, and the Officer or Officers who shall be appointed to receive the impressed Men, shall judge them to be such as are hereby intended to be entertained as Soldiers in his Majesty's Service; then and in such Case the said Commissioners shall cause such Persons to be delivered over by the said Churchwardens, Overseers, Constables, Headboroughs, Tithingmen or other Parish or Town Officers, to such Officers or Persons as shall be appointed to receive such Recruits as aforesaid, such Officers or Persons giving a Receipt under their Hands, acknowledging what Men are so delivered to him or them; which Receipt they are hereby required to give.

Commissioners to examine the Persons,

and if found proper for the Service,

to deliver them over to the military Officers;

Officers to give Receipts;

X. And be it further enacted, That the respective Officers who shall receive such new raised Men, shall pay to the Officers of the Parish or Town so employed in the raising such Men, for their Pains and Services therein, twenty Shillings of lawful Money of *Great Britain* for every Man so raised; and shall also pay for every such new raised Man, who shall have a Wife or Family, any Sum not exceeding forty Shillings, nor less than five Shillings, of lawful Money of *Great Britain*, into the Hands of the Churchwardens or Overseers of the Poor of such Parish or Townshiip in which such new raised Man shall have gained a Settlement, and whose Wife or Family may become chargeable to such Parish or Townshiip respectively; which Sum shall be settled by the Commissioners present at the Meeting when such Person shall be inlisted, or any three or more of them, Regard being had to the Number of Children, or other particular Circumstances of such Person so inlisted; and the Sum of six Pence *per Diem* for keeping every such new raised Man, who shall be delivered as aforesaid, according to the Number of Days that the Officers of the said Parish or Town shall have kept him in Custody, pursuant to the Powers granted by this Act, until such Delivery; the said Allowances, in case of Dispute, to be ascertained and distributed to or amongst the said Churchwardens, Overseers, Constables, Headboroughs, Tithingmen and such other Parish or Town Officers, or any of them, according to the Judgment and Discretion of the said Commissioners, or the major Part of them then present.

and to pay the Parish Officers 20 s. for every Man; and to the Churchwardens, not exceeding 40 s. nor less than 5 s. if such Man have a Wife or Family;

as shall be settled by the Commissioners,

and 6 d. per Diem to the Parish Officers, &c. for the Time they shall have kept him.

Disputes to be settled by the Commissioners.

XI. Provided always, That no Person shall be inlisted by the said Commissioners by virtue of this Act, who is not such an able-bodied Man as is fit to serve his Majesty, and is free from Ruptures, and every other Distemper or bodily Weakness or Infirmity, which may render him unfit to perform the Duty of a Soldier, and that no Man be inlisted for his Majesty's Service by virtue of this Act, who shall appear in the Opinion of the Commissioners or Officer or Officers appointed

Able-bodied Men only to be inlisted;

and none under 17, nor above 45 Years of Age, nor Papists, nor who are under 5 Feet 4 Inches.

to receive the impressed Men, to be under the Age of seventeen Years, or above the Age of forty-five Years, or a known Papist, or who shall be under the Size of five Feet four Inches without Shoes.

All Inhabitants required to be assisting.

XII. And it is hereby enacted and strictly enjoined by the Authority aforesaid, That the Inhabitants of every Parish and Township where any Persons described as aforesaid do abide, or are to be found, at the Instance of any one or more of the Commissioners appointed for the Execution of this Act, or of any Churchwarden, Overseer of the Poor or Constable of the same Parish or Township, shall (not having a lawful or reasonable Excuse to the contrary) be aiding and assisting in the Furtherance of his Majesty's Service by this Act described.

Clerks to be appointed by the Commissioners at their first Meeting.

XIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners at their first General Meeting assembled, to appoint a Clerk to attend them then and at each of their subsequent Meetings; and for the Commissioners of the several Sub-divisions to appoint a Clerk to attend them at their respective Meetings in each Sub-division wherein Soldiers are to be lifted as aforesaid; and such respective Clerks, as a Reward for their Labour and Pains in the Execution of this Act, shall be intitled to, and shall receive for every Man who shall be lifted in pursuance of this Act, at the Meetings whereon they shall respectively attend, the Sum of two Shillings of lawful Money of *Great Britain*, to be paid by the respective Officer who shall receive such new raised Men respectively.

Clerks to be appointed for the Sub divisions.

To be paid by the Officers 2 s. for every Man inlisted.

The second and sixth Articles of War to be read to new raised Men.

Names of the Men, Parish, Time of inlisting, &c. to be entered in a Book.

Attested Copy to be transmitted within 40 Days, to the Admiralty or War Office, on Penalty of 10 l.

XIV. And be it further enacted by the Authority aforesaid, That the said Commissioners, or such of them as shall be present at such Meeting for listing of Soldiers as aforesaid, shall cause the second and sixth Sections of the Articles of War against Mutiny and Desertion, to be read to such new raised Men in the Presence of the said Commissioners then there; and the said Commissioners, or the major Part of them present, shall forthwith cause an Entry or Memorial to be made in a Book or Books to be kept by them or their Clerks for that Purpose, of the Names of such new raised Men, and of the Parishes or Places of their last Abode (if they can be known) and of the Time and Place when and where such Men were delivered to the said Officers or Persons appointed to receive them, and the Names of the Officers or Persons who received them, and for what Regiment or Company they were so received, and the Sums paid; and shall cause true Copies or Duplicates of such Entries, attested by the said Commissioners, or any three or more of them then present, within forty Days after the delivering such Men as aforesaid, to be transmitted into the Admiralty, or Office of his Majesty's Secretary at War for the Time being, to be compared with the Muster Roll; and every Clerk, for every Neglect or Default in not transmitting the said Copies or Duplicates of such Entries to the Admiralty, or Office of the Secretary at War as aforesaid, shall forfeit the Sum of ten Pounds; one Moiety thereof to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall inform or sue for the same in some of the Courts of Record at *Westminster*, or the Court of Sessions in *Scotland*; and it is hereby declared, That the Pay of every such new raised Man so delivered to the Officers or Persons appointed to receive them as aforesaid, shall commence from the Time of his being taken and secured as aforesaid; and from and after such Delivery as aforesaid, and reading the said Articles of War, every Person so raised shall be deemed a lifted Soldier to all Intents and Purposes, and shall be subject to the Discipline of War, and in case of Desertion shall be proceeded against as a Deserter by any Law now in Force, or by any Law to be made for Punishment of Deserters; and no Person so listed shall be liable to be taken out of his Majesty's Service by any Process other than for some criminal Matter.

Commencement of Soldier's Pay.

After Articles of War read, Soldiers deemed to be lifted.

No lifted Person to be taken out of the Service, but for criminal Matters.

XV. Provided always, That nothing in this Act contained shall be construed to extend to impower the said Commissioners to inlist any Person as a Soldier, until the several Sums herein directed to be paid by the respective Officers appointed to receive such new raised Men, shall be first paid to the Person or Persons respectively authorized to receive the same.

None to be inlisted till the Sums payable by the Officers are first paid.

Officers may secure impressed Men.

XVI. And be it further enacted by the Authority aforesaid, That the Officer or Officers and other Person or Persons appointed to attend the said Commissioners, and to receive such impressed Men, shall, in case he or they shall find it necessary, secure such impressed Men in some secure House or Place to be provided by the Justices of the Peace in their Petty or Special Sessions for that Purpose; but in case no such House or Place shall be so provided, then in the Gaol of the County, Town or Place where such Man shall be received into his Majesty's Service, or in the House of Correction or other publick Prison of such County, Town or Place, where Debtors are not usually confined; and the Keeper of such Gaol, House of Correction or Prison shall receive such impressed Men until they can be removed, without Fee or Reward; and such Keeper shall be allowed the usual Subsistence for such Men, during the Time they shall remain there, from the Officer by whom they shall be delivered as aforesaid; and the Constables, Headboroughs and other Civil Officers shall, if required, be assisting to such Officer in conveying such Man or Men to such secure Place, Gaol or House of Correction, and shall be allowed such reasonable Sum or Sums as the major Part of the Commissioners then present shall appoint, to be paid by the Officer or Officers who shall require such Assistance.

Keeper to be allowed their Subsistence Money.

Civil Officers if required, to be aiding in securing them, and to be allowed for their Trouble.

Commissioners may levy a Fine not exceeding 10 l. on Constable, &c. for Neglect of Duty.

XVII. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any three or more of them, to impose upon any High Constable, Churchwarden, Overseer, Petty Constable, Headborough, Tithingman or other Parish or Town Officer, for every wilful Neglect or Default in the Execution of any Warrant, Order or Precept, to them or any of them directed in pursuance of this Act, a Fine not exceeding ten Pounds, and to cause every such Fine to be levied by Distress and Sale of the Offenders Goods, rendering the

Overplus (if any be) to the Owners; and to distribute one Moiety of the said Fine to reward the Informer or Informers, and the other Moiety to the Churchwardens or Overseers, to the Use of the Poor of the Parish where the Offence shall be committed.

Persons obstructing the Execution of this Act to forfeit 10*l.*

XVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall wilfully do any Act or Thing whereby the Execution of this Act, in the searching for, taking and securing such able-bodied Men as aforesaid, shall be hindered or frustrated, every such Person shall for every such Offence forfeit any Sum not exceeding ten Pounds, to the Use of the Poor of the Parish where such Offence shall be committed; and all and every such Offences may be inquired of, heard and finally determined by any two or more of his Majesty's Justices of the Peace dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any be) to the Owners; and if the Offenders have no Goods and Chattles sufficient to answer the said Penalty, then to commit him or her to the County Gaol or House of Correction, there to remain for the Space of three Months without Bail or Mainprize.

Two Justices may hear and determine such Offences, &c.

For want of Distress, Offender to be committed.

Persons who have a Vote in the Election of Members of Parliament, not liable to be listed.

XIX. Provided always, and it is hereby declared, That this Act shall not extend to the taking or levying any Person to serve as a Soldier, who shall make it appear to the Satisfaction of the Commissioners then present, that he hath any Vote in the Election of any Member or Members to serve in Parliament in any County, City, Borough, Town, Port or Place within the Kingdom of *Great Britain*.

No military Officer may be a Commissioner.

XX. And it is hereby enacted, That no Person who, at the Time of the Execution of this Act, shall have any military Office or Employment in *Great Britain* (other than in the Militia) shall execute any Power or Authority by this Act given to Commissioners as aforesaid.

Limitation of Actions.

XXI. And be it further enacted by the Authority aforesaid, That if any Action, Plaint, Suit or Information shall be commenced or prosecuted against any Person or Persons for what he or they shall do in Pursuance or Execution of this Act, the same shall be commenced within three Months after the Offence committed; and such Person or Persons so sued in any Court whatsoever, shall and may plead the General Issue, Not Guilty; and upon any Issue joined may give this Act and the special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear further Prosecution, or suffer a Discontinuance, or if a Verdict pass against him, the Defendant shall recover treble Costs; for which they shall have the like Remedy as in any Case where Costs by the Law are given to Defendants.

General Issue.

Treble Costs.

No Soldier or Marine to be discharged without a Certificate from his Colonel, &c.

of which a Duplicate to be transmitted to the Secretary at War.

Officer breaking this Order, to be cashiered.

XXII. And for the better obviating such Frauds and Abuses as may be practised in discharging of Soldiers, it is hereby further enacted by the Authority aforesaid, That no private Soldier who shall be duly listed into his Majesty's Service by virtue of this Act (during the Time such Soldier shall remain in *Great Britain*) shall be discharged from his Majesty's Service without the Consent of the Colonel, or in his Absence the Field Officer commanding in Chief the Regiment, first had and obtained in Writing under their Hands and Seals for that Purpose; in which Writing the Cause of his Discharge shall be expressed, and a Duplicate or Copy of every such Discharge forthwith transmitted to the Secretary at War, to be by him kept and entered in a Book; or if a Marine, without the Consent of the Lord High Admiral or the Commissioners of the Admiralty for the Time being first had and obtained; and any Officer that shall presume to discharge any Soldier inlisted pursuant to this Act, in any other Manner, contrary to this Act, shall for such Offence be cashiered.

Impressed Men, after five Years Service, to be discharged, if they demand it.

XXIII. Provided always, and it is hereby enacted, That every Person who shall be listed upon this Act, after he shall have continued in the military Service of his Majesty, his Heirs and Successors, during the Space of five Years, shall be at Liberty, if he think fit, to demand his Discharge from the Colonel, or in his Absence the Officer commanding the Regiment or Company to which he shall belong; and such Discharge shall be granted to him *gratis* in Writing under the Hand of such Colonel or Officer, who is hereby impowered and required to give the same accordingly; any Thing herein contained to the contrary notwithstanding.

Clerks to be rewarded for transmitting the Duplicates.

XXIV. And be it further enacted, That the said several Clerks to the said Commissioners, provided the said Copies or Duplicates be duly transmitted into the Office of the Admiralty or Secretary at War as aforesaid, shall have and receive by the Hands of the Paymasters of his Majesty's Land Forces and Marines, or one of them, such Rewards as the Lord High Treasurer or Commissioners of the Treasury for the Time being, upon Consideration of the Numbers of Men listed in the several Counties, Cities, Boroughs or other Places, and the Pains and Charges of the several Clerks in this Service, shall judge the said Clerks severally and respectively to deserve.

His Majesty may suspend the Execution of this Act.

XXV. Provided always, That his Majesty, when he shall be satisfied by the said Returns of the Commissioners, or otherwise, That a sufficient Number of Recruits in the whole shall be raised for his present Service, may be graciously pleased to suspend or stop the further Execution of this Act, by Proclamation or Order in Council, or other publick Notice in the *London Gazette*; any Thing herein contained to the contrary notwithstanding.

Persons employed in the Execution of this Act, exempted from the Penalties of 25 Car. 2. c. 2. 1 W. & M. c. 8. and 13 & 14 W. 3. c. 6.

XXVI. Provided always, and be it further enacted by the Authority aforesaid, That no Commissioner, Churchwarden, Overseer, Constable, Headborough, Tithingman or other Parish or Town Officer, who shall be employed in the Execution of this Act, shall be liable, for or by reason of such Execution, to any of the Penalties mentioned in an Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, *For preventing Dangers which may happen from Popish Recusants*; or in one other Act made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths*; or in one other Act made in the Parliament holden in the thirteenth and fourteenth Years of the Reign of

of the late King WILLIAM the Third, intituled, *An Act for the further Security of his Majesty's Person and the Succession of the Crown in the Protestant Line; and for the extinguishing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and secret Abettors.*

Commissioners in England not to act till they have taken the Oaths

XXVII. Provided always, and be it enacted, That no Person or Persons hereby appointed to be a Commissioner or Commissioners for any County, Riding, City, Borough, Cinque Port or Place of *England*, *Wales*, or *Berwick upon Tweed* (except such as duly qualified themselves to be Commissioners for executing the said Act for the Land Tax made and passed in the twenty-eighth Year of his present Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose) shall be capable in *England*, *Wales*, or *Berwick upon Tweed*, of acting as a Commissioner or Commissioners in the Execution of this Act, or executing any the Powers of the Commissioners therein mentioned (unless it be the Power hereby given of administering Oaths) until such Time as he or they respectively shall have taken the Oaths appointed by an Act of Parliament made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for abrogating the Oaths of Supremacy and Allegiance and appointing other Oaths*; and also in the said Act, intituled, *An Act for the further Security of his Majesty's Person and the Succession of the Crown in the Protestant Line; and for extinguishing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and secret Abettors*; which Oaths it shall and may be lawful to and for any two or more of the said Commissioners to administer, and they are hereby required to administer the same to any other of the said Commissioners; and that no Person or Persons hereby appointed to be a Commissioner or Commissioners for any Part of *Scotland* (except such as duly qualified themselves according to the Laws of *Scotland*, to be Commissioners there for executing the said Act for the Land Tax made and passed in the twenty-eighth Year of his present Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose) shall be capable of acting as a Commissioner or Commissioners in the Execution of this present Act in any Part of *Scotland*, until such Time as he or they respectively shall have duly qualified themselves according to the Laws of *Scotland* for that Purpose.

1 W. & M. c. 8.

nor Commissioners in Scotland, till they have qualified as the Laws direct.

Commissioners in England acting before they have taken the Oaths, forfeit 200 l.

XXVIII. Provided always, and be it enacted, That if any Person hereby appointed a Commissioner for any County, City, Town or Place in *England*, *Wales*, or *Berwick upon Tweed*, (except as before excepted) shall presume to act as a Commissioner in the Execution of this Act, before he shall have taken the said Oaths, which by this Act he is required to take, and in the Manner hereby prescribed, he shall forfeit to his Majesty the Sum of two hundred Pounds, to be recovered by Action of Debt, or on the Case, Bill, Suit or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed; and that if any Person hereby appointed a Commissioner for any Shire, Stewartry, Burgh or Place in *Scotland* (except as before excepted) shall presume to act as a Commissioner in the Execution of this Act, before that he shall have qualified himself according to the Laws in *Scotland*, he shall forfeit to his Majesty the Sum of fifty Pounds, to be recovered in the Court of *Exchequer* in *Scotland*, in the same Manner as any other Penalties are there recoverable.

and Commissioners in Scotland 50 l.

Commissioners for the County at large, may act for any City, &c.

XXIX. Provided also, That in case there shall not be a sufficient Number of Commissioners for any City, Borough, Town, Port or Place of *Great Britain* (for which by this Act Commissioners are specially appointed) capable of acting according to the respective Qualifications required by this Act, then and in every such Case, any the Commissioners appointed for the County, Shire or Stewartry at large, within which such City, Borough, Town or Place doth stand, or which is next adjoining thereto, may act as Commissioners in the Execution of this Act, within such City, Borough, Town, Port or Place; any Thing herein contained to the contrary notwithstanding.

Qualification of Commissioners for Counties at large within England.

XXX. Provided always, and be it enacted by the Authority aforesaid, That no such Person shall be capable of acting as a Commissioner in the Execution of this Act, or of any of the Powers therein contained, in or for any County at large, within *England*, the Dominion of *Wales* (the Counties of *Anglesey*, *Merioneth*, *Cardigan*, *Carmarthen*, *Glamorgan*, *Montgomery*, *Pembroke*, *Carnarvon* and *Monmouth* excepted) or in or for any of the Ridings in the County of *York*, unless such Person, by himself or his Tenants or Trustees, was taxed, or did pay in the same County or Riding, for the Value of one hundred Pounds *per Annum* or more of his own Estate, by virtue of the said Act for the Land Tax made and passed in *England*, in the twenty-eighth Year of his Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose, or unless such Person so appointed to be a Commissioner, shall, at the Time of the Execution of this Act, by himself, his Tenants or Trustees, enjoy an Estate of Lands, Tenements or Hereditaments, of the said yearly Value of one hundred Pounds or more, within the said County or Riding respectively; any Thing herein contained to the contrary notwithstanding.

Persons disabled presuming to act, forfeit 50 l.

XXXI. And it is hereby further enacted, That if any Person intended by this Act to be disabled for any the Causes last mentioned, shall nevertheless presume to act as a Commissioner in the Execution of this Act, or any of the Powers therein contained, every such Person for such Offence, shall forfeit the Sum of fifty Pounds, to any Person or Persons who will inform or sue for the same, to be recovered in any of his Majesty's Courts of Record at *Westminster*, or in the *Exchequer* of *Scotland* as aforesaid.

Commissioners may act for any City, being Inhabitants of the Inns of Court,

XXXII. Provided nevertheless, and it is hereby enacted, That no Person who is appointed to be a Commissioner for executing this Act, in any Part of *Great Britain*, shall be disabled from acting as a Commissioner, within and for any City, Borough, Cinque Port or Town Corporate only, whereof he shall be an Inhabitant at the Time of the Execution of this Act, or from acting as a Commissioner within any of the Inns of Court or Inns of *Chancery*.

XXXIII. And

'XXXIII. And whereas some Doubts may arise whether Mayors, Bailiffs, and other chief Magi- 'strates of Cities, Boroughs, Towns Corporate, and Cinque Ports, for which Commissioners are spe- 'cially appointed by virtue of this Act, can act as Commissioners for executing this Act in the said 'Cities, Boroughs, Towns Corporate, and Cinque Ports;' Be it further enacted by the Authority aforesaid, That all Mayors, Bailiffs, and other chief Magistrates, who are appointed Commissioners for executing this Act, shall be, and have Power to act as Commissioners for executing this Act, within and for any City, Borough, Town Corporate, or Cinque Port, wherein they inhabit at the Time of executing this Act, as well where Commissioners are specially appointed by this Act, as where they are not.

Mayors, Bailiffs, &c. to act as Commissioners specially appointed.

XXXIV. And it is hereby provided and enacted, That no Bailiff's Follower or Assistant, employed or belonging to any Sheriff, Bailiff of Liberties, Marshalsea Court, or any other Person or Persons that shall be so employed by any one that shall have the Power of executing any Warrant or Process whatsoever, shall be deemed thereby to follow or exercise any Calling or Employment, or to have a sufficient Support or Maintenance within the Intent and Meaning of this Act.

Bailiff's Followers not exempted.

'XXXV. And forasmuch as great Inconveniencies may happen by impressing Men during the 'Time of Harvest;' Be it therefore enacted by the Authority aforesaid, That from and after the fifteenth Day of *May* one thousand seven hundred and fifty-six, until the fifteenth Day of *October* following, all Harvest Labourers, and Persons working at Hay Harvest and Corn Harvest Work within the Time aforesaid, within the Kingdom of *Great Britain*, shall not be impressed by virtue of this Act, but shall be free and exempted from the same during the Time aforesaid, provided they have a Certificate under the Hands of the Minister, and of one Churchwarden or Overseer of the Poor or Elders of the Parish or Place where they live, allowed under the Hand and Seal of one Justice of the Peace of the same County, Shire, Stewartry, Riding, City or Place; which Certificate shall be given *gratis*.

Labourers, having proper Certificates, not liable to be impressed in Harvest Time,

XXXVI. And for the more easy and better putting this Act in Execution; Be it enacted by the Authority aforesaid, That any three or more Commissioners for putting this Act in Execution in the several Ridings of the County of *York* (being Justices of the Peace) though not all of the same Riding, may, within the Castle of *York*, or Limits thereof, execute the Powers of this Act.

Commissioners within the Castle of York,

'XXXVII. And whereas divers Soldiers who have deserted his Majesty's Service, have been harboured 'in a certain Place called *Threapwood*, lying within or near the Counties of *Chester* and *Flint*, or one of 'them, and adjoining to the Town of *Cuddington* in the said County of *Chester*;' Be it further enacted by the Authority aforesaid, That the Commissioners hereby appointed for the County of *Chester*, and the Officers of the said Town of *Cuddington*, shall execute this Act in the said Place called *Threapwood*, according to the true Intent and Meaning thereof.

Commissioners for executing this Act in Threapwood.

XXXVIII. And be it further enacted by the Authority aforesaid, That if at any of the Meetings of the Commissioners by this Act appointed in any of their Sub-divisions, they shall not be attended by some proper Officer appointed for the receiving of Recruits, either through Negligence, or any unavoidable Accident, then and in that Case it shall and may be lawful to and for the said Commissioners to adjourn themselves to some other convenient Day; and they are hereby authorized to give Directions for detaining in Custody all such Persons as shall have been then brought before them by the Parish Officers to be inlisted, or such of them as they shall think duly qualified for his Majesty's Service; and the said Commissioners shall give Notice to any of the Officers attending on this Service, in the County or Place where such Sub-divisions shall lye, of the Day of such Adjournment, and the said Officer is hereby required, either to attend himself, or to appoint some other Officer to attend such Commissioners, and to receive such Persons as the said Commissioners shall inlist into his Majesty's Service; and the Officer so receiving the Recruits shall pay to such Person as the Commissioners shall appoint, Sixpence *per Diem*, for the Subsistence of every Recruit then inlisted, from the Day of the last Meeting of the Commissioners, to the said Day of Adjournment, the same to be charged to the Account of the several Regiments or Companies into which the said Recruits shall be inlisted, together with such Charges and Expences as shall appear to the said Commissioners to have been incurred on account of the detaining the said Persons, from the Day of the former Meeting of the said Commissioners, to the Day of such second Meeting, not exceeding three Pounds.

Officer not attending to receive Recruits, Commissioners may adjourn, and order the Detention of the impressed Men. Notice of Adjournment to be given to any Officers attending this Service, &c. Officer to pay Subsistence Money for every Recruit; and incidental Charges.

XXXIX. And be it further enacted by the Authority aforesaid, That this Act, and every thing herein contained, shall be and continue in force until the End of the next Session of Parliament.

Continuance of this Act.

CAP. V.

An Act to enable his Majesty to grant Commissions to a certain Number of Foreign Protestants who have served Abroad as Officers or Engineers, to act and rank as Officers or Engineers, in *America* only, under certain Restrictions and Qualifications.

'WHEREAS by an Act made in the thirteenth Year of the Reign of his present Majesty, intituled, *An Act for Naturalizing such Foreign Protestants, and others therein mentioned, as are settled, or shall settle, in any of his Majesty's Colonies in* America; all Persons born out of the Ligeance of his Majesty, his Heirs or Successors, who have inhabited and resided, or shall inhabit and reside, for the Space of seven Years or more, in any of his Majesty's Colonies in *America*, or shall not have been absent out of some of the said Colonies for a longer Space than two Months at any one Time 'during

Refer to 13 Geo. 2. c. 7. 20 Geo. 2. c. 44.

'during the said seven Years, are, upon the Conditions prescribed by the said Act, naturalized, and 'made Partakers of all the Benefits and Privileges which the natural-born Subjects of this Realm do 'enjoy, other than such as are specified in a Proviso in the said Act contained: And whereas many 'Foreigners, being Protestants, have been induced by the Encouragement offered to them by the said 'Act, to reside and settle in some of the said Colonies (and particularly in the Provinces of *Maryland* 'and *Pensylvania*) the natural-born Subjects of which last-mentioned Province do in great Part consist 'of the People called *Quakers*, whose Backwardness in their own Defence exposes themselves, and that 'Part of *America*, to imminent Danger: And whereas, for the better Defence of the said Colonies, it 'hath been proposed to raise a Regiment there, consisting of four Battalions of one thousand Men 'each, and to inlist as Soldiers in the said Regiment any of the said Foreign Inhabitants of the said Co-'lonies, who, together with the Natives, shall voluntarily enter themselves in his Majesty's Service as 'Soldiers; which Foreigners cannot so well be raised or trained, without the Assistance of some Officers 'who are acquainted with their Manners and Language: And whereas it is expedient in the present 'Juncture of Affairs, to facilitate the speedy raising of such Regiment, and to enable a certain Number 'of Foreign Protestants who have served Abroad as Officers, or Engineers, and thereby acquired Ex-'perience and Knowledge, to serve and receive Pay as Officers in the said Regiment, or as Engineers in '*America*;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all such Foreign Protestants who shall receive Commissions from his Majesty, his Heirs or Successors, to be Officers in the said Regiment, or to be Engineers, in *America* (which Commissions it shall and may be lawful for his Majesty, his Heirs and Successors to grant) and shall, in some of his Majesty's Colonies in *America*, take and subscribe the Oaths, and make, repeat, and subscribe the Declaration, appointed by an Act made in the first Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *his open and secret Abettors*; and shall at the Time of the taking and subscribing of the said Oaths, and making, repeating, and subscribing the said Declaration, produce Certificates signed in Manner directed by the said Act of the thirteenth Year of his present Majesty, of their having received the Sacrament in some Protestant and reformed Congregation within the Kingdom of *Great Britain*, or within some of the said Colonies in *America*, within six Months before that Time, shall and may be enabled to serve and receive Pay as Officers in the said Regiment, or as Engineers in *America*.

Foreign Protestants, who have served Abroad as Officers and Engineers, receiving the King's Commissions, taking the Oaths,

and producing Certificates of their having received the Sacrament in some Protestant Church, to serve in America.

II. Provided nevertheless, That the Number of such Officers in the said Regiment shall not in the whole, at any Time, exceed fifty; nor the Number of Engineers in the whole, at any Time, exceed twenty.

Number of Officers not to exceed 50; nor Engineers 20.

III. Provided also, That the Colonel of the said Regiment shall be a natural-born Subject, and not any Person naturalized or made a Denizen.

Colonel to be a natural-born Subject.

IV. Provided also, That no such Foreign Officer shall be enabled by this Act to serve as an Officer or Engineer in any Place, except *America* only; but every such foreign Officer, when he shall be reduced, shall be capable of receiving Half-pay, according to the Rank in which he shall then serve.

To serve in America only; and when reduced to have Half-pay.

See further c. 35. and 2 Geo. 3. c. 25.

CAP. VI.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

Refer to 28 Geo. 2. c. 11.

'WHEREAS it may be necessary for the Safety of this Kingdom, and the Defence of the Pos-'sessions of the Crown of *Great Britain*, that a Body of Marine Forces should be employed in 'his Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral, or Commis-'sioners for executing the Office of Lord High Admiral of *Great Britain*: And whereas the said Ma-'rine Forces may frequently be quartered on Shore, where they will not be subject to the Laws relat-'ing to the Government of his Majesty's Forces by Sea, yet nevertheless it being requisite for the re-'taining of such Forces in their Duty, that an exact Discipline be observed, and that Marines who shall 'mutiny or stir up Sedition, or shall desert his Majesty's Service, be brought to a more exemplary and 'speedy Punishment than the Law will allow;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-six, if any Person, being entered or in Pay as an Officer of Marines, or who is or shall be listed, or in Pay as a Private Man, in any Company of Marines in his Majesty's Service, and on the twenty-fifth Day of *March* one thousand seven hundred and fifty-six shall remain in such Service, or during the Continuance of this Act shall be voluntarily entered and in Pay as a Marine Officer or Private Man in his Majesty's Service, and being ordered or employed in such Service, at any Time during the Continuance of this Act, on Shore, in any Place within the Realm of *Great Britain*, or in the Kingdom of *Ireland*, or in any of his Majesty's Dominions beyond the Seas respectively, shall begin, excite, cause, or join in any Mutiny or Sedition, in the Company to which he doth or shall belong, or in any other Company, Troop or Regiment, either of Marine or Land Forces in his Majesty's Service, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any such Mutiny, or intended Mutiny, shall not without Delay give Information thereof to his commanding Officer, or shall desert his Majesty's Service; or being

Every Marine Officer and private Man, on Shore,

who shall mutiny, or desert, &c.

being actually entered as a Marine in any Company, list himself in any other Company, Troop or Regiment, in his Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine; or shall be found sleeping upon his Post, or shall leave it before relieved; or shall hold Correspondence with any Rebel, or Enemy of his Majesty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without his Majesty's Licence, or Licence of the Lord High Admiral of *Great Britain*, or of three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being; or shall strike or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his superior Officer; all and every Person and Persons so offending in any or either of the Matters before-mentioned, on Shore, in any Part of this Kingdom, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, shall suffer Death, or such other Punishment as by a Court-martial shall be inflicted.

or list in any other Regiment, &c. or shall be found sleeping on, or desert his Post, or hold illegal Correspondence with the Enemies, or shall strike or disobey his superior Officer; shall suffer Death, or such Punishment as a Court-martial shall inflict.

II. And be it further enacted by the Authority aforesaid, That it shall and may, from time to time, during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the time being, to grant a Commission under his or their respective Hand or Hands, to any Officer of Marines in his Majesty's Service, not under the Degree of a Field Officer, for the holding a General Court-martial at any Place or Places on Shore in this Realm, or in *Ireland*, or in any of his Majesty's Dominions beyond the Seas; in every of which Courts-martial, all or any of the Offences aforesaid, and all or any other of the Offences herein after specified, shall be tried and proceeded against in such Manner, as by this Act is directed.

The Lord High Admiral, &c. may grant a Commission to hold General Courts-martial, &c.

III. And be it enacted, That it shall and may be lawful to and for such Courts-martial respectively, by their Sentence or Judgment, to inflict corporal Punishment, not extending to Life or Limb, on any Marine, for Immorality, Misbehaviour, or Neglect of Duty on Shore, in any Place or Places within this Realm or *Ireland*, or any of his Majesty's Dominions beyond the Seas, during the Continuance of this Act.

Courts-martial may inflict Corporal Punishment for Immoralities, &c.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour, and Neglect of Duty, in any of his Majesty's Marine Forces, while on Shore in any Part of this Realm, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, and for bringing Offenders against the same to Justice; and to erect and constitute Courts-martial with Power to try, hear and determine, any Crimes or Offences specified in such Rules and Articles, and inflict Punishments by Sentence or Judgment for the same, according to the true Intent and Meaning of this Act.

Lords, &c. of the Admiralty impowered to make Articles for Punishment of Mutiny and Desertion, &c. and to constitute Courts-martial.

V. Provided always, That no Person or Persons shall be adjudged to suffer any Punishment extending to Life or Limb, by the said Rules and Articles, within the Kingdom of *Great Britain* or *Ireland*, except for such Crime or Crimes as is or are expressed to be so punishable by this Act.

None to be adjudged of Life or Limb, but for Crimes expressed to be so punishable by this Act.

VI. And it is hereby further enacted and declared, That no General Court-martial, which shall have Power to sit by virtue of this Act, shall consist of a less Number than thirteen, whereof none to be under the Degree of a Commission Officer of Marines; and the President of such Court-martial shall not be under the Degree of a Field Officer of Marines, unless where such Field Officer cannot be had, in which Case, the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court-martial; and that such Court-martial shall have Power and Authority, and are hereby required, to administer an Oath to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them.

General Court-martial to consist of 13, and the President to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain.

VII. Provided always, That in all Trials of Offenders by General Courts-martial, to be held by virtue of this Act, every Officer present at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the holy Evangelists, before the Court, and Judge Advocate, or his Deputy (who are hereby authorized to administer the same) in these Words; that is to say,

May administer an Oath to Witnesses.

Officers to be sworn.

YOU shall well and truly try and determine according to the Evidence which shall be given in the Matter now before you, between our Sovereign Lord the King's Majesty, and the Prisoner to be tried:

So help you God.

I A. B. *do swear, That I will duly administer Justice according to an Act of Parliament now in Force for the Regulation of his Majesty's Marine Forces while on Shore, and according to the Rules and Articles made in pursuance of the said Act of Parliament for the Punishment of Mutiny and Desertion, and other Crimes therein respectively mentioned, without Partiality, Favour or Affection; and if any Doubt shall arise (which is not explained by the said Act of Parliament, or the said Rules and Articles) according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases. And I further swear, That I will not divulge the Sentence of the Court until it shall be approved by the Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral of* Great Britain; *neither will I upon any Account at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness, by a Court of Justice in a due Course of Law.*

So help me God.

The Judge Advocate to be sworn.

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, an Oath in the following Words:

I A. B. *do swear, That I will not upon any Account at any Time whatsoever disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness, by a Court of Justice in a due Course of Law:*

So help me God.

In Sentences of Death, nine Officers to concur, &c.

Hours of Trial.

And no Sentence of Death shall be given against any Offender by any such General Court-martial as aforesaid, unless nine Officers present shall concur therein; and if there be more Officers present than thirteen, then the Judgment shall pass by the Concurrence of two Thirds of the Officers present; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of eight of the Clock in the Morning and three in the Afternoon, except in Cases which require an immediate Example.

The Party tried, intitled to a Copy of the Sentence and Proceedings.

VIII. Provided always, That the Party tried by any General Courts-martial to be held as aforesaid, shall be intitled to a Copy of the Sentence and Proceedings of such Court-martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf (he or they paying reasonably for the same) at any Time not sooner than three Months after such Sentence, whether such Sentence be approved or not; any thing in this Act to the contrary notwithstanding.

Proceedings, &c. of Courts-martial to be transmitted to the Secretary of the Admiralty, &c.

IX. And be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such at any General Court-martial to be held as aforesaid, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-martial to the Secretary of the Admiralty for the time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain*, to the End that the Persons intitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof according to the true Intent and Meaning of this Act.

None to be tried a second Time for the same Offence.

Sentence not to be revised more than once.

X. Provided always, and it is hereby declared and enacted, That no Marine, either Officer or private Man, being acquitted or convicted of any Offence at any such Court-martial as aforesaid, shall be liable to be tried a second Time by the same or any other Court-martial for the same Offence; and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than once.

Deserters beyond Sea, &c. may be tried here or in Ireland.

XI. And be it further enacted, That if any Officer or private Man shall desert his Majesty's Service in any of his Dominions beyond the Seas, or elsewhere beyond the Seas, and shall escape and come into this Realm or *Ireland*, before he be tried by a Court-martial for such Offence, and shall be apprehended for the same; such Officer or private Man shall be tried for the same as if the said Offence had been committed within this Realm.

This Act not to exempt any on Shore from Process.

XII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to exempt any Marine, either Officer or private Man whatsoever, while on Shore, from being proceeded against by the ordinary Course of Law.

Persons tried by the Civil Magistrate may only be cashiered by a Court-martial.

XIII. Provided also, and be it further enacted, That no Person or Persons being acquitted or convicted of any capital Crimes, Violences or Offences by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same, otherwise than by cashiering.

Persons accused of capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

XIV. Provided also, and be it further enacted, That if any Marine Officer, Non-commission Officer or private Man shall be accused of any capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of his Majesty's Subjects, which is punishable by the known Laws of the Land; the Commanding Officer or Officers of every Company or Party is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial; and if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender; every such Officer so offending, and being thereof convicted before any two or more Justices of the Peace for the County where the Fact is committed, by the Oath of two credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace for the said County, and a Certificate thereof transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial.

'XV. And whereas his Majesty hath been graciously pleased, in Compassion to the distressed Condi-
'tion of several Widows of Officers of the Army, who have lost their Lives in the Service of the
'late War, or during the late Rebellion, by Orders made under his Royal Sign Manual, to direct his
'Commissary General of the Musters to allow upon the Muster Rolls of all the Regiments, Troops
'and Companies, a Number of fictitious Names therein mentioned, instead of private Men, in order
'to raise and settle a Fund for the Maintenance of such Widows of Officers as are or shall be intitled to
'his Royal Bounty;' Therefore for the more effectually fulfilling his Majesty's said gracious Intentions with respect to the allowing of fictitious Names upon the Muster Rolls of the said Marine Forces while

on Shore, for the Purpose aforesaid; Be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the time being authorized to pay the said Marine Forces, to pay over the full Pay of such fictitious private Men, as shall be allowed on the Muster Rolls of the said Marine Forces while on Shore, as aforesaid, to the proper Receiver appointed by his Majesty, according to such Orders and Instructions as his Majesty shall be pleased to make under his Sign Manual for the Purpose aforesaid, and that no Allowance of any such fictitious Name, upon any Muster Roll of the said Marine Forces while on Shore, as aforesaid, shall be construed to be a false Muster; any thing in this or any former Act contained to the contrary notwithstanding.

Fictitious Names allowed by his Majesty's Order for the Maintenance of Officers Widows, not to be construed a false Muster.

Paymaster to pay the full Pay of such Men to the Receiver.

'XVI. And whereas there is and may be Occasion for the marching and quartering of the said Marine 'Forces in several Parts of this Kingdom;' Be it further enacted by the Authority aforesaid, That for and during the Continuance of this Act, and no longer (in pursuance of an Order or Orders in Writing in that Behalf under the Hand of the said Lord High Admiral, or under the Hands of three or more of the Commissioners for executing the Office of Lord High Admiral for the time being) it shall and may be lawful to and for the Constables, Tithingmen, Headboroughs and other chief Officers and Magistrates of Cities, Towns and Villages, and other Places within *England*, *Wales* and the Town of *Berwick upon Tweed*; and in their Default or Absence, for any one Justice of the Peace inhabiting in or near any such City, Town, Village or Place, and for no others; and such Constables and other Civil Magistrates as aforesaid are hereby required to quarter and billet the Marines both Officers and private Men in his Majesty's Service, in Inns, Livery-stables, Ale-houses, Victualling-houses, and all Houses of Persons selling Brandy, Strong Waters, Cyder or Metheglin, by Retail, to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places of distilling Brandy and Strong Waters, and the House of any Shop-keeper, whose principal Dealings shall be more in other Goods and Merchandizes than in Brandy and Strong Waters (so as such Distillers and Shop-keepers do not permit or suffer Tippling in his or their Houses) and in no other, and in no private Houses whatsoever, without the Consent of the Occupier; nor shall any more Billets at any Time be ordered, than there are effective Marines present to be quartered; and if any Constable, Tithingman, or such like Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or private Man in any such private House, without the Consent of the Occupier; in such Case such Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Occupier shall sustain thereby; and if any Marine Officer shall take upon him to quarter private Men otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables or other Civil Officers before-mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed; such Marine Officer shall for every such Offence (being thereof convicted before any two or more of the next Justices of the Peace of the County, by the Oath of two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any military Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial; and in case any Person shall find himself aggrieved, in that such Constable, Tithingman or Headborough, Chief Officer or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billeted in his House a greater Number of Marines than he ought to bear in Proportion to his Neighbours; and shall complain thereof to one or more Justice or Justices of the Peace of the Division, City or Liberty, where such Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to two or more Justices of the Peace of such Division, City or Liberty; such Justice or Justices respectively shall have, and is or are hereby declared to have Power to relieve such Person by ordering such and so many of the said Marines to be removed, and quartered upon such other Person or Persons as they shall see Cause; and such other Person or Persons shall be obliged to receive such Marines accordingly.

Constables, &c. to quarter Officers and Men in Inns, Alehouses, &c.

But in no Distillers Houses or Shop-keepers, or in private Houses.

Penalty on Constables, &c. quartering Officers or Men in private Houses, &c.

Penalty on Officers quartering private Men contrary to this Act, &c.

Persons aggrieved may complain to any Justices.

XVII. Provided nevertheless, and it is hereby enacted, That the Marine Officers and private Men so quartered and billeted as aforesaid, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery-stables, Ale-houses, Victualling-houses and other Houses in which they are allowed to be quartered and billeted by this Act; paying and allowing for the same the several Rates herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer.

Officers and Marines to be furnished at the Rates herein set.

XVIII. Provided always, That in case any Innholder or other Person on whom any Non-commission Officers or private Men shall be quartered by virtue of this Act (except on a March, or employed in Recruiting; and likewise except the Recruits by them raised, for the Space of seven Days at most, for such Non-commission Officers and private Men, who are recruiting, and Recruits by them raised) shall be desirous to furnish such Non-commission Officers or private Men with Candles, Vinegar and Salt, and with either Small Beer or Cyder, not exceeding five Pints for each Man *per Diem*, *gratis*, and allow to such Non-commission Officers or private Men the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then and in such Case, the Non-commission Officers and private Men so quartered shall provide their own Victuals; and the Officer to whom it belongs to

What Innholders may allow Men quartered on them, instead of Meat;

receive, or who shall actually receive the Pay and Subsistence of such Non-commission Officers and private Men, shall pay the several Sums herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer, to the Non-commission Officers and private Men aforesaid, and not to the Innholder, or other Person on whom such Non-commission Officers and private Men are quartered; any thing herein contained to the contrary notwithstanding.

Penalty on Officers taking Money to excuse quartering.

XIX. Provided always, and be it enacted by the Authority aforesaid, That if any Marine Officer shall take or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the Quartering of Officers or private Men, or any of them, in any House allowed by this Act; every such Officer shall be cashiered, and be incapable of serving in any military Employment whatsoever

Commanding Officer may exchange Marines Quarters.

Constables to billet accordingly.

'XX. And whereas it may be for the Benefit of the Service for the Commanding Officer to have a 'Power to exchange the Billets or Quarters of Marines quartered in the same Town or Place;' Be it therefore enacted by the Authority aforesaid, That the Commanding Officer of Marines in any Town or Place where such Marine Forces are quartered, shall, and he is hereby declared to have Power from time to time to exchange any Marine or Marines quartered in such Town or Place for any other Marine or Marines quartered in the same Town or Place; provided the Number of Men do not exceed the Number at that Time billeted on such Houses respectively, where such Men shall be exchanged; and the Constables, Tithingmen, Headboroughs and other Chief Officers and Magistrates of the Cities, Towns and Villages, or other Places where any of the said Marine Forces shall be quartered, are hereby required to billet such Men so exchanged accordingly.

No Paymaster, &c. to make Deductions out of Pay, &c.

Exceptions.

XXI. And be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-six, no Paymaster, or other Officer or Person whatsoever, shall receive any Fees, or make any Deductions whatsoever out of the Pay of any Marine, either Officer or private Man in his Majesty's Service, or from their Agents, which shall grow due from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-six, other than the usual Deductions for Clothing, and twelve Pence in the Pound to be disposed of as his Majesty shall think fit, and the one Day's Pay in the Year for the Use of the Royal Hospital at *Chelsea*, and such other necessary Deductions as shall from time to time be directed by the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral for the time being, by Order in Writing under his or their respective Hand or Hands.

Officers to give Notice to Innkeepers of Subsistence-money in their Hands.

XXII. And that the Quarters both of the said Marine Officers and private Men while on Shore as aforesaid, may, during the Continuance of this Act, be duly paid and satisfied, and his Majesty's Duties of Excise better answered, Be it enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-six, every Officer or other Person to whom it belongs to receive, or that shall actually receive the Pay or Subsistence-money for one or more particular Company or Companies of the said Marine Forces, or otherwise, shall immediately, upon each Receipt of every particular Sum which shall from time to time be paid, returned or come to his or their Hands on account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns, or other Places where Officers or private Men are quartered by virtue of this Act; and shall also appoint the said Innkeepers and others to repair to their Quarters at such Times as they shall appoint, for the Distribution and Payment of the said Pay or Subsistence-money to such Officers or private Men, which shall be within four Days at the farthest after the Receipt of the same as aforesaid; and the said Innkeepers and others shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and private Men so quartered in their respective Houses; which Accounts the said Officer or Officers is or are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or private Men: Provided the said Accounts exceed not for one Marine Commission Officer under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, one Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses for their Hay and Straw, *per Diem*, Six-pence; nor for one private Man's Diet and Small Beer, *per Diem*, four Pence: And if any Officer or Officers as aforesaid shall not give Notice as aforesaid, and shall not immediately, upon producing such Account stated, satisfy, content and pay the same; upon Complaint and Oath made thereof by any two Witnesses, at the next Quarter-Sessions for the County or City wherein such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer) the Paymaster or Person for the time being authorized to pay the said Marine Forces, is hereby required and authorized (upon Certificate of the said Justices, before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers; upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future. And in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Person for the time being authorized to pay the said Marine Forces, is hereby authorized and required to deduct the Sums he shall pay pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence-money of the Company to which such Officer or Officers shall belong; and such Officer or Officers shall for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money as aforesaid, be deemed and taken, and are hereby declared *ipso facto* cashiered.

Rates of Subsistence to be paid to Innkeepers, &c.

Officers not giving Notice of Subsistence-money, and paying Quarters,

Paymaster to satisfy them out of Officers Arrears.

XXIII.

XXIII. And where it shall happen that the Subsistence-money due to any Marine Officer or private Man shall, by Occasion of any Accident, not be paid to such Officer or private Man, or such Officer or private Man shall neglect to pay the same, so that Quarters cannot be, or are not paid, as this Act directs; in every such Case it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Company shall remain for any Time whatsoever, make up the Accounts as this Act directs, with every Person with whom such Company shall have quartered, and sign a Certificate thereof, and give the said Certificate so by him signed to the Party to whom such Money is due, with the Name of such Company to which he or they shall belong; to the End the said Certificate may be forthwith transmitted to the proper Paymaster of the Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the End the same may be applied to such Company, under Pain as is before in this Act directed for Non-payment of Quarters.

On moving from Quarters, the Officer to make up Accounts, and give Certificates for Money due, &c.

Paymaster to pay the Sum.

XXIV. And be it enacted by the Authority aforesaid, That it shall and may be lawful to quarter Officers and private Men of his Majesty's Marine Forces in *Scotland*, in such and the like Places and Houses as Officers and private Men of the Land Forces might have been quartered in, by the Laws in Force in *Scotland* at the Time of the Union, and that the Possessors of such Houses shall only be liable to furnish the said Marine Officers and private Men quartered there, as by the said Laws in Force at the Time of the Union was provided, with respect to the Officers and private Men of the Land Forces; and that no such Marine Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

Officers, &c. to be quartered in Scotland as the Laws in Force at the Union direct.

XXV. And be it further enacted by the Authority aforesaid, That for the better and more regular Provision of Carriages for his Majesty's Marine Forces in their Marches, or for their Arms, Clothes and Accoutrements, in *England*, *Wales* and the Town of *Berwick upon Tweed*, all Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties and Precincts, being duly required thereunto by the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, by any Order in Writing under his or their respective Hand or Hands, shall, as often as such Order shall be brought and shewn unto one or more such Justices by the Officer or Officers of the Company or Companies of Marines so ordered to march, issue out his or their Warrant or Warrants to the High Constables or Petty Constables of the Division, Riding, City, Liberty, Hundred or Precinct, from, through, near or to which such Company or Companies shall be ordered to march, requiring them to make such Provision for Carriages, with able Men to drive the same, as shall be mentioned in the said Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burden: And in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division or Precinct, then the next Justice or Justices of the Peace of the County, Riding or Division, shall, upon such Order as aforesaid being brought or shewn to one or more of them, by any of the Marine Officers aforesaid, issue his or their Warrant or Warrants to the High Constables or Petty Constables, of such next County, Riding, Liberty, Division or Precinct, for the Purposes aforesaid, to make up such Deficiency: And the aforesaid Officer or Officers, who by virtue of the aforesaid Warrant or Warrants from such Justice or Justices of the Peace, is or are to demand the Carriage or Carriages therein mentioned, of the High Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sum of one Shilling for every Mile any Waggon with five Horses shall travel; and the Sum of one Shilling for every Mile any Wain with six Oxen or four Oxen with two Horses, shall travel; and the Sum of nine Pence for every Mile any Cart with four Horses shall travel, and so in Proportion for less Carriages; for which respective Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same: And such Constable or Petty Constable shall order and appoint such Person or Persons, having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly: And if any Marine Officer or Officers, for the Use of whose Company or Companies the Carriage was provided, shall force and constrain any Waggon, Wain, Cart or Carriage to travel more than one Day's Journey, or shall not discharge the same in due Time for their return Home, or shall suffer any Marine or Servant (except such are sick) or any Woman to ride in the Waggon, Wain, Cart or Carriage aforesaid, or shall force any Constable or Petty Constable, by Threatnings or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants or private Men; every such Officer, for every such Offence, shall forfeit the Sum of five Pounds; Proof thereof being made upon Oath, before two of his Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the proper Paymaster of his Majesty's Marine Forces, who is hereby required to pay the aforesaid Sum of five Pounds accordingly to the Order and Appointment under the Hands and Seals of such Justices of the Peace, and is also hereby impowered to deduct the same out of such Officer's Pay.

Justices to order Constables to provide Carriages for the Marine Forces on their March.

Rates for Carriages.

Penalty on Officers forcing Waggons to travel more than one Day's Journey, &c.

XXVI. And be it enacted by the Authority aforesaid, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute any such Warrant of the said Justice or Justices of the Peace, as shall be directed unto such Constable or Petty Constable for providing Carriages as aforesaid; or if any Person or Persons, appointed by such Constable or Petty Constable to provide or furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever shall wilfully do any Act or Thing, whereby the Execution of any such Warrant or Warrants shall

Penalty on Constables, &c. Neglect.

ſhall be hindered or fruſtrated; every ſuch Conſtable, or other Perſon or Perſons ſo offending ſhall, for every ſuch Offence, forfeit any Sum not exceeding forty Shillings, nor leſs than twenty Shillings, to the Uſe of the Poor of the Pariſh where any ſuch Offence ſhall be committed: And all and every ſuch Offence and Offences ſhall and may be enquired of, heard and fully determined, by two of his Majeſty's Juſtices of the Peace dwelling in or near the Place where ſuch Offence ſhall be committed, who have hereby Power to cauſe the ſaid Penalty to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any) to the Owner.

'XXVII. And whereas the reſpective Sums of Money by this Act appointed to be paid to the Con-
'ſtables by the Officers demanding ſuch Carriages may not in many Caſes be ſufficient to anſwer the
'Charge and Expence of providing the ſame, whereby the ſaid Conſtables may be frequently at great
'Charges, over and above what is received by them of the ſaid Officers, to the great Burthen of the
'Townſhip of which they are reſpectively Conſtables, or elſe the Perſons furniſhing ſuch Carriages may
'be grievouſly oppreſſed:' To prevent which, and that ſuch overplus Charge may be borne by each County or Riding, at the general Charge of ſuch County or Riding, be it further enacted by the Authority aforeſaid, That the Treaſurer or Treaſurers of each reſpective County or Riding ſhall, without Fee or Reward, pay unto ſuch Conſtable all and every ſuch reaſonable Sum or Sums of Money ſo by him paid or laid out for ſuch Carriages, over and above what was or ought to have been paid by the Marine Officer requiring ſuch Carriages, out of the publick Stock of ſuch County or Riding, according to ſuch Rates, Orders, Rules and Directions, as the ſaid Juſtices of the Peace, in their Quarter-Seſſions aſſembled, within their reſpective Juriſdictions, ſhall, from time to time, during the Continuance of this Act, make, direct and appoint (which Orders ſhall be made without Fee or Reward) Regard being always had to the Seaſon of the Year, and the Length and Condition of the Roads through which ſuch Carriages are to travel.

Treaſurers of the County to repay the Conſtable's extraordinary Charges.

XXVIII. And in caſe the ſaid publick Stock of the County or Riding be not ſufficient (over and above the other Purpoſes for which it was raiſed) to ſatisfy the extraordinary Charge of Carriages before-mentioned; it is hereby further enacted, That the ſaid Juſtices of the Peace in the General Quarter-Seſſions ſhall have Power, from time to time, to raiſe Monies upon their reſpective Counties or Ridings, in ſuch Manner as they now raiſe Monies for building or repairing County Gaols and Bridges, to ſatisfy the ſaid extraordinary Charge of Carriages.

The Money for thoſe Purpoſes, how to be raiſed.

XXIX. Provided always, and be it further enacted, That no Waggon, Wain, Cart or Carriage impreſſed by Authority of this Act, ſhall be liable or obliged by virtue of this Act to carry above twenty hundred Weight; any thing in this Act contained to the contrary notwithſtanding.

No Waggon, &c. to carry above 20 hundred Weight.

XXX. And be it further enacted, That the Carriages for the Service of the Marine Forces quartered or marching in *Scotland*, ſhall be provided in like Manner and at the Rates, and the Furniſher of ſuch Carriages ſhall be paid, as was directed by the Law in Force in *Scotland* at the Time of the Union, with regard to the furniſhing Carriages for Land Forces.

Carriages in Scotland, how to be provided.

XXXI. And be it enacted by the Authority aforeſaid, That if any Officer, Military or Civil, by this Act authorized to quarter Marines in any Houſes hereby appointed for that Purpoſe, ſhall, at any Time during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any ſuch Houſes, againſt the Conſent of the Owners; the Party offending, if an Officer of the Marines, ſhall, upon Complaint and Proof thereof made to the Commiſſioners for executing the Office of Lord High Admiral or Judge Advocate, be *ipſo facto* caſhiered; and if a Conſtable, Tithingman or other Civil Officer, he ſhall forfeit to the Party aggrieved twenty Shillings, upon Complaint and Proof thereof made to the next Juſtice of the Peace, to be levied by Warrant of ſuch Juſtice by Diſtreſs and Sale of his Goods, rendering the Overplus to the Party, after deducting reaſonable Charges in taking the ſame.

Marines Wives, &c. not to be quartered without Conſent.

Penalty.

XXXII. And for the better Preſervation of the Game in or near ſuch Place, where any Officers or Soldiers ſhall at any Time be quartered, Be it enacted by the Authority aforeſaid, That if from and after the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and fifty-ſix, any Officer or Marine ſhall, without Leave of the Lord of the Manor, under his Hand and Seal firſt had and obtained, take, kill or deſtroy any Hare, Coney, Pheaſant, Partridge, Pigeon, or any other Sort of Fowls, Poultry or Fiſh, or his Majeſty's Game, within the Kingdom of *Great Britain*; and upon Complaint thereof ſhall be, upon Oath of one or more credible Witneſs or Witneſſes, convicted before any Juſtice or Juſtices of the Peace, who is or are hereby impowered and authorized to hear and determine the ſame; (that is to ſay) every Officer ſo offending ſhall for every ſuch Offence forfeit the Sum of five Pounds, to be diſtributed among the Poor of the Place where the Offence ſhall be committed; and every Officer commanding in Chief upon the Place, for every ſuch Offence committed by any Marine under his Command, ſhall forfeit the Sum of twenty Shillings, to be paid and diſtributed in Manner aforeſaid: And if upon Conviction made by the Juſtices of the Peace, and Demand thereof alſo made by the Conſtable or Overſeers of the Poor, ſuch Officer ſhall refuſe or neglect, and not within two Days pay the ſaid reſpective Penalties; ſuch Officer ſo refuſing or neglecting ſhall forfeit, and is hereby declared to have forfeited his Commiſſion, and his Commiſſion is declared to be null and void.

Penalty on Officers or Marines deſtroying the Game.

'XXXIII. And whereas ſeveral Marines, who being duly entred, may afterwards deſert and be
'found wandering, or otherwiſe abſenting themſelves illegally from his Majeſty's Service; It is here-
by further enacted, That it ſhall and may be lawful to and for the Conſtable, Headborough or Tithingman of the Town or Place where any Perſon, who may be reaſonably ſuſpected to be ſuch a Deſerter, ſhall be found, to apprehend, or cauſe him to be apprehended, and to cauſe ſuch Perſon to be brought before any Juſtice of the Peace living in or near ſuch Town or Place, who is hereby impowered and

Conſtables may apprehend Deſerters, and carry them before a Juſtice.

and required to examine such suspected Person; and if by his Confession, or the Testimony of one or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found, that such suspected Person is a Marine duly entered, and ought to be with the Company to which he belongs; such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found, or to the House of Correction, or other publick Prison in such Town or Place where such Deserter shall be apprehended; or to the *Savoy*, in case such Deserter shall be apprehended within the Cities of *London* or *Westminster*, or Places adjacent, and transmit an Account thereof to the Secretary of the Admiralty for the Time being, to the End such Person may be proceeded against according to Law; and the Keeper of such Gaol, House of Correction or Prison shall receive the full Subsistence of every such Deserter, during the Time he shall continue in his Custody, for the Maintenance of such Deserter, but shall not be intitled to any Fee or Reward on account of the Imprisonment of any such Deserter; any Law, Usage or Custom to the contrary notwithstanding.

Justice to commit them,

and transmit an Account to the Secretary of the Admiralty.

Gaol-keeper to receive the Subsistence of Deserters.

XXXIV. And for the better Encouragement of any Person or Persons to secure or apprehend such Deserters, be it further enacted by the Authority aforesaid, That such Justice of the Peace shall also issue his Warrant in Writing to the Collector or Collectors of the Land Tax Money of the Parish or Township where such Deserter shall be apprehended, for paying out of the Land Tax Money arisen or to arise in the Year one thousand seven hundred and fifty-six, into the Hands of such Person or Persons who shall apprehend, or cause to be apprehended any such Deserter from his Majesty's Service, the Sum of twenty Shillings for every such Deserter that shall be so apprehended and committed; which Sum of twenty Shillings shall be satisfied by such Collector or Collectors, to whom such Warrant shall be directed, and allowed upon his or their Account.

Reward for taking up Deserters.

XXXV. And be it further enacted, That if any Person shall harbour, conceal or assist any Deserter from his Majesty's Marine Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of five Pounds; or if any Person shall knowingly detain, buy or exchange, or otherwise receive any Arms, Clothes, Caps or other Furniture belonging to the King, from any Marine or Marine Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be changed; every Person so offending in each, any or either of the Cases aforesaid, shall forfeit for every such Offence the Sum of five Pounds; and upon Conviction by the Oath of one or more credible Witness or Witnesses before any one or more of his Majesty's Justices of the Peace, the said respective Penalties of five Pounds and five Pounds shall be levied by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattles of the Offender; one Moiety of the said first-mentioned Penalty of five Pounds to be paid to the Informer, by whose Means such Deserter shall be apprehended; and one Moiety of the said last-mentioned Penalty of five Pounds to be paid to the Informer; and the Residue of the said respective Penalties to be paid to the Officer to whom any such Deserter or Marine did or doth belong: And in case any such Offender, who shall be convicted as aforesaid of harbouring or assisting any such Deserter or Deserters; or having knowingly received any Arms, Clothes, Caps or other Furniture belonging to the King; or of having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattles, whereon Distress may be made to the Value of the Penalties recovered against him for such Offence, or shall not pay such Penalties within four Days after such Conviction; then and in such Case, such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, either commit such Offender to the common Gaol, there to remain without Bail or Mainprize for the Space of three Months, or cause such Offender to be publickly whipt, at the Discretion of such Justice or Justices.

Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

XXXVI. Provided always, That so much of this Act as relates to the Punishment of such who shall harbour, conceal or assist Deserters, or shall knowingly detain, buy, exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, or cause the Colour of such Clothes to be changed, shall extend to all Ends and Purposes whatsoever, to *Ireland*, and shall be put in Execution in that Kingdom by all Justices of the Peace and other Officers respectively, according to the Tenor and during the Continuance of this Act.

This Act to extend to Deserters, &c. in Ireland.

XXXVII. And be it further enacted by the Authority aforesaid, That this Act, and every thing herein contained, shall be and continue in Force from the said twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-six, until the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-seven.

Continuance of this Act.

XXXVIII. And to prevent as far as may be any unjust or fraudulent Arrests that may be made upon Marines, whereby his Majesty and the Publick may be deprived of their Service, it is hereby further enacted by the Authority aforesaid, That no Person whatsoever, who is entered or shall enter himself as a Volunteer in his Majesty's Service as a Marine, during the Continuance of this Act, shall be liable to be taken out of his Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt, or other just Cause of Action; and unless before the taking out of such Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs, therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court of Record, or other Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action, or cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be issued out, amounts to the Value of ten Pounds at least, over and above all Costs of

No Volunteer liable to Process, unless for some criminal Matter, or a real Debt of the Value of 10 l. of which Oath to be made;

and a Memorandum thereof marked on the Process;

of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ; for which Memorandum or Oath no Fee shall be taken: And if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for one or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties, or otherwise, and by Warrant under his or their Hands and Seals, to discharge such Marine so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Marine so arrested was legally entered as a Marine in his Majesty's Service, and arrested contrary to the Intent of this Act; and also to award to the Party so complaining such Costs as such Judge or Judges shall think reasonable: For the Recovery whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

otherwise Prisoner to be discharged, with Costs.

XXXIX. And to the End that honest Creditors, who aim only at the Recovery of their just Debts due to them from Persons entered as Marines into his Majesty's Service, may not be hindered from suing for the same, but on the contrary may be assisted and forwarded in their Suits; and instead of an Arrest, which may at once hurt the Service, and occasion a great Expence and Delay to themselves, may be enabled to proceed in a more speedy and cheap Method; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so entered, or left at his or their last Place of Residence before such Entering, to file a common Appearance in any Action to be brought for or upon account of any Debt whatsoever, so as to intitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so entered as aforesaid; this Act, or any Thing herein, or any former Law or Statute to the contrary notwithstanding.

Plaintiff giving Notice, may file a common Appearance,

and proceed to Judgment.

Penalty on Constables, &c. neglecting to quarter Marines.

XL. And be it further enacted by the Authority aforesaid, That if any High Constable, Constable, Beadle or other Officer or Person whatsoever, who by Virtue or Colour of this Act shall quarter or billet, or be employed in quartering or billeting any Marine Officers or private Men, shall neglect or refuse for the Space of two Hours to quarter or billet such Officers or Marines, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Forces; or shall receive, demand, contract or agree for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excusing, or in order to excuse any Person or Persons whatsoever from quartering or receiving into his, her or their House or Houses any such Officer or Marine; or in case any Victualler, or any other Person liable by this Act to have any Officer or Marine billeted or quartered on him or her, shall refuse to receive or victual any such Officer or Marine so quartered or billeted upon him or her as aforesaid; or shall refuse to furnish or allow, according to the Directions of this Act, the several Things herein before respectively directed to be furnished or allowed to Non-commission Officers and Marines so quartered or billeted on him or her as aforesaid, at the Rates herein before-mentioned, and shall be thereof convicted before any one or more Justice or Justices of the Peace of the County, City or Liberty within which such Offence shall be committed, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses (which Oath the said Justice or Justices is and are hereby impowered to administer) every such High Constable, Constable, Beadle, or other Officer or Person so offending, shall forfeit for every such Offence the Sum of five Pounds, or any Sum of Money not exceeding five Pounds, nor less than forty Shillings (as the said Justice or Justices, before whom the Matter shall be heard, shall in his or their Discretion think fit) to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, or of one or more of them, to be directed to any other Constable within the County, City or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; and the said Sum of five Pounds, or the said Sum not exceeding five Pounds, nor less than forty Shillings, when levied, to be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, or to some one of them, for the Use of the Poor of such Parish.

Penalty on taking Money to excuse any Person from quartering, and on Victuallers refusing to receive Marines.

Justices may order Constables to give an Account of the Number of Officers and private Men, and where quartered.

XLI. And for the better preventing Abuses in quartering or billeting the Marines, in pursuance of this Act, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any one or more Justice or Justices of the Peace within their respective Counties, Cities or Liberties, by Warrant or Order under his or their Hand and Seal or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command any High Constable, Constable, Beadle, or other Officer who shall quarter or billet any Marines in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and private Men who shall be quartered or billeted by them, and also the Names of the House-keepers or Persons upon whom every such Officer or private Man shall be quartered or billeted, together with an Account of the Street or Place where every such House-keeper dwells, and of the Signs (if any) belonging to their Houses; to the End it may appear to the said Justice or Justices where such Officers and private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

Clause for Relief of Persons hastily lifting.

XLII. Provided nevertheless, and it is hereby declared by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-six, when and as often as any Person or Persons shall be inlisted as a Marine or Marines in his Majesty's Service, he and they shall, within four Days, but not sooner than twenty-four Hours after such Inlisting respectively, be carried before the

the next Justice of the Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate (not being an Officer of Marines) and before such Justice or Chief Magistrate he or they shall be at Liberty to declare his or their Dissent to such Inlisting; and upon such Declaration, and returning the Inlisting-money, and also each Person so dissenting paying the Sum of twenty Shillings for the Charges expended or laid out upon him, such Person or Persons so inlisted shall be forthwith discharged and set at Liberty, in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of twenty-four Hours to return and pay such Money as aforesaid, he or they shall be deemed and taken to be inlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; or if such Person or Persons shall declare his or their having voluntarily inlisted himself or themselves, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand, that such Person or Persons is or are duly inlisted; setting forth the Place of the Birth, Age and Calling of him or them respectively (if known) and that the second and third Sections of the Articles of War for the better Government of his Majesty's Marine Forces while on Shore in *Great Britain* or *Ireland*, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the twelfth Section of the said Articles of War; and if any such Person or Persons so to be certified as duly inlisted, shall refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer, from whom he has received such Money as aforesaid, to detain or confine such Person or Persons until he or they shall take the Oath before required; and every Officer of Marines that shall act contrary hereto, or offend herein, upon Proof thereof upon Oath made by two Witnesses, before a General Court-martial to be thereupon called, shall for such Offence be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service.

Marine Forces borne as Part of the Complement of any Ships of War, liable to the Rules established by 22 Geo. 2. c. 33.

XLIII. Provided always, and it is hereby declared, That all his Majesty's Marine Forces, as well Officers as private Men, shall from Time to Time, during their being respectively borne as Part of the Complement of any of his Majesty's Ships or Vessels, be subject or liable in like Manner, in all Respects, as any Officers or Seamen employed in his Majesty's Sea Service are subject and liable to be governed and proceeded against and punished for Offences committed by them, during the Time they shall be borne as Part of the Complement of such Ships or Vessels, according to the Purport, Tenor, Effect and true Intent and Meaning of an Act of Parliament made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels and Forces by Sea*; this present Act, or any thing herein contained notwithstanding.

CAP. VII.

An Act for granting to his Majesty the Sum of two Millions, to be raised by way of Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament; and for extending to *Ireland* the Laws made in this Kingdom against private and unlawful Lotteries.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, towards raising the necessary Supplies to defray your Majesty's publick Expences, have freely resolved to give and grant unto your Majesty the Sum of two millions; one million five hundred thousand Pounds, Part thereof, to be raised by Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*, and five hundred thousand Pounds, Residue thereof, by a Lottery, to be attended with Annuities after the Rate of three Pounds *per Centum per Annum*, in such Manner and Form as is herein after directed; and do therefore most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for or towards raising the said Sum of two millions, it shall and may be lawful to and for the several Persons, Natives or Foreigners, and Bodies Politick or Corporate, who in pursuance of the Resolution of the Commons of *Great Britain* in Parliament assembled, have, in Books opened at the Bank of *England* for that Purpose, subscribed and agreed to contribute to the Payment of the said Sum of two millions, and who have in pursuance of the said Resolution deposited with, or paid to the Cashier or Cashiers of the Governor and Company of the Bank of *England* for the Time being, the Sum of ten Pounds *per Centum*, in Part of the Sums by them subscribed respectively, to advance and pay unto the said Cashier or Cashiers, who is and are hereby appointed the Receiver and Receivers of such Contributions (without any further or other Warrant to be sued for, had or obtained in that Behalf) the Remainder of the several Sums so subscribed at or before the respective Days or Times, and in the Proportions in this Act limited in that Behalf.

2,000,000 l. to be raised by Annuities, and a Lottery.

Contributors who have deposited 10 l. per Cent. in Part thereof, to pay the Remainder within the Times limited.

II. And whereas it is intended that all such Contributors to the said Sum of two millions, who shall have subscribed for four hundred Pounds, shall be intitled to three hundred Pounds in Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, transferrable at the Bank of *England*, and to one hundred Pounds in Lottery Tickets, to be attended with Annuities (transferrable also at the Bank of *England*) after the Rate of three Pounds *per Centum per Annum*, and so in Proportion for a

Times of Payments in reſpect of the Sum of 1,500,000 l. ſubſcribed towards Annuities.

greater or leſs Sum; Be it enacted by the Authority aforeſaid, That all ſuch Contributors who have ſo made the ſaid Depoſit of ten Pounds *per Centum*, in Part of the Sums by them ſeverally ſubſcribed, as a Security for their making their future Payments, ſhall make the ſame accordingly at or before the reſpective Days or Times, and in the Proportions in this Act limited in that Behalf; that is to ſay, in reſpect of their proportional Share of the ſaid Sum of one million five hundred thouſand Pounds, fifteen Pounds *per Centum* on or before the thirtieth Day of *March* one thouſand ſeven hundred and fifty-ſix; twenty Pounds *per Centum* on or before the fifteenth Day of *May* then next enſuing; twenty Pounds *per Centum* on or before the ſixteenth Day of *July* then next enſuing; twenty Pounds *per Centum* on or before the ſixteenth Day of *September* then next enſuing; and the remaining fifteen Pounds *per Centum* on or before the thirtieth Day of *October* then next enſuing; and in reſpect of their proportional Share of the ſaid Sum of five hundred thouſand Pounds, twenty Pounds *per Centum* on or before the twenty-ſecond Day of *April* one thouſand ſeven hundred and fifty-ſix; twenty Pounds *per Centum* on or before the ſixteenth Day of *June* then next enſuing; twenty-five Pounds *per Centum* on or before the fourteenth Day of *Auguſt* then next enſuing; and the remaining twenty-five Pounds *per Centum* on or before the twentieth Day of *October* then next following; and that all ſuch Contributors for and in reſpect of three Fourths of the Sums ſo by them ſubſcribed, ſhall be intitled to their proportional Share of Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*; and for and in reſpect of the remaining fourth Part of the Sum ſo ſubſcribed, to as many Lottery Tickets as the ſaid fourth Part of the Sum ſo ſubſcribed ſhall purchaſe, after the Rate of ten Pounds for each Ticket; and that every ſuch Contributor or Adventurer, for every Sum of ten Pounds ſo advanced for the Purchaſe of a Lottery Ticket, ſhall be intitled to ſuch Lot, and to ſuch Annuity, after the Rate of three Pounds *per Centum per Annum*, as is herein after directed and appointed.

Times of Payment in reſpect of the Sum of 300,000 l. towards the Lottery.

Annuities to bear 3 l. 10 s. per Cent. Intereſt; and Tickets 3 l. per Cent.

Annuities to commence from 11 Feb. 1756.

III. And be it further enacted by the Authority aforeſaid, That the Annuities which ſhall become due and payable to the ſeveral Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, after the Rate of three Pounds ten Shillings *per Centum per Annum*, in reſpect of the ſaid Sum of one million five hundred thouſand Pounds, Part of the ſaid principal Sum of two millions, ſhall commence and be computed from the eleventh Day of *February* one thouſand ſeven hundred and fifty-ſix; and that ſo much of the ſaid Annuities, as after the ſaid Rate of three Pounds ten Shillings *per Centum per Annum* ſhall be due on the fifth Day of *January* one thouſand ſeven hundred and fifty-ſeven, ſhall be then paid; and that the Annuities which ſhall from and after that Time be due, ſhall be paid half-yearly on the fifth Day of *July* and the fifth Day of *January*, by even and equal Portions; and that the Annuities which ſhall become due and payable to the ſaid Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, at the Rate of three Pounds *per Centum per Annum*, in reſpect of the ſaid principal Sum of five hundred thouſand Pounds, Reſidue of the ſaid principal Sum of two millions, ſhall commence and be computed from the fifth Day of *January* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-ſeven, and ſhall from time to time be paid half-yearly on the fifth Day of *July* and the fifth Day of *January*, by even and equal Portions; the firſt Payment thereof to be due and payable for the half Year ended the fifth Day of *July* which ſhall be in the Year of our Lord one thouſand ſeven hundred and fifty-ſeven.

Firſt Payment of Intereſt to be on 5 Jan. 1757. and afterwards to be paid half-yearly.

Intereſt on Tickets to commence on 5 Jan. 1757. and payable half-yearly.

Caſhier to give Receipts for Money paid in; the ſame made aſſignable.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Caſhier or Caſhiers who ſhall have received, or ſhall receive any Part of the Sums ſo paid by way of Depoſit, or otherwiſe, in reſpect of the ſaid Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, ſhall forthwith give Receipts in Writing, ſigned by himſelf or themſelves, to every ſuch Contributor for all ſuch Sums, and that the Receipts to be given for any Sums paid in reſpect of the ſaid Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, ſhall be aſſignable by Indorſement thereupon made at any Time before the thirtieth Day of *October* one thouſand ſeven hundred and fifty-ſix, and no longer.

Caſhier to give Security;

and to pay in the Monies into the Exchequer.

V. Provided always, That ſuch Caſhier or Caſhiers ſhall give Security to the good Liking of any three or more of the Commiſſioners of the Treaſury now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer for the publick Uſe, all the Monies which they ſhall have already received by way of Depoſit, or otherwiſe, or ſhall hereafter receive, from time to time, of or for the ſaid Sum of two millions, and for accounting duly for the ſame, and for Performance of the Truſts hereby in them repoſed; and ſhall, from time to time, ſo pay all ſuch Monies as ſoon as they ſhall receive the ſame, or any Part thereof, or within five Days afterwards at the fartheſt, and ſhall account for all Monies ſo received by him or them, in the Exchequer, according to the due Courſe thereof, deducting thereout ſuch Sums as ſhall have been paid by him or them in purſuance of this Act, in Manner herein after mentioned; for which Sums ſo paid, Allowance ſhall be made in his or their Accounts.

Treaſury to apply the Monies to the Services voted by the Commons.

VI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the time being, from time to time, to iſſue and apply all ſuch Sums of Money as ſhall ſo be paid into the Receipt of his Majeſty's Exchequer by the ſaid Caſhier or Caſhiers, to ſuch Services as ſhall then have been voted by the Commons of *Great Britain* in this Seſſion of Parliament.

Contributors Names to be entered in a Book;

VII. And be it further enacted by the Authority aforeſaid, That in the Office of the Accomptant General of the ſaid Governor and Company of the Bank of *England* for the time being, there ſhall be provided and kept a Book or Books, in which ſhall be fairly entered the Names of all ſuch Contributors as

as aforesaid; and it shall and may be lawful for the said respective Contributors, their Executors, Administrators, Successors and Assigns, from time to time, at all seasonable Times, to have Resort to and inspect the said Book or Books, without any Fee or Charge; and that the said Accomptant General for the time being, shall on or before the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever.

the same to be inspected gratis.

Duplicate to be transmitted to the Exchequer.

VIII. And it is hereby enacted by the Authority aforesaid, That all such Contributors, duly paying the whole Sums by them respectively subscribed, at or before the respective Days and Times in this Act before limited in that Behalf, their respective Executors, Administrators, Successors and Assigns, shall have, receive and enjoy, their proportional Share of the respective Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, out of the Monies by this Act herein after appropriated for Payment thereof, and shall have good and sure Estates and Interests therein for ever; subject nevertheless to the Provisoes of Redemption in this Act herein after contained, concerning the same respectively.

Contributors making good their Payments, to have sure Estates in the Annuities.

IX. And be it further enacted by the Authority aforesaid, That all such Contributors, their Executors, Administrators, Successors and Assigns, paying in the Whole, or any Part of the Sums by them subscribed respectively, previous to the Days appointed for the respective Payments herein before directed, as well in respect to their proportional Share of the said Sum of one million five hundred thousand Pounds, as of the said Sum of five hundred thousand Pounds, shall be intitled to an Allowance of so much Money, as the Interest of the several Sums so previously paid, after the Rate of three Pounds *per Centum per Annum* shall amount to, from the Days on which such previous Payments shall have been actually made, to the respective Times on which such Payments are directed to be made; such Allowance to be paid by the said Cashier or Cashiers, out of the Monies contributed towards the said Sum of two millions, as soon as such respective Contributors, their Executors, Administrators, Successors and Assigns, shall have completed their Payments herein before directed to be made; and that as soon as any Contributors, their Executors, Administrators, Successors and Assigns, shall have completed their Payments of the whole Purchase Money, payable by them respectively for any such Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*, the principal Sum or Sums by them subscribed and paid for the Purchase of such Annuities, shall forthwith be placed to the Credit of the said Contributors, their Executors, Administrators, Successors and Assigns, completing the said Payments, and made transferrable in the Books of the Bank of *England*, to be kept for that Purpose.

Contributors making their Payments previous to the Times limited, to be allowed Interest for the same, &c.

X. Provided always, That in case any such Contributors who have already deposited with, or paid to the said Cashier or Cashiers, any Sum or Sums of Money, at the Times and in the Manner before-mentioned, in Part of the Sums so by them subscribed, or their respective Executors, Administrators, Successors or Assigns, do not advance and pay to the said Cashier or Cashiers, the Residue of the Sums so by them subscribed, at the Times and in the Manner before-mentioned; then and in every such Case, so much of the Sum so subscribed as shall have been actually paid in Part thereof to the said Cashier or Cashiers, shall be forfeited for the Benefit of the Publick; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Contributors not making good their Payments to forfeit their Deposits.

XI. And be it further enacted by the Authority aforesaid, That the several Annuities which by this Act are granted and made payable, in respect of the Sum of one million five hundred thousand Pounds, Part of the said Sum of two millions, as in respect of the Sum of five hundred thousand Pounds, being the Residue of the said two millions, until Redemption thereof by Parliament in Manner herein after-mentioned, shall be charged and chargeable upon, and payable out of, the Monies which shall from time to time arise and be remaining in the Receipt of his Majesty's Exchequer, of or for the Surpluses, Exceses, Overplus Monies, and other Revenues, composing the Fund commonly called *The Sinking Fund*; and the said Surpluses, Exceses, Overplus Monies, and other Revenues, are hereby appropriated for that Purpose accordingly.

Annuities, &c. charged on the Sinking Fund.

XII. And for establishing a proper Method for drawing the said Lottery; Be it further enacted by the Authority aforesaid, That such Persons as the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being shall appoint, shall be Managers and Directors for preparing and delivering out Tickets, and to oversee the drawing of Lots, and to order, do and perform, such other Matters and Things as are hereafter in and by this Act directed and appointed by such Managers and Directors to be done and performed; and that such Managers and Directors shall meet together, from time to time, at some publick Office or Place for the Execution of the Powers and Trusts in them reposed by this Act; and that the said Managers and Directors, or so many of them as shall be present at any such Meeting, or the major Part of them, shall cause Books to be prepared, in which every Leaf shall be divided or distinguished into three Columns, and upon the Innermost of the said three Columns, there shall be printed fifty thousand Tickets, hereby intended to be made forth, to be numbered one, two, three, and so onwards, in an arithmetical Progression, where the common Exces is to be one, until they rise to and for the Number of fifty thousand; and upon the middle Column in every of the said Books, shall be printed fifty thousand Tickets, of the same Breadth and Form, and numbered in like Manner; and in the extream Column of the said Books there shall be printed a third Rank or Series of Tickets, of the same Number with those of the other two Columns, which Tickets shall severally be of an oblong Figure; and in the said Books shall be joined with oblique Lines, Flourishes or Devices, in such Manner as the said Managers and Directors, or the major Part of them, shall think most safe and

Managers and Directors of the Lottery to be appointed by the Treasury.

Books to be prepared with three Columns, in each of which 50,000 Tickets to be printed.

Tickets to be of an oblong Form, and joined with oblique Lines, &c.

Tickets in the third Column to have the Words following printed on them.

and convenient; and that every Ticket in the third or extream Column of the said Books, shall have written or printed thereupon (besides the Number of such Ticket, and the present Year of our Lord Christ) Words to this Effect:

The Bearer hereof is intitled to six Pounds, Part of the Joint Stock of Annuities, after the Rate of three Pounds *per Centum per Annum*, transferrable at the Bank of *England*, or to a better Chance.

" Managers to examine the Books with the Tickets, and deliver them to the Cashier. Cashier to give a " Ticket for every Sum of 10*l.* paid in. Cashier to redeliver the Books to the Managers, by 6 *Nov.* and " account for the Sums received. Tickets undisposed of to be returned into the Exchequer. Tickets of " the middle Columns to be rolled up, and tied, and cut off Indentwise into a Box marked (A). Box to " be locked and sealed. Books to be prepared with two Columns, on each of which 50,000 Tickets to be " printed. 6,500 Fortunate. 2 of 10,000*l.* 3 of 5,000*l.* 6 of 2,000*l.* 17 of 1,000*l.* 29 of 500*l.* 142 of 100*l.* " 626 of 50*l.* 5675 of 20*l.* 500*l.* to the First drawn Ticket, and 1000*l.* to the Last. 43,500 Blank " Tickets, at the Rate of 6*l.* Tickets of the outermost Columns to be rolled up and tied, and cut out " Indentwise, into a Box marked (B). Publick Notice to be given of Times of cutting the Tickets into " the Boxes. The Lottery to begin drawing 22 *Nov.* After each Day's drawing the Boxes to be locked " up and sealed. Numbers of the fortunate Tickets, and the Sums, to be printed. Disputes relating " thereto, to be adjusted by the Managers. Penalty of forging Tickets or Certificates, Felony. Cashier " may give Receipts for Monies paid in, before he receives the Tickets. Adventurer not paying his " whole Consideration-money, shall lose the advanced Money. Managers, *&c.* to be paid by the Com- " missioners of the Treasury out of the Lottery Money. Guardians may adventure Infants Money in the " Lottery. Limitation of Sale of Chances, *&c.* Persons selling Shares in Tickets of which they are not " possessed, to forfeit 500*l.*

Offences committed in Ireland against Acts for preventing unlawful Lotteries, declared to be punishable, and may be sued for in Dublin.

XXVI. And be it further enacted by the Authority aforesaid, That if any Offence against any of the Acts of Parliament made in this Kingdom, for preventing private and unlawful Lotteries, shall be committed in *Ireland*, the Offender shall incur the like Penalty and Punishment, to be inflicted in like Manner, as if the Offence was committed in this Kingdom; and that such Penalties as by any of the said Acts are directed to be recovered in any of his Majesty's Courts of Record at *Westminster*, shall, in case of Offences committed against any of the said Acts in *Ireland*, be recovered in any of his Majesty's Courts of Record at *Dublin*.

Refer to 10 *W.* 3. 13 *Geo.* 2. *c.* 19. *c.* 13. 9 *Ann. c.* 6. § 56. 10 *Ann. c.* 26. § 109. 5 *Geo.* 1. *c.* 9. § 43. 8 *Geo.* 1. *c.* 2. § 36. 9 *Geo.* 1. *c.* 19. 6 *Geo.* 2. *c.* 35. 12 *Geo.* 2. *c.* 28.

" After the drawing of the Lottery, the Tickets to be exchanged for Certificates. Accomptant General " to give Credit for the Principal Sums in the Certificates. Assignments may be made of the said Sums, " *&c.* Certificates to be filed and cancelled, and Notes to be given in lieu thereof."

A Chief Cashier, and Accomptant General, to be appointed by the Bank for paying the Annuities.

XXX. And for the more easy and sure Payment, as well of the said Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*, as of the said Annuities after the Rate of three Pounds *per Centum per Annum*, Be it enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall, from Time to Time, until the said respective Annuities shall be redeemed according to this Act, appoint and imploy one or more sufficient Person or Persons within their Office in the City of *London*, to be their first or chief Cashier or Cashiers, and one other sufficient Person in the said Office to be their Accomptant General; and that so much of the Monies by this Act appropriated for this Purpose, as shall be sufficient, from Time to Time, to answer the said several and respective Annuities, and other Payments herein directed to be made out of the said Monies, shall, by Order of the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act before appointed for Payment thereof, to be issued and paid at the Receipt of his Majesty's Exchequer to the said first or chief Cashier or Cashiers, by way of Impress, and upon Account, for the Payment of the said several and respective Annuities payable by virtue of this Act; and that all and every such Cashier and Cashiers, to whom the said Monies shall from Time to Time be issued, shall, from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof, according to the due Course of the Exchequer.

Treasury to issue Monies for that Purpose to the said Cashier,

who is to account for the same.

Accomptant General to examine the Receipts and Payments of the Cashier.

XXXI. And it is hereby also enacted, That the said Accomptant General for the Time being shall, from Time to Time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all Persons who shall be intitled to any of the said several and respective Annuities, and all Persons lawfully claiming under them, shall be possessed thereof as of a Personal Estate, and that the same shall not be descendable to the Heir, and shall be free from all Taxes, Charges and Impositions whatsoever, and shall not be liable to any foreign Attachment by the Custom of *London* or otherwise; any Law, Statute or Custom to the contrary in any wise notwithstanding.

Annuities deemed a Personal Estate, &c. and to be Tax-free.

The three and half per Cent. Annuities deemed a Joint Stock;

XXXII. And be it further enacted by the Authority aforesaid, That the said Sum of one million five hundred thousand Pounds, Part of the said Sum of two millions, on which the said Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, shall be attending, shall be deemed

one Capital or Joint Stock; and that all Persons and Corporations whatsoever, in Proportion to the Monies by them severally advanced for the Purchase of the said Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, or to which they shall become intitled by virtue of this Act, shall have and be deemed to have, a proportional Interest and Share in the said Stock, and in the Annuities attending the same, at the Rate aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferrable as this Act directs, and not otherwise. and made transferrable.

XXXIII. And be it further enacted by the Authority aforesaid, That all the Monies to which any Person or Persons shall become intitled by virtue of this Act, in respect of any Sum advanced or contributed towards the said Sum of five hundred thousand Pounds, on which the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall be attending, shall be added to the Joint Stock of Annuities transferrable at the Bank of *England*, into which the several Sums, carrying an Interest after the Rate of three Pounds *per Centum per Annum*, were by an Act made in the twenty-fifth Year of the Reign of his present Majesty converted, and shall be deemed Part of the said Joint Stock of Annuities; subject nevertheless to a Redemption by Parliament, in such Manner, and upon such Notice, as is in the said Act directed in respect of the several and respective Annuities redeemable by virtue of the said Act; and that all and every Person and Persons and Corporations whatsoever, in Proportion to the Money to which he, she or they shall become intitled as aforesaid by virtue of this Act, shall have and be deemed to have, a proportional Interest and Share in the said Joint Stock of Annuities at the Rate aforesaid. The 3 l. per Cent. Annuities to be made a Joint Stock with Annuities of like Value, incorporated by 25 Geo. 2. c. 27.

XXXIV. And be it further enacted by the Authority aforesaid, That there shall be constantly kept by the Accomptant General for the Time being, Books wherein all Assignments or Transfers of the Capital or Joint Stock of Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, and also all Assignments or Transfers of the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall at all seasonable Times be entered and registered; which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if such Parties be absent, by their respective Attorney or Attornies thereunto lawfully authorized in Writing under their Hands and Seals, to be attested by two or more credible Witnesses; and that the several Persons, to whom such Transfers shall be made, do respectively underwrite their Acceptance thereof; and that no other Method of assigning and transferring the said several Annuities, or any Part thereof, or any Interest, shall be good and available in Law. Transfer Books to be kept by the Accomptant General. Method of transferring Stock.

XXXV. Provided always, That all Persons possessed of any Share or Interest in either of the said Joint Stocks of Annuities, or any Estate or Interest therein, may devise the same by Will in Writing, attested by two or more credible Witnesses; but that no Payment shall be made on any such Devise, till so much of the said Will as relates to the said Joint Stock of Annuities be entered in the said Office; and in Default of such Transfer or Devise, such Share or Interest in the said Joint Stock of Annuities shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on the said Transfers, or any of them; any other Law or Statute to the contrary notwithstanding. Annuities deviseable by Will. Entry to be made of such Clause. Transfer not liable to Stamp Duties.

XXXVI. Provided always, and be it enacted by the Authority aforesaid, That out of the Monies arising from the Contributions towards raising the said Sum of two millions, the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances as they shall think just and reasonable for the Service, Pains and Labour of the said Cashier or Cashiers, for receiving, paying and accounting for the said Contributions; and also shall have Power to make out of the said Sinking Fund such further Allowances as they shall think just and reasonable, for the Service, Pains and Labour of the Cashier or Cashiers of the Governor and Company of the Bank of *England*, for receiving, paying and accounting for the several and respective Annuities payable by virtue of this Act; and also for the Service, Pains and Labour of the Accomptant General of the said Governor and Company, for performing the Duty and Trust incumbent on him by this Act; all which Allowances hereby impowered to be made as aforesaid, in respect to the Service, Pains and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any Thing herein contained to the contrary notwithstanding. Treasury to pay all incident Charges, and to make an Allowance to the Cashier, and Accomptant General; to be at the Disposal of the Bank.

XXXVII. And be it hereby enacted by the Authority aforesaid, That no Fee or Gratuity shall be demanded or taken of any of his Majesty's Subjects, for receiving or paying the said Contribution Monies, or any of them, or for any Tallies or Receipts concerning the same, or for issuing the Monies for paying the said several Annuities, or any of them; and that no Fee or Gratuity shall be demanded or taken for any Transfer, great or small, to be made in pursuance of this Act; upon Pain that the Officer or Person offending, by taking or demanding any such Fee or Gratuity contrary to this Act, shall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Costs of Suit in any of his Majesty's Courts of Record at *Westminster*. Officers taking any Fee in the Course of their Business, forfeit 20 l.

XXXVIII. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time after the Expiration of fifteen Years, to be computed from the eleventh Day of *February* one thousand seven hundred and fifty-six, and not sooner, upon six Months Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament, and upon Repayment by Parliament of the whole principal Sum of one million five hundred thousand Pounds, for which the said Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*, are payable, The Annuities at 3 l. 10 s. per Cent. not redeemable till after the Expiration of 15 Years, &c.

to

to such respective Persons or Corporations as shall be intitled to the same Annuities, or upon the like Repayment by Parliament of any Part of the said Sum of one million five hundred thousand Pounds, so as such Part of the Sum so paid at any one Time be not less than five hundred thousand Pounds; and also upon full Payment of all Arrearages of the same Annuities; then, and not till then, the said Annuities shall cease and determine, and be understood to be redeemed; and that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice, within the Words and Meaning of this Act.

Bank to continue a Corporation till these Annuities be redeemed, &c.

XXXIX. Provided always, and it hereby enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any their own Funds in pursuance of the said Acts for establishing the same, or any of them, shall continue a Corporation till all the said several Annuities shall be redeemed by Parliament, according to the Provisoes herein before contained in that Behalf; and that the said Governor and Company, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

Limitation of Actions.

General Issue.

Treble Costs.

XL. And it is hereby enacted by the Authority aforesaid; That if any Person or Persons shall at any Time or Times be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

CAP. VIII.

An Act to repeal a Clause in an Act made in the twenty-sixth Year of his present Majesty, intituled, *An Act to oblige Ships more effectually to perform their Quarentine; and for the better preventing the Plague being brought from foreign Parts into* Great Britain *or* Ireland, *or the Isles of* Guernsey, Jersey, Alderney, Sark *or* Man, whereby the stationing of Ships infected with the Plague, to the Northward of *Cape Finisterre*, is confined to the Harbour of *New Grimsby*, and removeable to no other Place; and for appointing a more safe and commodious Place instead thereof.

26 Geo. 2. c. 6. §. 2.

For former Provisions refer to 9 *Ann.* c. 2. 7 *Geo.* 1. *st.* 1. c. 3. 8 *Geo.* 1. c. 8. 10 & 18. 1 *Geo.* 2. c. 13. 6 *Geo.* 2. c. 34.

WHEREAS by an Act of Parliament made and passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act to oblige Ships more effectually to perform Quarentine; and for the better preventing the Plague being brought from foreign Parts into* Great Britain *or* Ireland, *or the Isles of* Guernsey, Jersey, Alderney, Sark *or* Man; it is (amongst other Things) enacted, That if the Plague shall appear on Board any Ship, being to the Northward of *Cape Finisterre*, the Master, Commander or other Person, having Charge thereof, shall immediately proceed to the Harbour of *New Grimsby*, in the Islands of *Scilly*, and there shall remain till Intelligence thereof shall be communicated in Manner as therein mentioned, to one of his Majesty's Principal Secretaries of State, and his Majesty's Pleasure be known therein: And whereas it now appears, that the said Harbour of *New Grimsby* is an improper and dangerous Place for the Reception of Ships and Vessels infected with the Plague, by reason that the same lies between the Islands of *Tresco* and *Bryer*, both fully inhabited: And whereas there is another Harbour in the said Islands of *Scilly*, called *Saint Helen's Pool*, which is safe and commodious for the Reception of Ships and Vessels, and, being situate between three uninhabited Islands, is a more proper Place for the stationing of Ships infected with the Plague than the said Harbour of *New Grimsby*;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Clause in the above-mentioned Act, whereby the stationing of Ships infected with the Plague, to the Northward of *Cape Finisterre*, is confined to the Harbour of *New Grimsby*, and removeable to no other Place, shall, from and after the passing of this present Act, be, and is hereby declared to be, and stand totally repealed to all Intents and Purposes.

The recited Clause repealed.

Vessels infected, being to the northward of Cape Finisterre, to proceed to St. Helen's Pool and perform Quarentine, &c.

II. And be it further enacted by the Authority aforesaid, That from and after the said passing of this present Act, if the Plague shall appear on Board any Ship or Vessel, being to the Northward of *Cape Finisterre*, the Master, Commander or other Person having the Charge of such Ship or Vessel, shall immediately proceed to the Harbour of *Saint Helen's Pool*, between the uninhabited Islands of *Saint Helen's Tean* and *North Withell*, or to such other Place as his Majesty, his Heirs or Successors, by and with the Advice of his or their Privy Council, shall from Time to Time direct and appoint, and shall there remain in like Manner, and subject to the like Orders, Provisions, Restrictions and Regulations, and subject to the like Penalties for Disobedience, as are enacted, provided and inflicted by the aforesaid Act, with respect to Ships infected with the Plague proceeding to the Harbour of *New Grimsby*; and that the Custom-house Officers shall send Intelligence to one of his Majesty's Principal Secretaries of State, of all Ships or Vessels infected with the Plague coming into the said Harbour of *Saint Helen's Pool*, or such other Place as shall by his Majesty, his Heirs or Successors, by and with the Advice of his or their Privy Council, be directed and appointed, in such and the like Manner as they are by the said

Custom-house Officer to send Notice thereof to the Secretary of State.

See farther 33 *Geo.* 2. *c.* 16.

said Act obliged and required to do, with regard to Ships so infected coming into the said Harbour of *New Grimsby*.

CAP. IX.

An Act for establishing a Fund for Payment of the Bonds of the Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens, called *Bedford Level*; and for exchanging the present Bonds of the said Corporation for other Bonds, payable out of the Revenues of the Middle and South Levels, Part of the said Great Level; and for enabling the said Corporation to borrow further Sums for the Use of the said Great Level. P. R.

'WHEREAS by an Act of Parliament made in the fifteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for settling the Draining of the Great Level of the Fens, called* Bedford Level, taking Notice that *Francis* Earl of *Bedford*, according to a Law of Sewers, made at *King's Lynn* in the sixth Year of the Reign of King CHARLES the First, had undertaken the Draining of the said Great Level, situate within the Counties of *Northampton*, *Norfolk*, *Suffolk*, *Lincoln*, *Cambridge* and *Huntingdon*, and the Isle of *Ely*, and bounded as in the said Act is particularly mentioned and described; and that he the said Earl was to have for his Recompence ninety-five thousand Acres of the Grounds within the said Level, with convenient Highways and Passages to the same; and that *William* Earl of *Bedford*, Son and Heir of the said Earl *Francis*, with divers of his Adventurers and Participants, had proceeded in the completing and finishing of the said Works; but that the same could not be preserved without constant Care, great Charge and orderly Government; it was therefore, amongst other Things, enacted, That the said *William* Earl of *Bedford*, and the Adventurers and Participants of the said Earl *Francis* and Earl *William*, or either of them, their Heirs and Assigns, in such Manner as in the said Act is contained, should be a Body Politick and Corporate, in Deed and Name, and have Succession for ever, by the Name of *The Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens*; with Power to lay Taxes upon the said ninety-five thousand Acres only (twelve thousand Acres whereof had been designed and intended for his late Majesty King CHARLES the First, and had been set forth and allotted by Bounds in Severalty) for the Support, Maintenance and Preservation of the said Great Level, and to levy the same with Penalties for Non-payment, and to do all other Things in order to the Support, Maintenance and Preservation of the said Great Level and Works made, and to be made, in such Manner as in the said Act is mentioned: And whereas by another Act made in the twentieth Year of the Reign of King CHARLES the Second, intituled, *An Act for the taxing and assessing of the Lands of the Adventurers within the Great Level of the Fens*, it was enacted, That eighty-three thousand Acres, Parcel of the said ninety-five thousand Acres, should from Time to Time be taxed and assessed by a gradual Acre-tax, of different Sorts and Values of Lands; and that the said twelve thousand Acres, Residue of the said ninety-five thousand Acres, should be rated at a Medium of the whole Tax, to be from Time to Time assessed upon the said ninety five thousand Acres: And to the End that the said eighty-three thousand Acres might be more equally taxed by a gradual Tax, certain Persons in the same Act named were appointed Surveyors and Valuers of the said eighty-three thousand Acres; and were, within the Time limited by the said Act, to digest the said eighty-three thousand Acres into a Number of Sorts and Degrees, not under the Number of seven Sorts and Degrees, and to rate and tax such Degrees, and digest the same into Schedules in Writing, and make Returns thereof, upon their Oaths, into the Fen Office, in such Manner as by the said Act is prescribed: And whereas by Valuations made by the several Persons appointed by the said Act of the twentieth of King CHARLES the Second, and duly returned into the Office of the said Corporation in *London*, the said eighty-three thousand Acres were set out and digested into eleven different Sorts and Degrees of Land, and the several Sums to be rated and assessed upon each of the said Sorts and Degrees, as their respective Proportions of the Taxes to be paid to the said Corporation were by the said Valuations settled and limited; and the said eighty-three thousand Acres have always since been taxed by a gradual Acre-tax, according to the Degrees and Proportions so set out and allotted, and the said twelve thousand Acres at a Medium of such Tax; a single Tax upon the said eighty-three thousand Acres, together with the Produce of a proportionable Tax upon the said twelve thousand Acres, amounting to the Sum of five thousand and fifty-one Pounds seven Shillings and two Pence: And whereas by another Act made in the twenty-seventh Year of the Reign of his present Majesty, intituled, *An Act for discharging the Corporation of the Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens, commonly called* Bedford Level, *from a Debt due to the Duke of* Bedford *and Earl of* Lincoln; *and for enabling the Proprietors of Lands in the North Level, Part of the said Great Level, to raise Money to discharge the Proportion of the said North Level in the Debts of the said Corporation; and for ascertaining and appropriating the Taxes to be laid on the said North Level; and for the more effectual draining and preserving the said North Level, and divers Lands adjoining thereto, in the Manor of* Crowland; taking Notice (amongst other Things) that at a Court of the said Corporation, held the tenth Day of *March* one thousand six hundred and ninety-seven, the said Corporation declared, that the said Great Level should be distinguished by the several Names of the *North Level*, *Middle Level*, and *South Level*; and also taking Notice that the said Corporation, in order to support and preserve the several Works for draining the said Great Level, had been obliged to borrow

20 Car. 2. c. 17.

20 Car. 2. c. 8.

27 Geo. 2. c. 19.

' Money

'Money and contract Debts, amounting in the whole to the Sum of forty-nine thousand one hundred 'and fifty-three Pounds eleven Shillings and nine Pence; it was, amongst other Things, enacted, That 'the said Governor, Bailiffs and Commonalty of the Company of Conservators of the said Great Level 'of the Fens, and their Successors, and all and every the Lands, Taxes, Rents and Revenues of the 'said Corporation, should be absolutely discharged from the Sum of eighteen thousand nine hundred 'and thirteen Pounds eleven Shillings and nine Pence (Part of the said Debt of forty-nine thousand one 'hundred and fifty-three Pounds eleven Shillings and nine Pence) due and owing to the most noble '*John* Duke of *Bedford*, and the right honourable *Henry* Earl of *Lincoln*, who are the Owners of the 'greatest Part of the Lands lying within the said North Level; and that the Sum of one thousand eight 'hundred Pounds, to be raised from the taxable Lands, lying within the said North Level, in the Man-'ner by the said Act directed, should, when raised, be applied in Discharge of the Proportion of the 'said North Level of and in the Residue of the said Debt of forty-nine thousand one hundred fifty-three 'Pounds eleven Shillings and nine Pence: And it was by the said last-mentioned Act also further 'enacted and declared, That the Taxes chargeable by virtue of the said Acts of the fifteenth and twen-'tieth Years of King CHARLES the Second, upon the taxable Lands within the said North Level, 'should be always thereafter fixed and settled upon so much thereof as shall be Part of the said eighty-'three thousand Acres, at a Tax and a Quarter, and on so much thereof as shall be Part of the said 'twelve thousand Acres, in Proportion thereto, according to the said Act of the twentieth of King 'CHARLES the Second, and should not be lessened or increased under any Pretence whatsoever; and 'that all the Money which should arise or be produced by the said Taxes, within the said North Level, 'and all other the Rents and Revenues arising and payable to the said Corporation, by, from or out 'of the said North Level, or any Part thereof, should from thenceforth be applied and disposed of by 'the said Governor, Bailiffs and Commonalty, and their Successors, in and about the several Banks and 'Works of the said North Level, in the said Act particularly mentioned, and to and for no other 'Purpose whatsoever; and that the said North Level, and all and singular the Lands, Tenements, 'Rents, Taxes and Revenues thereof, should be freed, exonerated and discharged, of and from the 'Residue of the said Debt of forty-nine thousand one hundred and fifty-three Pounds eleven Shillings 'and nine Pence, and all Interest payable for and in respect thereof; and that the said North Level, 'or the Lands, Tenements, Rents, Revenues and Taxes thereof, or of any Part thereof, should not be 'subject or liable to the Payment of any Debt, or Sum or Sums of Money, which should at any Time 'thereafter be contracted, taken up or borrowed by the said Corporation, for or on Account of the said 'Middle or South Levels, or either of them; and also that the said Middle and South Levels, or either of 'them, or the Lands, Tenements, Rents, Revenues and Taxes of them or either of them, should not be 'subject or liable to the Payment of any Debt, or Sum or Sums of Money whatsoever, which should at 'any Time thereafter be contracted, taken up or borrowed by the said Corporation, on Account of the said 'North Level: And whereas, the said Sum of one thousand eight hundred Pounds has been raised and ap-'plied in pursuance of the said Act of the twenty-seventh Year of his present Majesty's Reign; and the 'said Corporation have also, since the making of the said last-mentioned Act, paid off the Sum of one 'thousand Pounds, in further Part of the said Debt of forty-nine thousand one hundred and fifty-three 'Pounds eleven Shillings and nine Pence, over and besides the said Sum of one thousand eight hun-'dred Pounds raised and applied as aforesaid; whereby the Debt of the said Corporation is reduced to 'the Sum of twenty-seven thousand four hundred and forty Pounds: And whereas the said Debt of 'twenty-seven thousand four hundred and forty Pounds is secured by Bonds, under the Seal of the 'said Corporation, who have thereby bound and obliged themselves to pay the several Sums mentioned 'in the said respective Bonds; and inasmuch as the said Sum of twenty-seven thousand four hundred 'and forty Pounds is, by the said Act of the twenty-seventh Year of his present Majesty, become a 'Charge upon the said Middle and South Levels only, it is become necessary to exchange the Bonds 'for securing the said Debt, and to mention in the new Bonds, to be given for that Purpose, that the 'Money so to be secured is due from the said Middle and South Levels only: And whereas Doubts 'have arisen amongst the Creditors of the said Corporation, concerning the Securities they now have 'for their respective Debts, by reason that the said Corporation have it in their Power, under the be-'fore-mentioned Acts of the fifteenth and twentieth of King CHARLES the Second, either to tax such 'Parts of the said ninety-five thousand Acres, as lie within the said Middle and South Levels, with 'very small Taxes, or not to tax the same at all, whereby the Fund for the Payment of the Debts 'due to the said Creditors may become deficient: And whereas the said Corporation may have Occa-'sion to borrow further Sums of Money for the Support and Preservation of the said Great Level; 'and it will be necessary to distinguish in all future Bonds to be entered into by the said Corporation, 'whether the Money borrowed upon such Bonds be for or on Account of the said Middle and South 'Levels, or for or on Account of the said North Level:' To the End therefore that a sufficient Fund may be at all Times hereafter raised and secured for Payment of the Bonds of the said Corporation; and that the Bonds given by the said Corporation for the said Sum of twenty-seven thousand four hundred and forty Pounds may be exchanged as aforesaid; and that the said Corporation may be enabled to borrow such further Sums as shall be necessary for the Support and Preservation of the said Great Level; and that distinct Bonds may be given for the Money which shall be so borrowed upon Account of the said Middle and South Levels, and upon Account of the said North Level; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That during such Time as any Debt or Sum of Money shall be due and owing from or upon Account of the said

said Middle and South Levels, all such Parts of the said eighty-three thousand Acres as lie within the said Levels, or either of them, shall yearly and every Year be, and the same are hereby rated, taxed, charged and assessed by and with a single gradual Acre-tax; and such Parts of the said twelve thousand Acres as lie within the said Middle or South Levels, with a Medium of such single gradual Acre-tax, according to the said Act of the twentieth of King CHARLES the Second, and the Valuations made in pursuance thereof.

A single Tax to be laid upon the Middle and South Levels, during the Continuance of any Debt thereon.

II. Provided always, That it shall be lawful for the Governor, Bailiffs and Conservators, of the said Corporation, from Time to Time, to rate, tax, charge or assess, all such Parts of the said eighty-three thousand Acres, and twelve thousand Acres, as lie within the said Middle or South Levels, with any farther Tax, which they the said Governor, Bailiffs and Conservators shall judge necessary, in the same Manner as they might have done before the making of this Act.

Corporation impowered to lay a farther Tax, if necessary.

III. And be it further enacted, That in lieu of the Bonds heretofore given by the said Corporation, for securing the Payment of the said Debt of twenty-seven thousand four hundred and forty Pounds, the said Governor, Bailiffs and Conservators, or any five or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, shall give other Bonds under the Common Seal of the said Corporation, for the respective Sums due to the Person or Persons possessed of such Bonds, mentioning in the Bonds so to be given, that the Money secured thereby, is due and owing upon Account of the said Middle and South Levels; and all and singular the Rents, Taxes and Revenues, of the said Middle and South Levels, shall be, and they are hereby declared to be, a Security for, and shall be charged and chargeable with the Payment of the Sums mentioned in such Bonds, and all Interest due, and to become due thereupon.

New Bonds to be given in lieu of the Bonds for the present Debt.

IV. And to the End, that the said Corporation may be at all Times enabled to raise such Sums of Money as shall be necessary for the Support and Preservation of the said Great Level, and for defraying the other necessary Expences attending the same; Be it further enacted, That it shall be lawful for the said Governor, Bailiffs and Conservators, or any seven or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, with the Consent of the Duke of *Bedford*, his Heirs or Assigns, Lord or Lords, Lady or Ladies, of the Manor of *Thorney*, and of the Earl of *Lincoln*, his Heirs or Assigns, Owner or Owners of *High* and *Low Borough* Fen, from Time to Time to borrow upon Bonds, under the Common Seal of the said Corporation, such Sum or Sums of Money, as they the said Governor, Bailiffs and Conservators, or any seven or more of them, as aforesaid, shall judge necessary, for the Use of the said North Level, not exceeding in the Whole the Sum of five thousand Pounds; declaring in such Bonds, that the Money secured thereby, is due and owing upon Account of the said North Level; and also any Sum or Sums of Money, which they the said Governor, Bailiffs and Conservators, or any seven or more of them, as aforesaid, shall judge necessary, for the Use of the said Middle and South Levels, or either of them, so as by the borrowing of such Sum or Sums, the Debt of the said Corporation upon Account of the said Middle and South Levels, be not at any Time made to exceed in the Whole, the Sum of thirty-two thousand Pounds; declaring in the Bonds to be given for such Sum or Sums, that the Money secured thereby is due and owing upon Account of the said Middle and South Levels: And the respective Rents, Taxes and Revenues of the said North Level, and of the said Middle and South Levels, shall be, and they are hereby made a Security for Repayment of the Sums so respectively to be borrowed, with legal or less Interest for the same, as shall be agreed upon between the said Corporation, and the Person or Persons lending such Money; but no Money to be borrowed upon Account of the said North Level shall be charged or chargeable upon any of the Rents, Taxes or Revenues of the said Middle and South Levels, or either of them; nor shall any Money to be borrowed on Account of the said Middle and South Levels be charged or chargeable upon any of the Rents, Taxes or Revenues of the said North Level, or any Part thereof.

Corporation impowered to borrow for the Use of the North Level, not exceeding 5000 l.

and any Sum for the Middle and South Levels, so as the whole Debt do not exceed 32,000 l.

Money borrowed for the North Level, not to be chargeable on the Middle and South Levels; and vice versa.

V. Provided always, and be it enacted, That all Bonds to be hereafter given by the said Corporation shall be numbered, beginning with Number one, and so proceeding in arithmetical Progression; and that no Bond shall be given for any greater or less Sum than one hundred Pounds.

Bonds to be numbered; and none to be for more than 100 l.

VI. And be it further enacted, That all Bonds to be given by the said Corporation shall be transferable or assignable by Indorsement upon the original Bond, without Stamps, to any Person or Persons whomsoever; and such Transfer or Assignment being produced to the Register of the said Corporation, and by him entered in a Book to be kept for that Purpose, (which Entry the said Register is hereby required to make upon Request, the Person producing such Transfer or Assignment paying the Sum of two Shillings and six Pence for every such Entry) shall intitle the Person or Persons to whom such Transfer or Assignment shall be made, his, her or their Executors, Administrators or Assigns, to the Money secured by such Bond, and all Interest due or to grow due thereupon: And such Assignee or Assignees may in like Manner, by Indorsement without Stamp, assign and transfer such Bond or Bonds so assigned as aforesaid; and so *toties quoties*, as Occasion shall require; every such Assignment being entered in such Book as aforesaid.

To be transferable without Stamps.

Assignments to be entered by the Register.

VII. And be it further enacted, That all and singular the Rents, Taxes and Sums of Money to be received, raised or levied by the said Corporation, from, upon or upon Account of such Part of the said ninety-five thousand Acres as lie within the said North Level, shall be charged and chargeable, in the first Place, with the Payment of such Sums of Money as shall at any Time hereafter be borrowed by the said Corporation upon Account of the said North Level, and the Interest of such Sums; any Thing in the said Act of the twenty-seventh Year of his present Majesty's Reign to the contrary thereof in any wise notwithstanding: And that all and singular the Rents, Taxes and Sums of Money to be received, raised or levied by the said Corporation, from, upon or upon Account of such Part of the said ninety-five thousand Acres as lie within the said Middle and South Levels, or either of them, shall be charged and

Money raised by the Corporation upon the taxable Lands in the respective Levels how to be applied.

and chargeable, in the first Place, with the Payment of the aforesaid Debt of twenty-seven thousand four hundred and forty Pounds, and of such other Sums of Money as shall be borrowed upon Account of the said Middle and South Levels, and of the Interest of such Debt, and Sums of Money: And the Receiver of the said Corporation is hereby impowered and required, out of the first Money which shall from Time to Time come to his Hands, arising from the Rents, Taxes and Revenues of the said North Level, to pay the Interest of such Bonds as shall be entered into upon Account of the said North Level, and also the principal Money due upon such Bonds, upon six Months Notice left for that Purpose at the Office of the said Corporation in *London*, by the Person or Persons possessed of such Bonds: and the said Receiver is also hereby impowered and required, out of the first Money which shall from Time to Time come to his Hands, arising from the Rents, Taxes and Revenues of the said Middle and South Levels, to pay the Interest of such Bonds as shall be entered into upon Account of the said Middle and South Levels, and also the principal Money due upon such Bonds, upon like Notice left at the Office of the said Corporation.

Bonds to be paid off upon six Months Notice.

If not paid, Revenues of the Corporation to vest in the Possessors of the Bonds.

VIII. Provided always, and it is hereby enacted and declared, That in case any of the Bonds to be given by the said Corporation, upon Account of the said North Level, or upon Account of the said Middle and South Levels, shall not be paid by the said Receiver, pursuant to such Notice left or given as aforesaid, then the Rents, Taxes and Revenues of the said North Level, and of the said Middle and South Levels, shall respectively vest in the Person or Persons possessed of such Bonds, until the same, together with all Interest due thereupon, shall be fully satisfied and paid: And such Person or Persons, their Executors, Administrators or Assigns, shall have the same Power, Rights and Privileges of recovering the said Rents, Taxes and Revenues of the said North Level, and of the said Middle and South Levels respectively, as the said Corporation would have had, in case such Bonds had been regularly and fully satisfied and paid.

Distinct Accounts to be kept of the Revenues of the respective Levels.

IX. And be it further enacted, That a distinct Account shall, from Time to Time, be kept of the Rents, Taxes, Revenues and Sums of Money, arising and payable to the said Corporation within the said North Level, and of all Monies which shall be applied and disposed of for the Use or upon Account of the said North Level, or any Part thereof; and that a like Account shall from Time to Time be kept of the Rents, Taxes, Revenues and Sums of Money, arising and payable to the said Corporation within the said Middle and South Levels, and of all Monies which shall be applied and disposed of for the Use or upon Account of the said Middle and South Levels, or either of them.

Publick Act.

X. And be it further enacted and declared, That this Act shall be deemed and allowed, in all Courts within this Kingdom, to be a publick Act; and shall be judicially taken Notice of as such by all Judges, Justices and other Persons, without specially pleading the same.

CAP. X.

An Act for the better ascertaining, recovering and collecting certain Duties payable upon the Importation and Exportation of Goods and Merchandizes into or out of the Harbour of the Town and County of *Poole*; and also of Ballast and Boomage Duties, payable in respect of Ships and Vessels coming into and going out of the said Harbour; and for the enlarging, better repairing and keeping in Repair the said Harbour, and the Quays and Wharfs; and for providing a proper Place for keeping Gunpowder in or near the said Town; and for establishing and regulating a nightly Watch, and enlightening the Streets in the said Town. PR.

‘WHEREAS the Mayor, Bailiffs, Burgesses and Commonalty of the Town and County of the Town of *Poole* have, Time out of Mind, received and been intitled to receive certain Duties called Petty Customs or Wharfage, upon the Importation and Exportation of all Goods and Merchandizes into and out of the Harbour of *Poole* aforesaid, from the Owner, Importer or Exporter of such Goods and Merchandizes, and also certain other Duties called Boomage and Ballast Duty, from the Masters or Commanders of Ships and Vessels; which said several Duties have been constantly under the Management of the Mayor, Bailiffs and Burgesses of the said Town and County of the Town of *Poole*, as Trustees and Managers; and the said Duties have been applied for the repairing the said Harbour, Quays and Wharfs, and other Works necessary for the more convenient Use of the same, within the said Town and County: And whereas several Persons have refused to pay the said Duties, induced thereto by the great Difficulties in supporting, by strict legal Evidence, prescriptive Claims and Rights to Duties on each particular Species of Goods, and the exact and precise Sums payable for the same: And although the said Mayor, Bailiffs, Burgesses and Commonalty have brought several Actions, in order to establish such their ancient Rights; yet, by Means of the Expences in carrying on such Suits, and the many continued Evasions and Refusals of Payment, the Money raised by such Duties is not sufficient to repair the said Harbour, Quays and Wharfs, which are now in a ruinous Condition, and will be intirely destroyed, if not timely prevented:’ For Remedy whereof, be it enacted, *&c.*

“ There shall be paid to the Mayor, *&c.* the Rates and Duties mentioned in the Schedule, and no others.
“ Mayor, *&c.* to appoint and remove Officers, allow Salaries to, and take Securities from such Officers.
“ Quay-master, *&c.* to keep Accounts. Rates and Duties to be levied by Distress. Masters, *&c.* of
“ Ships not delivering in an Account of their Loadings, to forfeit 10 *l.* Goods that have paid the Duty

“ on

" on Importation, not chargeable on Exportation. Quay-masters may appoint the mooring, &c. of " Ships. Masters, &c. of Ships not observing his Directions, to forfeit 40 *s.* The Money to be ap- " plied to the cleansing and enlarging the Harbour, Wharfs, &c. Persons chargeable to the Repairs of " Wharfs, to continue so. Mayor, &c. may purchase Lands for enlarging the Wharfs. Where Per- " sons are incapable, or refuse to treat for Sale of Lands, the Damage and Recompence to be assessed by " a Jury. Lands purchased, to be deemed publick Quays or Wharfs. Mayor, &c. may borrow Mo- " ney on the Credit of the Tolls. Assignments may be transferred. Goods landed shall be removed " from the Quays, &c. in 3 Days, on Penalty of 12 *d. per* Ton; and the same Penalty for every " 48 Hours afterwards. Persons emptying Ballast, &c. into the Harbour, liable to such Penalties as " Persons convicted for publick Nusances. Mayor and eleven Commissioners to be chosen yearly by the " Inhabitants. On Death or Removal of the Commissioners, others to be chosen. In case the Inhabitants " neglect to appoint Commissioners, the Mayor and Bailiffs are to put the Act in Execution; and on " their Refusal, a Majority of the Inhabitants. Commissioners to appoint Watchmen, who shall execute " Orders of the Commissioners, under Penalty of 10 *s.* Commissioners to appoint Number and Sort of " Lamps; and regulate the Watchmen; and the Manner of keeping and lighting the Lamps. Orders " relating to the Watch to be delivered to the Water Bailiff and Assistant Constables, who shall keep " Watch and Ward by Turns, endeavour to prevent Mischiefs by Fire, apprehend disorderly Persons, " and take Notice if the Watchmen do their Duties. Mayor and one Justice may remove Watchmen. " Watchmen to apprehend disorderly Persons. Commissioners to appoint Assessors, who are to assess " Owners and Occupiers of Houses, &c. which shall be allowed by two Justices, and collected quarterly " or half-yearly. Assessments may be levied by Distress and Sale. Security to be taken of Collectors; " and Salaries to be allowed to them. Differences to be determined by the Mayor and Justices. If Persons " liable to pay any Rate shall remove, it may be levied, or recovered by Action. No Settlement shall " be gained by Payment of the Rates. If Persons neglect to account, and pay the Money remaining " in their Hands, it may be levied by Distress; and for want of Distress the Person to be committed. If " any Money shall be lost, an additional Assessment shall be made. Property of Lamps vested in the " Mayor, &c. The Assessments to be applied for watching and lighting the Town, and building a " Magazine for Gunpowder. 5 *l.* Penalty on Persons breaking Lamps. Persons may lodge Gunpowder " in the Magazine paying six-pence a Hundred Weight. No more than 10lb. of Gunpowder to be kept " in any House, &c. or aboard a Ship. Justices may issue Warrants to search for Gunpowder, and seize " and sell the same. Exception for Gunpowder belonging to his Majesty. Persons aggrieved may appeal " to the Quarter-Sessions. Inhabitants of *Poole* allowed to be Evidences."

The SCHEDULE referred to, *viz.* For Harbour Duties, Quayage or Wharfage, Boomage and Ballast Duties, chargeable on Goods, and to be payable by the Master of every Ship coming into, loading or unloading any in *Poole* Harbour.

" For every Ton of Goods, shipped or unshipped within the Limits of the Harbour of *Poole*, 3 *d.*
" Provided that it shall be lawful to import or export Goods, into or from any Part of the Channel " leading to *Wareham*, to the Westward of the Southwest Buoy off the Bulwarks of *Hamkey*, and near " the Entrance of the little Channel leading to the Town of *Poole*, free from the said Duty; neither " shall any Duty be paid for bringing Goods in Boats without Decks from *Wareham*, or any Part of the " Channel to the West of the Southwest Buoy, or any Part of the Isle of *Purbeck* within *North Haven* " *Point*, to *Poole*, or from *Poole* to *Wareham*, &c."

BOOMAGE.

" For Boomage the following Duties shall be paid, except for such Vessels as are employed in Fishing " and Dredging, *viz.*
" Every decked Vessel of the Burthen of 10 Tons, or under, 6*d.* Of 20 Tons, or above 10 Tons, 1 *s.* " Of 30 Tons, or above 20 Tons, 2 *s.* Of 40 Tons, or above 30 Tons, 3 *s.* Of 50 Tons, or above " 40 Tons, 4 *s.* Of 60 Tons, or above 50 Tons, 5 *s.* Of 100 Tons, or above 60 Tons, 6 *s.* Of " a Burthen above 100 Tons, 7 *s.*"

BALLAST.

" For Ballast the following Duties, *viz.* For every Ton of Ballast, shipped or unshipped, 6 *d.*
" It shall be lawful to ship or unship Ballast in any Part of the Channel leading to *Wareham*, to the " Westward of the Southwest Buoy, or any Part of the Isle of *Purbeck*, within *North Haven Point*, " Duty free; any Ship throwing out Ballast at any Quay within the Mouth of the little Channel " within *Poole Stakes*, leading to the said Town of *Poole*, in order to careen, shall only pay 6 *d. per* " Ton; and no Duty shall be paid for reshipping the same. Tobacco-pipe Clay shall be free."

CAP. XI.

An Act for the better supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on board Merchant Ships and other trading Ships and Vessels.

FOR the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on board Merchant Ships and other trading Ships and Vessels; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, until the twenty-fifth Day of *March* one thousand seven hundred and fifty-seven, and no longer (except in respect to such Merchant Ships and other trading Ships or Vessels which shall be on their Voyage before the said twenty-fifth Day of *March* one thousand seven hundred and fifty-seven, who shall be and are hereby allowed the Liberty and Benefit of returning home navigated in the Manner as herein after is provided) it shall and may be lawful for any Merchant Ship or other trading Ship or Vessel to be navigated by foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majesty's natural or naturalized Subjects; so as the Number of such foreign Seamen or Mariners do not exceed three fourths of the Mariners at any one Time employed to navigate such Merchant Ship or other trading Ship or Vessel; and that one fourth at least of the Mariners or Seamen so employed be at all Times Natives, or his Majesty's naturalized Subjects of *Great Britain*, (sudden Death, and Hazard and Casualties of War and the Seas, saved and excepted) one Act of Parliament made in the twelfth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for the encouraging and increasing Shipping and Navigation*, or any other Statute or Law to the contrary notwithstanding.

Merchant Ships may be navigated by Foreign Seamen,

so as they exceed not three Fourths of the Crew, and that one Fourth be Natives, &c. notwithstanding 12 Car. 2. c. 18.

II. Provided always, That nothing in this Act contained shall extend to take away or restrain the Effect of any such Royal Proclamation as his Majesty, his Heirs and Successors, are impowered to make by virtue of an Act passed in the thirteenth Year of his Majesty's Reign, intituled, *An Act for the better Supply of Mariners and Seamen to serve in his Majesty's Ships of War, and on board Merchant Ships and other trading Ships and Privateers.*

The King's Proclamation not to be restrained thereby. 13 Geo. 2. c. 3.

CAP. XII.

An Act for granting to his Majesty a Duty upon Licences for retailing Beer, Ale, and other exciseable Liquors; and for establishing a Method for granting such Licences in *Scotland*; and for allowing such Licences to be granted at a Petty Session in *England*, in a certain Case therein mentioned.

Most Gracious Sovereign,

5 Ann. c. 23. 'WHEREAS by an Act made in the ninth Year of the Reign of Queen ANNE, intituled, *An Act for licensing and regulating Hackney Coaches and Chairs, and for charging certain new Duties on stampt Vellum, Parchment and Paper, and on Cards and Dice, and on the Exportation of Rock Salt for* Ireland; *and for securing thereby, and by a weekly Payment out of the Post Office, and by several Duties on Hides and Skins, a yearly Fund of one hundred and eighty-six thousand six hundred and seventy Pounds, for thirty-two Years, to be applied to the Satisfaction of such Orders as are therein mentioned, to the Contributors of any Sums not exceeding two millions, to be raised for carrying on the War, and other her Majesty's Occasions*, it was amongst other Things enacted, That there should be raised, levied, collected and paid unto, and for the Use of her Majesty, her Heirs and Successors, for the several and respective things in the said Act mentioned, which should be ingrossed, printed or written, the several and respective Rates, Duties, Charges and Sums of Money, in the said Act expressed; and that for every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which (within or during the Term of thirty-two Years, to be reckoned from the thirty-first Day of *August* in the Year one thousand seven hundred and eleven) should be ingrossed or written any Licence for selling of Ale, Beer, or other exciseable Liquors, by Retail, the Sum or Duty of one Shilling should be raised, levied, collected and paid, unto and for the Use of her Majesty, her Heirs and Successors, in such Manner as in the said Act is expressed; which 3 Geo. 1. c. 7. Duty was, amongst other Rates and Duties, by an Act of the third Year of the Reign of his late Majesty King GEORGE the First, made perpetual, and made Part of the Fund, commonly called *The* '6 Geo. 1. c. 21.' *General Fund:* And whereas by a Clause of an Act made in the sixth Year of the Reign of his said late Majesty King GEORGE the First, intituled, *An Act for preventing Frauds and Abuses in the publick Revenues of Excise, Customs, Stamp Duties, Post Office and House Money*, it is, amongst other Things, enacted, That all Mayors, Town Clerks and other Persons whom it may concern, who shall take any Recognizances from Persons for whom Licences are intended for selling Ale and other exciseable Liquors, shall be obliged to make, or cause to be made out, Ale Licences, duly stampt, before such Recognizances be taken, under the Penalty of ten Pounds for every such Offence: And whereas by an Act 16 Geo. 2. c. 8. made in the sixteenth Year of the Reign of his present Majesty, intituled, *An Act for repealing certain Duties on Spirituous Liquors or Strong Waters, and on Licences for retailing the same; and for laying other Duties on Spirituous Liquors, and on Licences to retail the said Liquors*; all Persons are forbid, under the Penalties by the said Act inflicted, to retail certain Spirituous Liquors therein enumerated, without first taking out a yearly Licence for that Purpose, in Manner in the said Act directed; for which Licence the Sum of twenty Shillings yearly is thereby directed to be paid: And it is also thereby enacted, That

'no such Licence shall be granted for selling by Retail any Spirituous Liquors or strong Waters whatsoever, except to such Persons only who shall keep Taverns, Victualling-houses, Inns, Coffee-houses or Ale-houses: And it is thereby provided and declared, That nothing in the said Act shall extend, or be construed to enable any Person or Persons to sell any Spirituous Liquors or Strong Waters by Retail, unless such Person or Persons be first licensed to sell Ale or Spirituous Liquors by two or more of his Majesty's Justices of the Peace for the County, Riding, Division, City or Liberty, wherein such Person or Persons shall sell the said Liquors, under the Hands and Seals of the said Justices: And whereas by an Act made in the twenty-fourth Year of his present Majesty's Reign, intituled, *An Act for granting to his Majesty an additional Duty upon Spirituous Liquors, and upon Licences for retailing the same; and for repealing the Act of the twentieth Year of his present Majesty's Reign, intituled,* An Act for granting a Duty to his Majesty to be paid by Distillers, upon Licences to be taken out by them for retailing Spirituous Liquors; *and for the more effectual restraining the retailing of distilled Spirituous Liquors; and for allowing a Drawback upon the Exportation of* British *made Spirits; and that the Parish of Saint* Mary le Bon, *in the County of* Middlesex, *shall be under the Inspection of the Head Office of Excise;* an additional Duty of twenty Shillings *per Annum* is directed to be paid for every Licence taken out for retailing Spirituous Liquors, to be paid down in like Manner, and at the same Time, and to be levied by the same Means, and under the like Penalties, as the Duty upon Licences to be granted by virtue of the said Act made in the sixteenth Year of the Reign of his present Majesty is directed to be raised, levied, collected and paid: And whereas by an Act made in this Session of Parliament, the Interest of fifteen hundred thousand Pounds, Part of the Sum of two millions advanced on the Credit of the said Act, after the Rate of three Pounds ten Shillings *per Annum*, and the Interest of five hundred thousand Pounds, Residue of the said Sum of two millions, after the Rate of three Pounds *per Annum*, are charged upon the Fund commonly called *The Sinking Fund*:' We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, towards making good the said Interest of the said Sum of two millions charged on the said Fund, have resolved to give and grant unto your Majesty a Duty of twenty Shillings for every Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which shall be ingrossed, written or printed, any Licence from Justices of the Peace for selling Ale, Beer, or other exciseable Liquors by Retail in *Great Britain*, over and above all other Duties chargeable thereupon; and do therefore most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Feast of *Easter* one thousand seven hundred and fifty-six, there shall be, throughout the Kingdom of *Great Britain*, raised, levied, collected and paid to his Majesty, his Heirs and Successors, for the Purpose aforesaid, a Duty of twenty Shillings for every Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which shall be ingrossed, written or printed, any such Licence for selling Ale or Beer, or other exciseable Liquors by Retail, over and above all other Duties chargeable thereupon.

24 Geo. 2. c. 40.
29 Geo. 2. c. 7.
For former Stamp Duties see 5 W. & M. c. 21.
6 & 7 W. 3. c. 12.
9 & 10 W. 3. c. 25.
1 Ann. st. 1. c. 13.
1 Ann. st. 2 c. 22.
4 & 5 Ann. c. 12.
5 Ann. c. 19.
8 Ann. c. 9.
9 Ann. c. 11 & 23.
10 Ann. c. 19 & 26.
12 Ann. st. 1. c. 2.
12 Ann. st. 3. c. 9.
5 Geo. 1. c. 19. § 48.
6 Geo. 1. c. 21.
11 Geo. 1. c. 8.
12 Geo. 1. c. 3.
9 Geo. 2. c. 32.
16 Geo. 2. c. 26.

Additional Stamp Duty of 20 s. laid on Licences for retailing Beer, and other exciseable Liquors.

II. And be it further enacted by the Authority aforesaid, That for the better and more effectual levying, collecting and paying the said Duty of twenty Shillings, the same shall be under the Government, Care and Management, of the Commissioners for the Time being appointed to manage the Duties charged on stampt Vellum, Parchment and Paper; who, or the major Part of them, are hereby required and impowered, to imploy the necessary Officers under them for that Purpose, and to cause such new Stamp to be provided, to denote the said Duty of twenty Shillings, as shall be requisite in that Behalf; and to do all other Things necessary to be done for putting this Act in Execution with relation to the said Duty hereby granted, in the like, and in as full and ample Manner, as they, or the major Part of them, are authorized to put in Execution any former Law concerning stampt Vellum, Parchment or Paper.

Duties to be under the Management of the Commissioners for Stamps; who are to appoint Officers, and provide a new Stamp.

III. And be it further enacted by the Authority aforesaid, That all Vellum, Parchment and Paper, upon which any such Licence shall from and after the Feast of *Easter* one thousand seven hundred and fifty-six, be ingrossed, written or printed, be brought to the Head Office for stamping or marking Vellum, Parchment and Paper; and the said Commissioners by themselves, or by their Officers imployed under them, shall forthwith upon Demand to them made, by any Person or Persons, from time to time, Stamp or Mark any Quantities or Parcels of Vellum, Parchment or Paper, to be used for the Purpose of ingrossing, writing or printing such Licence, he or they paying to the Receiver General of the Stamp Duties for the time being, or to his Deputy or Clerk, the Duty payable for the same by this Act, without any Fee or Reward; which Stamp or Mark to be put thereupon in pursuance of this Act, shall be a sufficient Discharge for the Duty hereby payable for the said Vellum, Parchment or Paper, which shall be so stampt or marked.

Paper, &c. for Licences to be brought to the Stamp Office, and Duties to be paid upon stamping.

IV. And be it further enacted by the Authority aforesaid, That the said Commissioners, and all other Officers who shall be employed in or about the collecting or managing of the said Duty hereby granted, shall in the Execution of their Offices and Trust, observe and perform such Rules, Methods and Orders, as they respectively shall, from time to time, receive from the Commissioners of the Treasury, or the Treasurer of the Exchequer for the time being; and that no Fee or Reward shall be demanded or taken by any such Commissioners and Officers relating to the said Duty, from any of his Majesty's Subjects, for any Matter or Thing to be done in pursuance of this Act; and in case any Officer intrusted in the Execution of this Act, in relation to the said Duty, shall refuse or neglect to perform any Matter or Thing by this Act required to be done or performed by him, whereby any of his Majesty's Subjects shall or may sustain any Damage whatsoever, such Officer so offending shall be liable by any Action

Commissioners and other Officers to obey Orders of the Treasury. No Fee payable on Account of the Duties. Officer neglecting his Duty, to the Damage of another, answerable for the same, with treble Costs.

Action to be founded on this Statute, to answer to the Party grieved all such Damage, with treble Costs of Suit.

Duties to be paid to the Receiver General of the Stamps, and by him into the Exchequer.

V. And it is hereby further enacted, That the Duty hereby granted, shall be paid, from time to time, into the Hands of the Receiver General for the time being of the Duties of stampt Vellum, Parchment and Paper, who shall keep a separate and distinct Account thereof, and pay the same (the necessary Charges of raising, paying and accounting for the same excepted) into the Receipt of the Exchequer, for the Purpose in the said Act expressed, at such Time, and in such Manner, as any former Duties on stampt Vellum, Parchment and Paper, are directed to be paid.

Commissioners to take Care that sufficient Quantities of stampt Paper, &c. be distributed.

VI. And be it further enacted by the Authority aforesaid, That the said Commissioners for the time being, shall take care that the several Parts of the Kingdom of *Great Britain* shall, from time to time, be sufficiently furnished with Vellum, Parchment and Paper, stampt and marked as by this Act is directed, to the End that the Subjects of his Majesty, his Heirs and Successors, may have it in their Election to buy the same of the Officers and Persons to be employed by the said Commissioners, at the usual and most common Rates above the said Duty, or to bring their own Vellum, Parchment or Paper to be stampt or marked as aforesaid.

Price of stampt Paper, &c. to be yearly set; and usual Allowance made for prompt Payment.

VII. And be it further enacted by the Authority aforesaid, That the Price of such stampt Vellum, Parchment and Paper, shall be yearly set, and such Price stampt, and such Allowance made upon present Payment of the said Duty, for any Quantity of the said Vellum, Parchment or Paper, so by the said Commissioners to be sold, in such Manner as by any former Law relating to stampt Vellum, Parchment or Paper, is directed.

Stamp may be altered, or renewed.

Allowance to be made thereupon for old stampt Paper, &c.

VIII. And be it further enacted by the Authority aforesaid, That the said Stamp hereby directed to be provided and used, shall and may be altered or renewed in such Manner as any other Stamp on Vellum, Parchment or Paper, are by any former Law relating to stampt Vellum, Parchment, or Paper directed to be altered or renewed; and that all Persons who shall have in their Custody or Possession, any Vellum, Parchment or Paper, marked with the Stamp or Mark which shall be so altered or renewed, or on which a new Stamp is hereby directed to be impressed, shall have the like Remedy and Allowance, as by any former Law relating to stampt Vellum, Parchment or Paper, is in like Cases directed.

Penalties on Breach of Trust, or Misapplication of Monies, by Commissioners or Officers.

IX. And be it further enacted by the Authority aforesaid, That the said Commissioners, and their Officers, shall be subject to such Penalties and Forfeitures for any Breach of the Trust hereby in them reposed, or for diverting or misapplying of the Money received in pursuance of this Act, as by any former Law relating to stampt Vellum, Parchment or Paper, are inflicted.

Concerning Stamp Duties see farther ch. 13. and 30 Geo. 2. c. 19. 32 Geo. 2. c. 35.

'X. And whereas Ale, Beer, and other exciseable Liquors, which cannot be sold by Retail in that 'Part of *Great Britain*, called *England*, without Licence from Justices of the Peace, may be sold by 'Retail without any Licence in that Part of *Great Britain* called *Scotland*: And whereas it is expedi- 'ent that Retailers of such Liquors in both Parts of this Kingdom, should be subject to the like Pow- 'ers and Authorities;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *October* one thousand seven hundred and fifty-six, in every Royal Borough, and from and after the first Day of *November* one thousand seven hundred and fifty-six, in every Shire and Stewartry in that Part of *Great Britain* called *Scotland*, no Person shall keep any Ale-house, Tippling-house, or Victualling-house, or sell Ale, Beer, or other exciseable Liquors by Retail, but such Persons only who shall be annually thereto admitted, allowed and licensed according to the Directions contained in this Act.

Persons keeping Alehouses in Scotland, to be licensed.

Justices in Scotland to meet annually,

to license Alehouses.

XI. And be it further enacted by the Authority aforesaid, That the Justices of the Peace in each Shire and Stewartry in that Part of *Great Britain* called *Scotland*, shall have full Power and Authority, and they are hereby impowered and required, annually to assemble and meet together, in their respective Shires and Stewartries, on the first Day of *November*, or on the next lawful Day thereafter, at the Hour and Place when and where the General Quarter Sessions for such Shire or Stewartry have usually been held, the first Assembly or Meeting to be held on the first Day of *November* one thousand seven hundred and fifty-six; and at such annual Meeting to admit, allow and license, for the Year then next ensuing, such and so many Persons as the major Part of the Justices then assembled shall think meet and convenient, to keep Ale-houses, Tippling-houses, Victualling-houses, or to sell Ale, Beer, or other exciseable Liquors by Retail, within such respective Shire or Stewartry, or in the Event hereafter mentioned, within any Royal Borough or Boroughs, situated in such Shire or Stewartry; and the said Justices shall deliver or cause to be delivered, to each Person so by them admitted, allowed and licensed, a Licence ingrossed, written or printed, upon a Piece of Vellum, Parchment or Paper stampt, as by this Act is directed, with a Stamp denoting the Payment of the Duty of twenty Shillings, and signed by the Praeses of the said Meeting, and by the Clerk of the Peace for the said Shire or Stewartry; for each of which Licences, there shall be paid and payable the Sum of one Shilling to the Clerk of the Peace, for his Trouble and Fee, over and above the said Sum of twenty Shillings, for the Stamp Duty imposed by this Act, and no further or greater Sum shall be demanded or paid for each Licence, upon any Account or Pretence whatsoever.

Fee of 1 s. payable on each Licence, to the Clerk of the Peace.

Magistrates of Royal Boroughs to meet yearly for the like Purpose.

XII. And for the more ready and convenient granting of Licences to Persons residing in the Royal Boroughs, in that Part of *Great Britain* called *Scotland*, and the Royalties thereof; Be it further enacted by the Authority aforesaid, That the Magistrates of each Royal Borough shall yearly and every Year, on the twenty fifth Day of *October*, or the next lawful Day thereafter, the first Meeting to be on the twenty-fifth Day of *October* one thousand seven hundred and fifty-six, assemble and meet together, at the Time and Place when and where they usually have met, for transacting the Business of such Royal Borough; and the said Magistrates, or any two of them at least, shall at such annual Meeting, admit, allow

low and licenſe, for the Year then next enſuing, ſuch and ſo many Perſons as the ſaid Magiſtrates, or two of them at the leaſt, ſhall think meet and convenient, to keep Ale-houſes, Tippling-houſes, Victualling-houſes, or to ſell Ale, Beer, or other exciſeable Liquors by Retail, within every ſuch Royal Borough, and the Royalty thereof; and the ſaid Magiſtrates, or two of them at the leaſt, ſhall deliver or cauſe to be delivered to each Perſon ſo by them admitted, allowed and licenſed, a Licence ingroſſed, written or printed, upon a Piece of Vellum, Parchment or Paper, ſtampt as by this Act is directed, with a Stamp denoting the Payment of the Duty of twenty Shillings, and ſigned by two of the ſaid Magiſtrates, and by the Clerk of ſuch Royal Borough; for each of which Licences the like Fee of one Shilling, over and above the ſaid Sum of twenty Shillings, and no more, ſhall be paid as is hereby directed to be paid for Licences granted in Shires and Stewartries.

Where there ſhall not be a ſufficient Number of Magiſtrates to act in any Royal Borough, Juſtices may grant Licences;

XIII. Provided always, and be it further enacted, That if in any Royal Borough, there ſhall not be a ſufficient Number of Magiſtrates capable to grant Licences purſuant to the Qualifications and Directions of this Act, at any of the Times when Licences for Ale-houſes, Tippling-houſes, or Victualling-houſes in the Royal Boroughs, are hereby appointed to be granted, then and in ſuch Caſe it ſhall and may be lawful to and for the Juſtices of the Peace of the ſaid Shire or Stewartry, in which ſuch Royal Borough or Boroughs ſhall be ſituated, to grant Licences for ſuch Royal Borough or Boroughs, at the ſame Time, and in the ſame Manner, as they are hereby impowered to do for the Shire or Stewartry; and all Licences ſo granted for Royal Boroughs by Juſtices of the Peace of the Shire or Stewartry, ſhall continue in Force until the next annual Day for granting Licences according to this Act, and no longer.

to be in Force for one Year only.

Perſons in Scotland convicted of keeping unlicenſed Ale-houſes, &c.

to forfeit for the firſt Offence, 5 s. for the ſecond 10 s. for the third, 20 s. and to be diſqualified; and for every ſubſequent Offence, 40 s. to be levied by Diſtreſs and Sale; one Moiety to the Informer, the other to the Poor of the Pariſh.

'XIV. And whereas Perſons may preſume to keep Ale-houſes, Tippling-houſes, or Victualling-houſes, 'or to ſell Ale, Beer, or other exciſeable Liquors, without ſuch Licence as is hereby required;' Be it enacted by the Authority aforeſaid, That every Perſon who after the twenty-fifth Day of *October* one thouſand ſeven hundred and fifty-ſix, in Royal Boroughs, and after the firſt Day of *November* one thouſand ſeven hundred and fifty-ſix, in Shires and Stewartries, ſhall keep an Ale-houſe, Tippling-houſe or Victualling-houſe, or ſhall ſell Ale, Beer, or other exciſeable Liquors by Retail, without being licenſed thereunto according to the Directions of this Act, and ſhall be thereof convicted within one Month after ſuch Offence committed, on his or her Confeſſion, or the Oath of one credible Witneſs, by any two Juſtices of the Peace of the Shire or Stewartry, or by any two Magiſtrates in any Royal Borough where ſuch Offender ſhall reſide or be licenſed, every ſuch Offender ſhall forfeit and pay for the firſt Offence the Sum of five Shillings, for the ſecond Offence the Sum of ten Shillings, and for the third Offence the Sum of twenty Shillings, and ſhall, after the ſaid third Offence, be incapable of keeping an Ale-houſe, Tippling-houſe, or Victualling-houſe, or of ſelling Ale, Beer, or other exciſeable Liquors by Retail, by virtue of any Licence granted before ſuch Conviction, or of having any Licence for ſuch Purpoſe thereafter; and if any ſuch Offender ſhall continue to commit any of the aforeſaid Offences, then ſuch Offender ſhall, for every Offence ſubſequent to his third Conviction, forfeit and pay the Sum of forty Shillings: all which reſpective Penalties and Forfeitures ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender (rendering to him or her the Overplus, after the Charges of the ſaid Diſtreſs and Sale are deducted) by Warrant ſigned by the Juſtices or Magiſtrates reſpectively who do convict ſuch Offender; which ſaid Penalties ſhall be paid and applied, one Half thereof to the Informer, and the other Half to the Poor of the Pariſh where ſuch Offence ſhall be committed; and ſuch Conviction ſigned by the ſaid two Juſtices or Magiſtrates reſpectively, ſhall be good and ſufficient in Law to all Intents and Purpoſes; and the ſaid Juſtices or Magiſtrates reſpectively, ſhall, immediately after the ſaid Conviction is ſigned as aforeſaid, intimate, or cauſe to be intimated, the ſaid Conviction to the Perſon convicted, and ſhall return or certify the ſame, and the Proceedings therein, to the Clerk of the Peace of the Shire or Stewartry in which ſuch Juſtices or Magiſtrates do act, or in which the Royal Borough ſhall be ſituated, to be by the ſaid Clerk preſerved amongſt the Records of the ſaid Shire or Stewartry.

Conviction to be intimated to the Offender, and certified to the Clerk of the Peace, and recorded.

Perſons aggrieved may appeal to the Quarter-Seſſions.

XV. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon aggrieved by ſuch Conviction ſhall be minded to appeal from ſuch Conviction, it ſhall and may be lawful to and for ſuch Perſon, within two Days after ſuch Conviction ſhall have been intimated to him or her, to appeal to the next enſuing Quarter-Seſſions, or Adjournment thereof, which ſhall be held for the Shire or Stewartry where ſuch Offence ſhall have been committed, or wherein ſuch Royal Borough is ſituated; and the Juſtices of the Peace aſſembled at ſuch Quarter-Seſſions or Adjournment, are hereby authorized and impowered to hear and determine the ſaid Appeals, and to give and cauſe to be executed ſuch Judgment or Sentence, as in their Opinion the Juſtices or Magiſtrates from whom the Caſe is appealed, ought to have given.

Notice, and Reaſons of Appeal, to be left with the Clerk of the Peace, &c.

Conviction to be exhibited at the Seſſions,

and Copy to be delivered on paying 6 d.

XVI. Provided always, That the Perſon appealing ſhall with all convenient Speed, and before the Meeting of the ſaid Quarter-Seſſions or Adjournment thereof, leave his or her Reaſons of Appeal in Writing, with the Clerk of the Peace of the ſaid Shire or Stewartry, and alſo attend, and with Effect proſecute, ſuch his or her Appeal at the ſaid Quarter-Seſſions or Adjournment thereof; and the Clerk of the Peace ſhall, at the Quarter-Seſſions or Adjournment thereof, produce all ſuch Convictions and Reaſons of Appeal as ſhall have been returned or certified to him, or left with him ſince the laſt Quarter-Seſſions or Adjournment thereof, and ſhall, upon reaſonable Notice, deliver to any Perſon requiring the ſame, a fair Copy of ſuch Conviction or Reaſons of Appeal; for each Copy whereof, the Sum or Fee of ſix Pence, and no more, ſhall be demanded and paid.

XVII.

20 s. Penalty on Appeals deemed frivolous.

XVII. And in order to prevent frivolous and vexatious Appeals, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the Peace at the said Quarter-Sessions or Adjournment thereof, if they shall judge any Appeal from any Conviction to be frivolous and calculated for Delay, to award, order and direct the Party appealing, to pay any Sum not exceeding twenty Shillings, over and above the Penalties herein before-mentioned, to be levied and applied in such Manner, and to such Use or Uses, as the said Justices shall direct and appoint; and the Judgment and Determination of the said Justices at the Quarter-Sessions or Adjournment thereof, shall in all the Cases aforesaid, be final and conclusive to all Intents and Purposes.

Judgment of Justices to be final.

'XVIII. And whereas it is expedient that Persons impowered to grant Licences by virtue of this Act, 'should not be swayed by Interest in the Execution of the Powers vested in them;' Be it therefore enacted by the Authority aforesaid, That no Justice of the Peace or Magistrate in any Shire, Stewartry, or Royal Borough, in that Part of *Great Britain* called *Scotland*, who is a Brewer, Malster, Distiller, or Retailer of Ale, Beer, or other excisеable Liquors, or is concerned in Partnership, or otherwise, with any Brewer, Malster, Distiller, or Retailer of Ale, Beer, or other excisеable Liquors, at any of the Time or Times when any of the Powers in this Act are to be executed, shall act in any of the Meetings for granting of any Licence or Licences, or shall convict or join in any Conviction, or in the Determination of any Appeal directed by this Act; and every Justice of the Peace or Magistrate who shall offend in any of the Premisses, shall, for every such Offence, forfeit and pay the Sum of fifty Pounds, to be recovered by any Person who will sue for the same within six Months after such Offence committed, by Action, Bill, Plaint or Information, in his Majesty's Court of Exchequer in that Part of *Great Britain* called *Scotland*, in which no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed; which said Penalty of fifty Pounds shall be paid, one Moiety thereof to the Person who sues for the same, and the other Moiety to the Collector of the Cess for the Shire or Stewartry within which such Justice or Magistrate has offended, to be applied for the Reparation of the Highways or Bridges in such Shire or Stewartry, in such Manner as the Persons, who by Law have the ordering and directing such Reparations, shall think proper.

Brewers, &c. in Scotland, inhibited to grant Licences or act in the Execution of this Act, on Penalty of 50 l.

one Moiety to the Prosecutor, the other to repair the Roads.

XIX. Provided nevertheless, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend or be construed to extend to charge any Licence for keeping any Ale-house, Tippling-house, Victualling-house, or Place for the Sale of Ale, Beer, and other excisеable Liquors by Retail, situated upon or near the King's Military Road or Roads, made or to be made in that Part of *Great Britain* called *Scotland*, at the publick Charge, and not being within any Royal Borough, nor within the Burghs of *Dumblain*, *Muthill*, *Crief*, *Dunkeld*, or within one Mile of any of the said Royal Boroughs or Burghs, with any Duty hereby directed to be paid, levied or received; but all such Licences shall and may be granted and delivered by the Justices of the Peace of the respective Shires and Stewartries, where such Road and Roads shall and may lie, upon the Payment of one Shilling for each Licence to the Clerk of the Peace of such Shire or Stewartry, for his Trouble only; any Thing herein contained to the contrary in any wise notwithstanding.

Licences for Houses on the Military Roads, &c. in Scotland, to be issued on Payment of 1 s. only to the Clerk of the Peace.

10 l. Penalty on making out Licences before the same be stampt;

XX. And be it further enacted by the Authority aforesaid, That if any Person shall from and after the Feast of *Easter* one thousand seven hundred and fifty-six, write, ingross or print, or cause to be written, ingrossed or printed, any such Licence to be granted by Justices of the Peace as aforesaid, for selling of Ale, Beer, or other excisеable Liquors by Retail, before the Vellum, Parchment or Paper whereupon such Licence shall be ingrossed, written or printed, shall appear to have been duly stampt, every Person so offending shall, for every such Offence, forfeit the Sum of ten Pounds, with full Costs of Suit; to be recovered in such Manner as Penalties by any former Laws relating to stampt Vellum, Parchment or Paper, are directed to be recovered: And that if any such Licence shall be so ingrossed, written or printed, contrary to the true Intent and Meaning of this Act, then and in every such Case, there shall be answered and paid to his Majesty, his Heirs and Successors, over and above the Duty hereby due and payable for every such Licence, the Sum of five Pounds, to be applied and paid in such Manner, and to such Uses, as the said Duty hereby granted is applicable and payable; and that no such Licence shall be available in Law, or be given in Evidence, or admitted in any Court, unless as well the said Duty hereby charged, as the said Sum of five Pounds, shall be first paid to the Use of his Majesty, his Heirs and Successors, for the Purposes of this Act, and a Receipt produced for the same under the Hand of the Receiver General for the time being, of the Stamp Duties, or of his Deputy or Clerk, and until the Vellum, Parchment or Paper, on which such Licence is so ingrossed, written or printed, shall be marked or stampt according to the Tenor and true Meaning of this Act; and that the said Receiver General, or his Deputy or Clerk, shall upon Payment or Tender of the said Duty payable by virtue of this Act, and of the said Sum of five Pounds, give a Receipt for such Money; and that thereupon the other proper Officers shall mark and stamp such Licence, with the proper Mark and Stamp requisite in that Behalf.

and 5 l. on making them contrary to the Intention of this Act;

and the same to be vacated unless the Duty and Fine be paid, and Receipt produced, and Licence stampt, &c.

Forging the Stamp, &c. Felony, without Clergy.

XXI. And be it further enacted by the Authority aforesaid, That if any Person shall counterfeit or forge any Stamp or Mark to resemble the Stamp or Mark directed to be provided by this Act, or shall counterfeit or resemble the Impression of the same upon any Vellum, Parchment or Paper, with an Intent to defraud his Majesty, his Heirs or Successors, of the said Duty, or shall utter, vend or sell any Vellum, Parchment or Paper, with such counterfeit Mark or Stamp thereupon, knowing such Mark or Stamp to be counterfeit, or shall cause or procure any Vellum, Parchment or Paper to be stampt or marked with such counterfeit Mark or Stamp, or shall privately or fraudulently use any Stamp to be provided or used in pursuance of this Act, with an Intent thereby to defraud his Majesty, his Heirs or Successors, of the said Duty, or shall cause or procure to be forged or counterfeited any Stamp or Mark, to resemble any Stamp or Mark hereby directed to be used, every Person so offending, being thereof

thereof lawfully convicted, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony without Benefit of Clergy.

No Licences to be issued but to Persons producing Licence according to 9 Ann. c. 23.

XXII. And be it further enacted by the Authority aforesaid, That neither his Majesty's Commissioners of Excise in *England* or *Scotland* respectively, nor any of the Collectors or Supervisors of Excise, or any other Officers by the said Commissioners respectively appointed to deliver Licences to the Retailers of any Spirituous Liquors or Strong Waters, shall grant or deliver any such Licence to any Person who shall not produce a Licence granted to him or her in due Form of Law by Justices of the Peace, to sell Ale, Beer, or other exciseable Liquors, and stamped as by the said Act made in the ninth Year of the Reign of Queen ANNE and by this Act is directed.

On Death or Removal of Persons occupying licensed Houses, their Assigns, &c. may continue the same for the Residue of the Year.

XXIII. Provided nevertheless, and be it enacted by the Authority aforesaid, That if any Person so licensed to sell Ale, Beer, or other Exciseable Liquors, shall die or remove from the Ale-house or other Place wherein such Ale, Beer, or other Liquors, shall, by virtue of such Licence, be sold, it shall and may be lawful for the Executors, Administrators and Assigns, of such Person so dying or removing, who shall be possessed of such House or Place, or the Occupier thereof, to sell Ale, Beer, or other Liquors therein, during the Residue of the Term for which such Licence shall have been granted to the Person so dying or removing, without any Certificate from any Justice of the Peace, or any new Licence to be had or obtained in that Behalf; any Thing in the said Act made in the twenty-sixth Year of the Reign of his present Majesty, or any other Law to the contrary thereof in any wise notwithstanding.

New Licences may be granted to Houses unoccupied and licensed the preceding Year,

Tenant obtaining a Certificate as prescribed by 26 Geo. 2. c. 31.

XXIV. Provided always, and be it enacted, That in case any Ale-house or Victualling-house, in that Part of *Great Britain* called *England*, shall become empty or unoccupied after the general Day appointed for licensing (the Occupier whereof was duly licensed the Year preceding) it shall be lawful for any two of his Majesty's Justices of the Peace, at a Petty Sessions to grant a Licence to any new Tenant or Occupier, to open such House as an Ale-house or Victualling-house, and to sell Ale there, till the next general licensing Day, so as the said Licence be stamped as herein directed; such new Tenant or Occupier obtaining such Certificate, as is directed and prescribed in and by an Act of Parliament, made in the twenty-sixth Year of his Majesty's Reign, intituled, *An Act for regulating the Manner of licensing Ale-houses, in that Part of* Great Britain *called* England; *and for the more easy convicting Persons selling Ale and other Liquors without Licence.*

Act not to extend to Licences granted by Commissioners of Excise.

XXV. Provided also, and be it enacted by the Authority aforesaid, That nothing in this Act, or in any former Law relating to stampt Vellum, Parchment or Paper, contained, shall extend, or be construed to extend, to charge with any Duty, such Vellum, Parchment or Paper, on which any Licence to be granted by the said Commissioners of Excise respectively, or by their Officers, to retail distilled Liquors or strong Waters, shall be ingrossed, written or printed.

Persons selling Beer, &c. in Prisons to take out Licences.

XXVI. And be it further enacted by the Authority aforesaid, That every Person who shall retail Ale, Beer, or other Liquors, in any Prison, or House of Correction, or Workhouse to be appointed for the Reception of poor Persons, shall be deemed a Keeper of a Common Ale-house or Tippling-house, and shall be subject to the Penalties inflicted by Law on the Keepers of Common Ale-houses and Tippling-houses, unless he or she shall obtain from the Justices of the Peace, according to due Course of Law, a Licence to retail such Beer, Ale, or other exciseable Liquors.

This Duty to be carried into the Sinking Fund.

XXVII. And be it further enacted by the Authority aforesaid, That towards making good to the Sinking Fund, the Interest of two millions charged thereon by an Act of this Session of Parliament, the said Duty hereby granted shall be carried to and made Part of the said Fund.

Persons sued on this Act, may plead the General Issue,

and recover treble Costs.

XXVIII. And be it further enacted by the Authority aforesaid, That if any Action shall at any Time be brought against any Person for any Matter or Thing which he or she shall do, or cause to be done, by virtue or in Execution of this Act, in every such Case, the Defendant or Defendants in every such Action may plead the General Issue, and give this Act and the Special Matter in Evidence, on any Trial or Trials to be hereafter had in such Action; and that if the Plaintiff or Plaintiffs in any such Action shall discontinue such Action, or become nonsuit, or if Judgment shall be given against such Plaintiff or Plaintiffs, in such Action, the Defendant or Defendants in every such Action shall recover his, her, or their treble Costs of Suit.

CAP. XIII.

An Act for granting to his Majesty an additional Duty on Cards and Dice.

Most Gracious Sovereign,

9 Ann. c. 23.

'WHEREAS by an Act made in the ninth Year of the Reign of Queen ANNE, intituled, *An Act for licensing and regulating Hackney Coaches and Chairs, and for charging certain new Duties on Stampt Vellum, Parchment and Paper, and on Cards and Dice, and on the Exportation of Rock Salt for* Ireland; *and for securing thereby, and by a weekly Payment out of the Post-Office, and by several Duties on Hides and Skins, a yearly Fund of one hundred eighty-six thousand six hundred and seventy Pounds, for thirty-two Years, to be applied to the Satisfaction of such Orders as are therein mentioned, to the Contributors of any Sum not exceeding two Millions, to be raised for carrying on the War, and other her Majesty's Occasions*; it was enacted, That from and after the eleventh Day of *June* one thousand seven hundred and eleven, during the Term of thirty-two Years from thence next ensuing, there should be raised, collected, levied and paid, unto and for the Use of her Majesty, her Heirs and Successors, for all Playing Cards and

'Dice, which during the ſaid Term ſhould be made fit for Sale or Uſe in *Great Britain*, or imported, 'the Duties following; that is to ſay, For every Pack of ſuch Cards, the Sum of ſix Pence; and for 'every Pair of ſuch Dice, the Sum of five Shillings, to be paid by the Makers or Importers thereof re- 'ſpectively; and it was thereby enacted, That ſuch Duties upon ſuch Cards and Dice imported, ſhould 'be levied and brought into the Exchequer, in ſuch Manner and Form, and under ſuch Penalties and 'Forfeitures as any her Majeſty's Cuſtoms or Duties on Subſidy Goods inwards, were by any Law then 'in Force to be levied and brought into her Majeſty's Exchequer; and it was thereby enacted, That all 'Makers of Playing Cards or Dice made in *Great Britain*, before they ſhould reſpectively begin to 'make any ſuch Cards or Dice, ſhould give or ſend to the Commiſſioners for managing the Duties 'on ſtampt Vellum, Parchment and Paper (who are by the ſaid Act appointed to manage the ſaid 'Duties on Cards and Dice) or to their Officers, ſuch Notice as by the ſaid Act is directed, and ſhould 'permit the proper Officers for the ſaid Duties, to enter any Houſe or Place for making Cards or Dice, 'and take an Account thereof, and ſhould not remove or ſuffer to be removed the ſame from ſuch 'Houſe or Place, until the Mark and Seal deviſed to denote the charging the ſaid Duties, ſhould be 'put on the ſaid Cards and Dice reſpectively; and that the Makers of ſuch Cards and Dice ſhould 'make an Entry, and clear the Duties owing from them reſpectively, without Fraud or Concealment, 'in ſuch Manner, and at ſuch Times, as by the ſaid Act is directed, upon ſuch Pain, and under ſuch 'Penalties and Forfeitures as are thereby inflicted for any ſuch Offence, to be recovered in Manner as by 'the ſaid Act is directed: And whereas, for the better ſecuring the Duties on playing Cards and Dice,
10 Ann. c. 12. 'it was by an Act made in the tenth Year of the Reign of Queen ANNE, intituled, *An Act for laying 'ſeveral Duties upon all Sope and Paper made in* Great Britain, *or imported into the ſame; and upon chequered 'and ſtriped Linens imported; and upon certain Silks, Callicoes, Linens and Stuffs, printed, painted or ſtained; 'and upon ſeveral Kinds of ſtampt Vellum, Parchment and Paper; and upon certain printed Papers, Pam- 'phlets and Advertiſements; for raiſing the Sum of one Million eight hundred thouſand Pounds by Way of a 'Lottery towards her Majeſty's Supply; and for licenſing an additional Number of Hackney Chairs; and for 'charging certain Stocks of Cards and Dice; and for better ſecuring her Majeſty's Duties to ariſe in the Office 'for the Stamp Duties, by Licences for Marriages, and otherwiſe; and for Relief of Perſons who have not 'claimed their Lottery Tickets in due Time, or have loſt Exchequer Bills or Lottery Tickets; and for bor- 'rowing Money upon Stock (Part of the Capital of the* South-Sea *Company) for the Uſe of the Publick,* 'further enacted, That during the Continuance of the ſaid Duties, no Playing Cards or Dice ſhould be 'ſold or expoſed to Sale, or uſed in playing in any publick Gaming-houſe, unleſs the Paper and Thread 'incloſing, or which ſhould have incloſed the ſame, ſhould have been reſpectively ſealed and ſtampt or 'marked, according to the ſaid former Act in that Behalf, and unleſs one Card in each Pack or Parcel 'of Cards ſold, ſhould be ſo marked or ſtampt on the ſpotted Side thereof, with ſuch Mark or 'Stamp as the ſaid Commiſſioners ſhould direct or appoint, under ſuch Penalties and Forfeitures 'as by the ſaid Act are inflicted, to be recovered in ſuch Manner as in the ſaid Act is directed: 'And whereas Proviſion was made by the laſt-mentioned Act for preventing the Forgery of the Seal, 'Stamp or Mark, provided to denote the Payment of the ſaid Duty, and for obliging the Makers of 'Cards and Dice to give due Notice of their Intention to make the ſame, and for prohibiting the 'Removal of the Materials being to be wrought, for or towards the making of Cards or Dice, until 'the ſame ſhall have been completely made into Cards or Dice, or the Duties for the Cards or Dice 'therewith intended to be made, ſhall be paid or ſecured, and for extending to every Part of *Great*
3 & 4 Ed. 4. c. 4. '*Britain*, the Act made in the third and fourth Years of King EDWARD the Fourth, prohibiting 'the Importation of Playing Cards or Dice into *England* or *Wales*, and for declaring what Pieces 'of Ivory, Bone, or other Matter made or uſed for any Game or Play, with any Letter, Figure, or 'other Mark thereupon, to denote any Chance or Chances, ſhall be deemed to be Dice, and for im- 'powering any Officer appointed by the ſaid Commiſſioners, to enter into any Houſe or Place where 'Cards and Dice ſhall be made, ſold or expoſed to Sale, or ſuſpected to be privately made, or 'into any publick Gaming-houſe, Room or Place, and there to ſearch for Cards and Dice not duly 'ſealed, marked or ſtampt, and for encouraging the Exportation of Cards and Dice into foreign Parts:
5 Geo. 1. c. 19. 'And whereas by an Act made in the fifth Year of the Reign of his late Majeſty King GEORGE the 'Firſt, a Time is limited for Proſecutions upon Bonds given for the Exportation of Cards and Dice, 'and Proviſion is thereby made for vacating ſuch Bonds in certain Caſes therein expreſſed: And
6 Geo. 1. c. 25. 'whereas by an Act made in the ſixth Year of the Reign of his late Majeſty King GEORGE the 'Firſt, intituled, *An Act for preventing Frauds and Abuſes in the Publick Revenues of Exciſe, Cuſtoms, 'Stamp-Duties, Poſt-Office, and Houſe-Money*, a Penalty is inflicted on all Perſons who ſhall fraudu- 'lently cut, tear, or get off, any Mark or Stamp, in reſpect whereof or whereby any Duties are pay- 'able, or are denoted to be paid or payable on Playing Cards, or ſhall fine, ſquare, or new Spot, 'any Dice which have been ſold or played with, or ſhall fraudulently encloſe any Parcel or Pack 'of Playing Cards, in any Outſide Paper, duly ſealed and ſtampt, the ſame having been once made uſe 'of for the Purpoſes aforeſaid, or ſhall ſell or expoſe to Sale, any Playing Cards, the ſame not be- 'ing at the Time of ſuch ſelling or expoſing to Sale, actually ſtampt on the ſpotted or painted Side, 'and alſo incloſed in Paper or Thread ſealed and ſtampt as by the ſaid Act made in the tenth Year 'of the Reign of Queen ANNE is directed; and Proviſion is thereby alſo made for obliging Card 'Makers to enter into Bond for the due Payment of the ſaid Duty on Cards, within the Time there- 'in limited, and for an Allowance for prompt Payment of the ſaid Duties; and Power is thereby 'alſo given upon Information by Affidavit, and by ſuch Warrant, and in ſuch Manner as by the 'ſaid Act is directed, to any Officer employed by the ſaid Commiſſioners, to break open the Door, 'or any Part of any Houſe or Place wherein any Cards or Dice are ſuſpected to be made or making,

'and

'and to seize all such Cards and Dice, and the Tools or Materials by which they are made or making: 'And whereas by an Act made in the third Year of the Reign of his late Majesty King GEORGE the First, the said Duties on Cards and Dice were among other Rates and Duties made perpetual, and made Part of the Fund commonly called *The General Fund:* And whereas the Interest of the Sum of fifteen hundred thousand Pounds, Part of the Sum of two Millions advanced on the Credit of an Act made in this Session of Parliament, at the Rate of three Pounds ten Shillings *per Centum per Annum*; and also the Interest of five hundred thousand Pounds, being the Residue of the said Sum of two Millions, at the Rate of three Pounds *per Centum per Annum*, is by the said Act charged and chargeable upon the Fund commonly called *The Sinking Fund:*' We your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, towards making good the said Interest of the said Sum of two Millions, so charged on the said Sinking Fund, have resolved to give and grant unto your Majesty the several additional Rates, Duties and Impositions, on Cards and Dice herein after-mentioned; and do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, there shall be raised, levied, collected and paid, unto and for the Use of his Majesty, his Heirs and Successors, for all Playing Cards and Dice which shall be made fit for Sale or Use in *Great Britain*, the additional Duties following, over and above all Duties chargeable thereupon (that is to say) 3 Geo. 1. c. 7. Additional Duties granted on Cards and Dice.

For every Pack of such Cards, the Sum of six Pence, over and above the Duty of six Pence payable for the same. 6 d. on each Pack of Cards,

And for every Pair of such Dice, the Sum of five Shillings, over and above the Duty of five Shillings payable thereupon. and 5 s. on each Pair of Dice,

Such respective Duties to be paid by the Makers of such Cards and Dice respectively.

II. And be it further enacted by the Authority aforesaid, That for better securing and enforcing the Payment of the said Duties, the same shall be under the Management of the Commissioners for the Stamp Duties for the time being, who, or the major Part of them, by themselves, or their Officers (which they are hereby impowered to employ for that Purpose) shall cause a Seal, Stamp or Mark to be used to denote the additional Duties hereby granted, in such Manner as Stamps or Marks by the said Act made in the ninth Year of the Reign of Queen ANNE, are directed to be used to denote the Duties thereby imposed. to be under the Management of the Commissioners for Stamp Duties. Stamp to be used for denoting these Duties.

III. And it is hereby further enacted, That the Duties hereby granted shall be paid into the Hands of the Receiver General for the time being of the Duties on stampt Vellum, Parchment and Paper, who shall keep a separate and distinct Account thereof, and pay the same (the necessary Charges of raising, collecting, paying and accounting for the same excepted) in the Receipt of the Exchequer, for the Purposes in this Act expressed, at such Time, and in such Manner, as any former Duties on stampt Vellum, Parchment and Paper, are directed to be paid. Duties payable to the Receiver General, and by him to be paid into the Exchequer.

IV. And be it further enacted by the Authority aforesaid, That all Powers, Provisions, Articles, Clauses and other Penalties and Forfeitures, Distribution of Penalties and Forfeitures, and all other Matters and Things prescribed or appointed in the said Acts made in the ninth and tenth Years of the Reign of Queen ANNE, and in the said Acts made in the third, fifth and sixth Years of his late Majesty King GEORGE the First, or in any other Act or Acts of Parliament relating to the like Duties, and not hereby altered, shall be of full Force and Effect with relation to the additional Duties hereby charged on Cards and Dice, and shall be applied and put in Execution for raising, levying, collecting and securing the said additional Duties hereby charged, according to the true Intent and Meaning of this Act, as fully to all Intents and Purposes, as if the same Powers, Provisions, Articles, Clauses, Penalties and Forfeitures, and every of them, had severally and respectively been hereby enacted with relation to the additional Duties hereby charged on Cards and Dice, and as if the Duties hereby charged had been charged by the said Act made in the ninth Year of Queen ANNE, or by any other Act or Acts of Parliament. Powers, &c. of the recited Acts extended to the additional Duties.

V. And be it further enacted by the Authority aforesaid, That if any Person shall counterfeit or forge any Seal, Stamp or Mark, to resemble the Seal, Stamp or Mark directed to be used by this Act for the Purposes of denoting the Duties on Cards and Dice hereby granted, or shall counterfeit or resemble the Impression of the same upon any Cards or Dice, or any Thread or Paper inclosing any Pack or Parcel of Cards, with an Intent to defraud his Majesty, his Heirs or Successors, of any of the said Duties upon Cards or Dice; or shall utter, vend or sell any Cards or Dice with such counterfeit Seal, Stamp or Mark, knowing the same to be counterfeit, or shall privately and fraudulently use any Seal, Stamp or Mark hereby directed to be used, with an Intent to defraud his Majesty, his Heirs and Successors, of any the Duties upon Cards and Dice, or shall cause or procure to be forged or counterfeited any Seal, Stamp or Mark, to resemble any Seal, Stamp or Mark hereby directed to be used, or shall cause or procure any Card or Dice, or any Thread and Paper inclosing any Pack or Parcel of Cards, to be sealed, stamped or marked with any such counterfeit Seal, Stamp or Mark, or shall in like Manner counterfeit or forge, or cause or procure to be counterfeited or forged any Seal, Stamp or Mark, to resemble any Seal, Stamp or Mark by the said Act made in the tenth Year of the Reign of Queen ANNE directed to be impressed on the spotted or painted Side of one Card in each Pack or Parcel of playing Cards, or shall vend, utter or expose to Sale any Cards with such counterfeit Seal, Stamp or Mark, knowing the same to be counterfeit, or shall privately and fraudulently use any Seal, Stamp or Mark Counterfeiting any Stamp for these Duties, or vending Cards or Dice with counterfeit Seals, &c. to defraud the King, Felony without Clergy.

Mark used for sealing, stamping or marking the spotted or painted Side of any such Card, with an Intent to defraud his Majesty, his Heirs and Successors, of any of the Duties on Cards and Dice; every Person so offending, and being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

'VI. And whereas great Frauds are or may be committed by Makers of Cards and Dice, under Pre-'tence that the same are intended for Exportation, in which Case the same are, by the said Act made 'in the tenth Year of the Reign of Queen ANNE, exempted from the Duties payable for the same: 'And whereas the Provision by the said Act made for preventing such Frauds, has by Experience been 'found ineffectual;' Be it further enacted by the Authority aforesaid, That all Playing Cards made in *Great Britain*, which shall be intended for Exportation, shall, before they are packed up for Exportation, be inclosed in Paper and Thread, in Packs or Parcels, in such Manner as the said Commissioners for managing the Duties on stampt Vellum, Parchment and Paper shall direct and appoint, in order to distinguish them from other Cards liable to the Duties thereon imposed; and that for the said Purpose one Card in every Pack of Playing Cards so made or intended for Exportation, or so many Cards in every such Pack as the said Commissioners shall direct and appoint, shall also be marked or stampt on the spotted or painted Side thereof, with such Mark, and in such Manner as the said Commissioners shall direct; and if any Person or Persons shall, from and after the passing of this Act, vend, utter or expose to sale, to be used in *Great Britain*, or shall use or permit to be used in any publick Gaming-house, any Playing Cards so marked, stampt and distinguished as Cards for Exportation, every Person so offending shall for every Pack of Cards so vended, uttered or exposed to sale, or used or permitted to be used as aforesaid, forfeit and pay the Sum of twenty Pounds, to be recovered and distributed in such Manner, as Penalties by any former Law relating to Cards and Dice are directed to be recovered and distributed.

Cards for Exportation to be inclosed and tied as the Commissioners shall direct, and to be stampt.

20 l. Penalty on selling and using the same in Great Britain.

VII. And be it further enacted by the Authority aforesaid, That no Bond which shall be entered into pursuant to the said Act made in the tenth Year of the Reign of Queen ANNE for exporting Cards and Dice, shall be vacated or delivered up, unless and until Proof be made that such Cards or Dice have been entered and shipped for Exportation as Cards and Dice, and not as stationary Wares; and unless and until a Certificate of such Entry and Shipping, signed by the proper Officer or Officers of the Customs, be produced; which Certificate the said Officer or Officers are hereby directed and required to give without Fee or Reward; any thing in the said Act made in the fifth Year of the Reign of his late Majesty King GEORGE the First to the contrary thereof in any wise notwithstanding.

Bond given for Exportation of Cards and Dice, not to be vacated till Proof and Certificate of their being duly entered and shipped.

'VIII. And whereas a fraudulent Practice hath prevailed of selling and buying Covers and Labels, 'which have before been made use of for denoting the Duty payable upon Cards;' For preventing such Frauds, be it enacted by the Authority aforesaid, That if any Person shall, from and after the passing of this Act, sell or buy any such Cover or Label, in order to be made use for the inclosing any Pack or Parcel of Cards, every Person so offending shall for every such Offence forfeit the Sum of twenty Pounds; to be recovered in Manner aforesaid, and to be distributed, one Moiety to the Use of his Majesty, his Heirs and Successors, and the other Moiety thereof to any Person who shall inform and sue for the same.

20 l. Penalty on buying Covers and Labels before made use of.

IX. Provided always, and be it enacted by the Authority aforesaid, That if either the Buyer or Seller of any such Cover or Label shall inform against the other Party concerned in buying or selling such Cover or Label, the Party so informing shall be admitted to give Evidence against the Party informed against, and shall be indemnified against the Penalties so by him or her incurred.

Buyer or Seller informing, to be admitted as Evidence, and indemnified.

X. And be it further enacted by the Authority aforesaid, That if any Maker of Playing Cards, or any other Person shall, from and after the passing of this Act, sell or dispose of any Cards, commonly called *Waste Cards*, unless he or she shall, before such Sale, mark the Back or plain Side of every painted or pictured Card in such Manner, as to render the same unfit to be used in Play; every Person so offending shall for every such Offence forfeit the Sum of twenty Pounds, to be recovered and distributed in Manner aforesaid.

20 l. Penalty on selling Waste Cards unmarked.

XI. And be it further enacted by the Authority aforesaid, That if any Action or Actions shall at any Time or Times hereafter be brought against any Person or Persons whatsoever, for any Matter or Thing which he, she or they shall do, or cause to be done, by Virtue or in Execution of this Act, that in such Case the Defendant or Defendants, in every such Action or Actions, shall and may plead the General Issue, and give this Act and the special Matter in Evidence, or any Trial or Trials to be hereafter had in such Action or Actions; and if the Plaintiff or Plaintiffs shall discontinue such Action or Actions, or become nonsuit; or if Judgment shall be given against such Plaintiff or Plaintiffs in such Action or Actions, that then the Defendant or Defendants in every such Action or Actions shall recover his or their treble Costs of Suit; any Law, Custom or Usage whatsoever to the contrary in any wise notwithstanding.

Persons sued on Account of this Act, may plead the General Issue,

and recover treble Costs.

XII. And be it further enacted by the Authority aforesaid, That the said Duties hereby charged for Cards and Dice shall be carried to and made Part of the Fund, commonly called *The Sinking Fund*, towards making good the said Interest of the Sum of two Millions charged thereupon by an Act made in this Session of Parliament.

Duties to be carried into the Sinking Fund.

Concerning Stamp Duties see farther 30 *Geo.* 2. *c.* 19. 32 *Geo.* 2. *c.* 35.

CAP.

CAP. XIV.

An Act for granting to his Majesty several Rates and Duties payable by all Persons, and Bodies Politick or Corporate, having certain Quantities of Silver Plate.

Most Gracious Sovereign,

'WHEREAS by an Act made in this Session of Parliament, intituled, *An Act for granting to his* 29 Geo. 2. c. 7.
'*Majesty the Sum of two Millions, to be raised by way of Annuities and a Lottery, and charged on the*
'*Sinking Fund, redeemable by Parliament; and for extending to* Ireland *the Laws made in this Kingdom against*
'*private and unlawful Lotteries*; the Interest of fifteen hundred thousand Pounds, Part of the Sum of two
'millions advanced on the Credit of the said Act, after the Rate of three Pounds ten Shillings *per Centum*
'*per Annum*, and the Interest of five hundred thousand Pounds, Residue of the said Sum of two millions,
'after the Rate of three Pounds *per Centum per Annum*, are charged upon the Fund commonly called *The*
'*Sinking Fund*:' We your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, towards making good the said Interest of the said Sum of two millions, charged on the said Fund, have resolved to give and grant unto your Majesty the respective annual Rates and Duties herein after-mentioned, for and upon all Silver Plate in *Great Britain*, and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with *Refer to* 12 Geo. 3. c. 26.
the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *July* one thousand seven hundred and fifty-six, there shall be raised, levied, collected and paid to and for the Use of his Majesty, his Heirs and Successors, for and upon all Silver Plate in *Great Britain*, the respective annual Rates and Duties herein after expressed; that is to say,

Annual Duties payable on Silver Plate, viz.

For and upon one hundred Ounces Troy Weight, and any greater Quantity of Silver Plate, not amounting to two hundred Ounces, the Sum of five Shillings. — For 100 Ounces, 5 s.

And for and upon two hundred Ounces, and any greater Quantity, not amounting to three hundred Ounces, the Sum of ten Shillings. — For 200, 10 s.

And for and upon three hundred Ounces, and any greater Quantity, not amounting to four hundred Ounces, the Sum of fifteen Shillings. — For 300, 15 s.

And for and upon four hundred Ounces, and any greater Quantity, not amounting to five hundred Ounces, the Sum of twenty Shillings. — For 400, 20 s.

And for and upon five hundred Ounces, and any greater Quantity, not amounting to six hundred Ounces, the Sum of one Pound five Shillings. — For 500, 1 l. 5 s.

And for and upon six hundred Ounces, and any greater Quantity, not amounting to seven hundred Ounces, the Sum of one Pound ten Shillings. — For 600, 1 l. 10 s.

And for and upon seven hundred Ounces, and any greater Quantity, not amounting to eight hundred Ounces, the Sum of one Pound fifteen Shillings. — For 700, 1 l. 15 s.

And for and upon eight hundred Ounces, and any greater Quantity, not amounting to nine hundred Ounces, the Sum of two Pounds. — For 800, 2 l.

And for and upon nine hundred Ounces, and any greater Quantity, not amounting to one thousand Ounces, the Sum of two Pounds five Shillings. — For 900, 2 l. 5 s.

And for and upon one thousand Ounces, and any greater Quantity, not amounting to one thousand one hundred Ounces, the Sum of two Pounds ten Shillings. — For 1000, 2 l. 10 s.

And for and upon one thousand one hundred Ounces, and any greater Quantity, not amounting to one thousand two hundred Ounces, the Sum of two Pounds fifteen Shillings. — For 1100, 2 l. 15 s.

And for and upon one thousand two hundred Ounces, and any greater Quantity, not amounting to one thousand three hundred Ounces, the Sum of three Pounds. — For 1200, 3 l.

And for and upon one thousand three hundred Ounces, and any greater Quantity, not amounting to one thousand four hundred Ounces, the Sum of three Pounds five Shillings. — For 1300, 3 l. 5 s.

And for and upon one thousand four hundred Ounces, and any greater Quantity, not amounting to one thousand five hundred Ounces, the Sum of three Pounds ten Shillings. — For 1400, 3 l. 10 s.

And for and upon one thousand five hundred Ounces, and any greater Quantity, not amounting to one thousand six hundred Ounces, the Sum of three Pounds fifteen Shillings. — For 1500, 3 l. 15 s.

And for and upon one thousand six hundred Ounces, and any greater Quantity, not amounting to one thousand seven hundred Ounces, the Sum of four Pounds. — For 1600, 4 l.

And for and upon one thousand seven hundred Ounces, and any greater Quantity, not amounting to one thousand eight hundred Ounces, the Sum of four Pounds five Shillings. — For 1700, 4 l. 5 s.

And for and upon one thousand eight hundred Ounces, and any greater Quantity, not amounting to one thousand nine hundred Ounces, the Sum of four Pounds ten Shillings. — For 1800, 4 l. 10 s.

And for and upon one thousand nine hundred Ounces, and any greater Quantity, not amounting to two thousand Ounces, the Sum of four Pounds fifteen Shillings. — For 1900, 4 l. 15 s.

And for and upon two thousand Ounces, and any greater Quantity, not amounting to two thousand one hundred Ounces, the Sum of five Pounds. — For 2000, 5 l.

And for and upon two thousand one hundred Ounces, and any greater Quantity, not amounting to two thousand two hundred Ounces, the Sum of five Pounds five Shillings. — For 2100, 5 l. 5 s.

And

For 2200 Ounces, 5l. 10s. And for and upon two thouſand two hundred Ounces, and any greater Quantity, not amounting to two thouſand three hundred Ounces, the Sum of five Pounds ten Shillings.

For 2300, 5l. 15s. And for and upon two thouſand three hundred Ounces, and any greater Quantity, not amounting to two thouſand four hundred Ounces, the Sum of five Pounds fifteen Shillings.

For 2400, 6l. And for and upon two thouſand four hundred Ounces, and any greater Quantity, not amounting to two thouſand five hundred Ounces, the Sum of ſix Pounds.

For 2500, 6l. 5s. And for and upon two thouſand five hundred Ounces, and any greater Quantity, not amounting to two thouſand ſix hundred Ounces, the Sum of ſix Pounds five Shillings.

For 2600, 6l. 10s. And for and upon two thouſand ſix hundred Ounces, and any greater Quantity, not amounting to two thouſand ſeven hundred Ounces, the Sum of ſix Pounds ten Shillings.

For 2700, 6l. 15s. And for and upon two thouſand ſeven hundred Ounces, and any greater Quantity, not amounting to two thouſand eight hundred Ounces, the Sum of ſix Pounds fifteen Shillings.

For 2800, 7l. And for and upon two thouſand eight hundred Ounces, and any greater Quantity, not amounting to two thouſand nine hundred Ounces, the Sum of ſeven Pounds.

For 2900, 7l 5s. And for and upon two thouſand nine hundred Ounces, and any greater Quantity, not amounting to three thouſand Ounces, the Sum of ſeven Pounds five Shillings.

For 300, 7l. 10s. And for and upon three thouſand Ounces, and any greater Quantity, not amounting to three thouſand one hundred Ounces, the Sum of ſeven Pounds ten Shillings.

For 3100, 7l. 15s. And for and upon three thouſand one hundred Ounces, and any greater Quantity, not amounting to three thouſand two hundred Ounces, the Sum of ſeven Pounds fifteen Shillings.

For 3200, 8l. And for and upon three thouſand two hundred Ounces, and any greater Quantity, not amounting to three thouſand three hundred Ounces, the Sum of eight Pounds.

For 3300, 8l. 5s. And for and upon three thouſand three hundred Ounces, and any greater Quantity, not amounting to three thouſand four hundred Ounces, the Sum of eight Pounds five Shillings.

For 3400, 8l. 10s. And for and upon three thouſand four hundred Ounces, and any greater Quantity, not amounting to three thouſand five hundred Ounces, the Sum of eight Pounds ten Shillings.

For 3500, 8l. 15s. And for and upon three thouſand five hundred Ounces, and any greater Quantity, not amounting to three thouſand ſix hundred Ounces, the Sum of eight Pounds fifteen Shillings.

For 3600, 9l. And for and upon three thouſand ſix hundred Ounces, and any greater Quantity, not amounting to three thouſand ſeven hundred Ounces, the Sum of nine Pounds.

For 3700, 9l. 5s. And for and upon three thouſand ſeven hundred Ounces, and any greater Quantity, not amounting to three thouſand eight hundred Ounces, the Sum of nine Pounds five Shillings.

For 3800, 9l. 10s. And for and upon three thouſand eight hundred Ounces, and any greater Quantity, not amounting to three thouſand nine hundred Ounces, the Sum of nine Pounds ten Shillings.

For 3900, 9l. 15s. And for and upon three thouſand nine hundred Ounces, and any greater Quantity, not amounting to four thouſand Ounces, the Sum of nine Pounds fifteen Shillings.

For 4000, and upwards, 10l. And for and upon four thouſand Ounces, and upwards, the Sum of ten Pounds.

The Duties payable yearly; Which ſeveral Rates and Duties ſhall be paid yearly and every Year by all Perſons and Bodies Politick or Corporate, who, on the ſaid fifth Day of *July* one thouſand ſeven hundred and fifty-ſix, or afterwards, ſhall own, uſe, have or keep any Quantity of Silver Plate chargeable by this Act.

and ſuch of them as are chargeable in England, to be under the Management of the Commiſſioners of Exciſe in England; and thoſe in Scotland under the Commiſſioners there; and Officers to be appointed for collecting the Duties, which are to be paid into the Exchequer, and made Part of the Sinking Fund.

II. And be it further enacted by the Authority aforeſaid, That ſuch of the ſaid Rates and Duties by this Act granted, as are or ſhall be ſo chargeable for and upon Silver Plate in *England*, *Wales*, or the Town of *Berwick upon Tweed*, ſhall be under the Management of the Commiſſioners of Exciſe in *England* for the time being; and ſuch of the ſaid Rates and Duties by this Act granted, as are or ſhall be ſo chargeable for and upon Silver Plate in *Scotland*, ſhall be under the Management of the Commiſſioners of Exciſe in *Scotland* for the Time being; which Commiſſioners of Exciſe in *England* and *Scotland* reſpectively are hereby impowered to appoint proper Officers for collecting and receiving the ſaid Rates and Duties; and all Monies ariſing by the ſaid Rates and Duties (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall from Time to Time be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the publick Revenues, and ſhall for the Purpoſe aforeſaid be carried into and made Part of the Fund, commonly called *The Sinking Fund*.

Perſons liable to the Duties, within the Juriſdiction of the Chief Office of Exciſe in London, to give Notice, and make Entry there,

III. And it is hereby enacted by the Authority aforeſaid, That all Perſons and Bodies Politick or Corporate, who, on the ſaid fifth Day of *July* one thouſand ſeven hundred and fifty-ſix, ſhall own, uſe, have or keep any Quantity of Silver Plate chargeable by this Act, in *London*, *Weſtminſter*, or in any other Parts within the Limits or Juriſdiction of the Chief Office of Exciſe in *London*, ſhall, within thirty Days after the ſaid fifth Day of *July* one thouſand ſeven hundred and fifty-ſix, give Notice and make true Entry in Writing at the ſaid Chief Office of Exciſe, of their owning, uſing, having or keeping ſuch Silver Plate, and of the Number of Ounces of ſuch Plate chargeable by this Act, whereſoever the ſame, or any Part thereof, ſhall be kept, and of the Pariſh or Place, or Pariſhes or Places where ſuch Perſons ſhall reſpectively inhabit, or where ſuch Bodies Politick or Corporate ſhall reſpectively be ſituate, diſtinguiſhing in ſuch Notice whether the ſame be given on their own Account, or on the Account of any other, and what Perſon or Perſons, or Body or Bodies Politick or Corporate; and all Perſons and Bodies Politick or Corporate, who, after the ſaid fifth Day of *July* one thouſand ſeven hundred and fifty-ſix, ſhall own, uſe, have or keep any Quantity of Silver Plate chargeable by this Act, in *London*, *Weſtminſter*, or in any Parts within the Limits or Juriſdiction of the Chief Office of Exciſe in *London*, ſhall, within twenty Days next after ſuch Perſons or Bodies Politick or Corporate reſpectively ſhall begin to own, uſe, have or keep any Quantity of Silver Plate chargeable by this Act, give

give the like Notice, and make the like Entry at the said Chief Office of Excise; and all Persons and Bodies Politick or Corporate, who, on the said fifth Day of *July* one thousand seven hundred and fifty-six, shall own, use, have or keep any Quantity of Silver Plate chargeable by this Act, in any other Part of *Great Britain*, shall, within forty Days after the said fifth Day of *July* one thousand seven hundred and fifty-six, give the like Notice, and make the like Entry at the Office of Excise next to the Place where such Persons shall respectively inhabit, or where such Bodies Politick or Corporate shall respectively be situate; and all Persons and Bodies Politick or Corporate, who, after the said fifth Day of *July* one thousand seven hundred and fifty-six, shall own, use, have or keep any Quantity of Silver Plate chargeable by this Act, in any other Part of *Great Britain*, shall, within twenty Days next after such Persons or Bodies Politick or Corporate shall respectively begin to own, use, have or keep any Quantity of Silver Plate chargeable by this Act, give the like Notice, and make the like Entry at the Office of Excise next to the Place where such Persons shall respectively inhabit, or where such Bodies Politick or Corporate shall respectively be situate; and all Persons or Bodies Politick or Corporate respectively shall, at the Time of giving such Notice and making such Entry, pay down the respective annual Rates and Duties chargeable by this Act; and the respective Rates and Duties so to be paid by all such Persons and Bodies Politick or Corporate, who, on the said fifth Day of *July* one thousand seven hundred and fifty-six, shall own, use, have or keep any Quantity of Silver Plate chargeable by this Act, shall annually be computed and deemed payable from the said fifth Day of *July* one thousand seven hundred and fifty-six; and the respective Rates and Duties so to be paid by all Persons and Bodies Politick or Corporate, who, after the said fifth Day of *July* one thousand seven hundred and fifty-six, shall own, use, have or keep any Quantity of Silver Plate chargeable by this Act, shall annnually be computed and deemed payable from the Time of their first beginning to own, use, have or keep such Silver Plate.

and Persons in other Parts to give like Notice,

at the next Office of Excise;

and make Payment at the same Time of the Duties.

Respective Times of computing the Duties.

IV. And be it further enacted by the Authority aforesaid, That all Persons and Bodies Politick or Corporate, who shall give, or be obliged to give such Notice as aforesaid, shall, within thirty Days next after the Commencement of each Year, for which the said Rates and Duties shall be payable, give a fresh Notice in manner aforesaid, and pay down the respective annual Rates and Duties above-mentioned, according to the Number of Ounces of Silver Plate chargeable by this Act, which they shall then respectively own, use, have or keep, and shall in the same Manner renew such Notice, and make such Payment from Year to Year, as long as they shall respectively continue to own, use, have or keep any Quantity of Silver Plate chargeable by this Act; and if any Person or Body Politick or Corporate so owning, using, having or keeping any Silver Plate chargeable by this Act, shall refuse or neglect to give such first Notice, and make such Entry and Payment as aforesaid, or to renew such Notice, and make such Entry and Payment yearly and every Year in Manner aforesaid, or shall, with Intent to defraud his Majesty of any of the Rates and Duties granted by this Act, conceal, or cause or procure to be concealed any Silver Plate, which he or she, or such Body Politick or Corporate shall own, use, have or keep; then, and in every such Case, every such Person or Body Politick or Corporate, acting contrary to the respective Directions of this Act, shall for every such Offence respectively forfeit and lose the Sum of twenty Pounds.

Fresh Notice to be given, and Duties to be paid annually.

20 l. Penalty on not giving Notice, and renewing the same, &c.

V. Provided always, That nothing in this Act contained shall extend to oblige any Person or Body Politick or Corporate to give any such fresh Notice, and make any such new Entry or Payment, between the Commencement and Expiration of the Year, for which any such Rates or Duties shall have been paid; although such Person or Body Politick or Corporate may have acquired in the mean time the Property, Use, Possession or Custody of any additional Quantity of Silver Plate; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Fresh Notice and Entry not necessary for any new Acquisition of Plate within the Year.

VI. Provided always, and be it enacted by the Authority aforesaid, That in every Case where the Duty or Duties required by this Act to be paid, by any Person or Body Politick or Corporate chargeable with the same, shall be paid, and Notice given, and Entry made as aforesaid, before any Information laid for not having given such Notice, and made such Entry and Payment, or Prosecution begun for the same, no Person or Body Politick or Corporate having given such Notice, and made such Entry and Payment, although not strictly within the Time prescribed by this Act, shall be afterwards prosecuted for not having given such Notice, and made such Entry and Payment, within the Time limited as aforesaid; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Persons making Entry, and paying the Duties before Information given, &c. not liable to Prosecution.

VII. Provided always, and it is hereby enacted by the Authority aforesaid, That nothing herein contained shall extend to charge with the Duties payable by virtue of this Act, any Persons or Bodies Politick or Corporate, who, on the said fifth Day of *July* one thousand seven hundred and fifty-six, or at any Time afterwards, shall keep and not use any Silver Plate, which hath been or shall be pledged to, or deposited with them respectively, by any other Person or Persons, or Body or Bodies Politick or Corporate.

Persons receiving Plate in Pledge, without using the same, not liable.

VIII. Provided nevertheless, That the true Owner or Owners of such Plate so pledged or deposited, shall, during all such Time as such Plate shall be so kept, and not used by the Person or Persons, or Body or Bodies Politick or Corporate, to whom such Plate shall be so pledged, or with whom the same shall be so deposited, be liable to pay the Rates and Duties chargeable by this Act, in respect of such Plate, and to give such Notice, and make such Entry and Payment as aforesaid.

Owners to enter and pay Duty for such pledged Plate.

IX. Provided also, and it is hereby enacted, That this Act shall not extend to charge with any of the respective Rates and Duties granted by this Act, any Silver Plate which shall belong to any Place of religious Worship, and which is, or shall be used therein only, nor the Stock in Trade of any Goldsmith, Silversmith, Manufacturer, Seller of or Dealer in Silver Plate.

Church Plate and Stock in Trade not liable.

Dealers to enter and pay for Plate in use.

X. Provided nevertheleſs, That every ſuch Goldſmith, Silverſmith, Manufacturer, Seller of or Dealer in Silver Plate, ſhall give ſuch firſt Notice, and make ſuch Entry and Payment as aforeſaid, and from Time to Time renew ſuch Notice, and make ſuch Entry and Payment yearly and every Year, in Manner herein before directed, for and in reſpect of all ſuch Silver Plate, as ſhall be uſed by him or in his Family; on Pain to forfeit for every Neglect or Refuſal to give any ſuch Notice, and make ſuch Entry or Payment as aforeſaid, the Sum of twenty Pounds.

Perſons who have made Entry and Payment dying within the Year,

their Succeſſors not liable to pay for the Reſidue of the Year.

XI. Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon having given due Notice, and made due Entry and Payment of the Duty, for any Quantity of Silver Plate chargeable by this Act, according to the true Intent and Meaning thereof, ſhall die before the End of the Year for which ſuch Payment ſhall be made, in every ſuch Caſe, it ſhall and may be lawful for the Perſon or Perſons, Body or Bodies Politick or Corporate, in whom the Property of ſuch Silver Plate ſhall immediately be veſted upon ſuch Death, to uſe, have and keep ſuch Silver Plate, for or in reſpect whereof ſuch Duty ſhall have been paid as aforeſaid, during the Reſidue of the Year for which ſuch Payment ſhall have been made, in like Manner as ſuch deceaſed Perſon might have done if living.

Upon Payment of the Duties, Entry to be made by the Officer, of the Perſons and Quantity of Plate chargeable.

Receipt to be given.

XII. And be it further enacted by the Authority aforeſaid, That upon the Payment of the ſaid reſpective Rates and Duties ſo hereby granted, at the ſaid reſpective Offices of Exciſe, the Names, Stiles, and Titles of the reſpective Perſons, Bodies Politick or Corporate, by whom or on whoſe Account the ſame ſhall be ſo paid, and the Number of Ounces of Silver Plate chargeable by virtue of this Act on ſuch Perſons, or Bodies Politick or Corporate reſpectively, and the Names of the Pariſh or Place, or Pariſhes or Places where ſuch Perſon ſhall reſpectively inhabit, or ſuch Bodies Politick or Corporate ſhall reſpectively be ſituate, ſhall be entered in a Regiſter, to be kept at the ſaid reſpective Offices of Exciſe for that Purpoſe, by the Perſon ſo receiving the ſame; and a Receipt (of which an indented Duplicate ſhall be kept by the Perſon ſo receiving the ſaid Money) ſhall be given to every Perſon ſo paying ſuch reſpective Rates and Duties by the ſaid Perſon ſo receiving the ſame, which Receipt ſhall contain the Number of the ſaid Regiſter, the Number of the Ounces of Silver Plate ſo reſpectively paid for, the Sum ſo paid, and the Time for which ſuch Sum ſhall have been ſo paid, and be a Diſcharge to the reſpective Perſons, Bodies Politick or Corporate, who ſhall ſo own, uſe, have or keep ſuch Silver Plate, for the Rates and Duties payable for ſuch Number of Ounces of Silver Plate, whereſoever the ſame ſhall be reſpectively uſed or kept.

Proſecutions for Recovery of the Duties or Forfeitures, determinable in Weſtminſter Hall, and Court of Exchequer in Scotland, or by the Commiſſioners of Exciſe, if within the Juriſdiction of London, and in caſe of Appeal from them by the Commiſſioners of Appeals; or in other Places by two or more Juſtices.

Informer or Defendant aggrieved, may appeal to the Quarter Seſſions.

Upon Complaint or Information on Oath, the Parties to be ſummoned and heard,

and Judgment to be given thereupon.

XIII. And be it further enacted by the Authority aforeſaid, That all Proſecutions for the Recovery of the Rates and Duties hereby granted, and for Forfeitures and Offences incurred and committed againſt this Act, or any Clauſe or Article therein contained, ſhall and may be heard, adjudged and determined either by Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*, if ſuch Forfeiture ſhall be incurred there, or in ſuch Manner and Form as hereafter is directed; that is to ſay, All Proſecutions for Forfeitures and Offences incurred and committed within the Limits or Juriſdiction of the Chief Office of Exciſe in *London*, ſhall and may be heard, adjudged and determined by any three or more of the Commiſſioners of Exciſe in *England* for the Time being; and in caſe of Appeal from the Judgment of the ſaid Commiſſioners (and not otherwiſe) ſhall be heard, adjudged and determined by the Commiſſioners for Appeals for the Time being, or the major Part of them, whoſe Judgment therein ſhall be final; and all Proſecutions for Forfeitures and Offences incurred and committed within all or any other the Counties, Shires, Stewartries, Cities, Towns or Places within the Kingdom of *Great Britain*, ſhall and may be heard, adjudged and determined by any two or more of the Juſtices of the Peace reſiding near to the Place where ſuch Forfeiture ſhall be incurred or Offence committed; and if either the Informers or Defendants ſhall think themſelves aggrieved by the Judgment given by ſuch Juſtices, it ſhall and may be lawful for every ſuch Informer or Defendant to appeal to the Juſtices of the Peace at the next Quarter-Seſſions to be holden in and for the County, Shire, Stewartry, City, Town or Place where the Forfeitures ſhall be incurred, who are thereby authorized and impowered to hear, adjudge and determine the ſame, and whoſe Judgment therein ſhall be final; and the ſaid Commiſſioners for Exciſe, and Commiſſioners for Appeals (in Caſe of Appeal) and all Juſtices of the Peace aforeſaid reſpectively are hereby authorized and required, upon Complaint or Information upon Oath exhibited and brought before them reſpectively, for any Forfeiture incurred or Offence committed by any Perſon or Perſons contrary to this Act (which Oath the ſaid Commiſſioners and Juſtices of the Peace reſpectively are hereby authorized to adminiſter) to ſummon the Party or Parties accuſed; and in caſe of any ſuch Complaint or Information exhibited againſt any Body Politick or Corporate, to ſummon the Chief Officer or Officers of ſuch Body Politick or Corporate, and upon the Appearance or Contempt of any ſuch Perſon ſo ſummoned, to proceed to the Examination of the Matter of Fact; and upon due Proof made thereof either by the voluntary Confeſſion of the Perſon or Perſons ſo ſummoned, or by the Oath of one or more credible Witneſs or Witneſſes (which Oath they the ſaid Commiſſioners and Juſtices reſpectively have hereby Power to adminiſter) to give Judgment or Sentence thereupon; and to award and iſſue out Warrants under their Hands reſpectively, for the levying of ſuch Forfeitures and Penalties as are by this Act impoſed, upon the Goods and Chattels of ſuch Perſon or Perſons, or Body or Bodies Politick or Corporate, and to cauſe Sale to be made of ſuch Goods and Chattels, if they ſhall not be redeemed within fourteen Days, rendering to ſuch Perſon or Perſons, Body or Bodies Politick or Corporate, the Overplus (if any be) and for want of ſufficient Diſtreſs, otherwiſe than in the Caſe of a Body Politick or Corporate, to impriſon the Party or Parties offending till Satisfaction be made.

Forfeitures to be levied by Diſtreſs and Sale.

For want of Diſtreſs, Offender to be committed.

One Moiety of the Forfeitures to the Crown,

XIV. And it is hereby further enacted, That all Forfeitures and Penalties which ſhall be recovered for any Offences committed againſt this Act (all neceſſary Charges for the Recovery thereof being

being first deducted) shall be distributed, one Moiety thereof to and for the Use of his Majesty, his Heirs and Successors, and the other Moiety thereof to him, her or them who shall inform or sue for the same. — the other to the Informer.

XV. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested or prosecuted for any Thing done by virtue or in pursuance of this Act, or any the Clauses herein contained, such Person or Persons shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, for his, her or their Defence; and if afterwards on a Trial, a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her or their Action or Actions, or be nonsuited, or Judgment shall be given against him, her or them upon Demurrer or otherwise, then such Defendant or Defendants shall have Treble Costs to him, her or them awarded, against such Plaintiff or Plaintiffs. — Persons sued may plead the General Issue; and recover treble Costs.

See farther 31 *Geo.* 2. *c.* 32. — 32 *Geo.* 2. *c.* 24.

CAP. XV.

An Act for granting a Bounty upon certain Species of *British* and *Irish* Linens exported; and taking off the Duties on the Importation of Foreign Raw Linen Yarns made of Flax.

'WHEREAS the Wealth and Prosperity of this Kingdom do very much depend upon the Preservation and Improvement of the Manufactures thereof: And whereas the Manufacture of Linen would be greatly improved, and the Exportation of it to foreign Parts considerably increased, if a Bounty was allowed on the Exportation of all *British* and *Irish* Linens of a certain Value, and the Duties payable upon the Importation of raw or brown Linen Yarn made of Flax were discontinued:' May it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be given and paid without any Fee, Reward or Deduction whatsoever, a Bounty for every Yard of *British* and *Irish* Linens made of Hemp or Flax, and of the Breadth of twenty-five Inches or more, under the Value of five Pence *per* Yard, the Sum of one Halfpenny; and of the Value of five Pence *per* Yard, and under the Value of six Pence *per* Yard the Sum of one Penny; and of the Value of six Pence *per* Yard, and not exceeding the Value of eighteen Pence *per* Yard, the Sum of one Penny Halfpenny, which from and after the twenty-fourth Day of *June* in the Year one thousand seven hundred and fifty-six, and within the Term of fifteen Years, to commence from the said twenty-fourth Day of *June*, or at any Time thereafter before the End of the then next Session of Parliament, shall be exported out of *Great Britain* to *Africa*, *America*, *Spain*, *Portugal*, *Gibraltar*, the Island of *Minorca*, or the *East-Indies*; which said Bounty shall be paid upon Demand to the Exporter of such Linens, or the Seller thereof for Exportation, by the Collector of the Port from whence the same shall be exported, out of the Monies that shall be in his Hands, arising from any of the Duties, Revenues and Customs collected and received at such Port; and in case any Collector of the Customs in any Out-Port in *South Britain*, or of any Port in *North Britain*, shall not have Money sufficient in his Hands to pay such Bounty, that then every such Collector shall, if thereunto required, forthwith without Fee or Reward give to the Person or Persons intitled to such Bounty a Certificate under his Hand, attested by the Comptroller, certifying to the Commissioners of his Majesty's Customs at *London*, if such Linens are exported from any Port in that Part of *Great Britain* called *England*, or to the Commissioners of his Majesty's Customs at *Edinburgh*, if such Linens are exported from any Port in that Part of *Great Britain* called *Scotland*, that he hath not Money in his Hand sufficient to pay the said Bounty, and also what is due for the same to such Person or Persons, and upon producing such Certificate, and the Debenture of the Linens exported, the said respective Commissioners of the Customs shall cause to be paid without Fee or Reward, by the Receiver General or Cashier of the Customs at *London* or *Edinburgh* respectively, to the Person or Persons producing every such Certificate and Debenture, the Sum or Sums of Money so certified to be due, out of the Monies arising from any of the Duties, Revenues and Customs under the Management of such respective Commissioners; and if the Receiver General or Cashier of the Customs at *Edinburgh* shall not have Money sufficient in his Hands to pay the Bounty so certified to be due, the Commissioners of his Majesty's Customs at *Edinburgh*, or any three of them, shall forthwith without Fee or Reward give such Exporter, or Seller for Exportation, a Certificate, certifying the same to the Commissioners of his Majesty's Customs at *London*; which Certificates being affixed to the Debentures for the Bounty of the said Linens so exported, and being produced to the said Commissioners of his Majesty's Customs at *London*, they the said Commissioners are hereby authorized and required on Demand by such Exporter or Seller for Exportation, or other Person legally authorized to receive the same, that shall bring such Certificate and Debenture, to cause the Money thereby certified to be due to be paid by the Receiver General or Cashier of the Customs without Fee or Reward, out of the Monies that shall be in his Hands, arising from any of the Duties, Revenues and Customs under the Management of the said Commissioners at *London*.

Refer to 28 *H.* 8. *c.* 4. 1 *Eliz. c.* 12. 7 & 8 *W.* 3 *c.* 39. 1 *Ann. st.* 2. *c.* 8. 3 *Ann. c.* 8. 7 *Ann. c.* 7. 10 *Ann. c.* 19 & 21. 12 *Ann. st.* 2. *c.* 9, 19 & 21. 1 *Geo.* 1. *c.* 36. 3 *Geo.* 1. *c.* 7 & 21. 17 *Geo.* 2. *c.* 30. 18 *Geo.* 2. *c.* 24, 25, 27 & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. Bounty granted on certain Species of British and Irish Linens exported; viz. under 5 d. per Yard 2 q. of 5 d. and under 6 d. per Yard 1 d. of 6 d. and not exceeding 1 s. 6 d. per Yard 1 d. 2 q. for the Term of 15 Years. Bounty payable to the Exporter or Seller, by Collector of the Port, and for want of Money Certificates to be granted for the same, &c.

II. Provided always, That the Exporter, or Seller for Exportation, of such *British* and *Irish* Linens, shall in his Entry thereof express the Quantity and Value, and likewise endorse on the Cocquet granted upon such Entry, the true Quantity and Value of the Linens intended to be shipped; and moreover shall, before he receive such Bounty, produce a Certificate from the Searcher or other proper Officer appointed to see the same shipped, verifying the shipping thereof, and shall likewise give sufficient Security Quantity and Value of the Linens to be entered and endorsed on the Cocquet, and Certificate from the Searcher produced, and Security given for not relanding.

curity to the Collector or Customer of the Port, in the Penalty of double the Value of the Goods intended to be exported, and one hundred Pounds (which Security every such Collector or Customer is hereby impowered and required to take in the Name, and to the Use of his Majesty, his Heirs and Successors) that such Linens so shipped or intended to be shipped, or any Part thereof, shall not be relanded or brought on Shore again in any Port or Part of *Great Britain*, *Ireland*, or *The Isle of Man*; and shall also, before he receives any such Bounty, make Oath (which Oath the proper Officers of the Customs have hereby Power to administer) of the Value of such Linens, and that the same were made in *Great Britain* or *Ireland*.

and Oath to be made of the Value and Manufacture.

III. And in order to prevent Abuses in obtaining the said Bounty, Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Searcher, or other proper Officer, after the Entry of any Linens, as being intitled to the said Bounty, and before or after the shipping thereof, to open and strictly examine any Bale, Truss, Chest or other Package, to see if the Goods are right entered and endorsed on the Cocquet; and if, on such Examination, the same shall be found to be right entered and endorsed, the Searcher shall at his own Charge cause the same to be repacked; which Charge shall be allowed to the said Officer by the Commissioners of the Customs if they think it reasonable.

Searcher may examine if the Goods agree with the Entry and Cocquet; if right, they are to be repacked at his Charge.

IV. And be it further enacted by the Authority aforesaid, That if upon View and Examination by the proper Officers of the Customs it shall appear, that all or any Piece or Pieces of Linen which shall be entered for Exportation, as intitled to the Bounty hereby granted, is or are of greater Value than one Shilling and six Pence *per* Yard, then, and in such Case, the Exporter, or Seller of such Linen for Exportation, shall, on Demand made in Writing by the Customer or Collector and Comptroller of the Port where such Goods or Merchandizes are entered, deliver, or cause to be delivered, so many Pieces of such Linen as shall be demanded by the said Officer, into his Majesty's Warehouse, at the Port of Exportation, for the Use and Benefit of the Crown; and upon such Delivery, the Customer or Collector of such Port, with the Privity of the Comptroller, shall, out of any Money in the Hands of such Customer or Collector, arising by Customs or other Duties belonging to the Crown, pay to such Exporter, or Seller for Exportation, the Value of one Shilling and seven Pence *per* Yard, taking a Receipt for the same from such Exporter or Seller for Exportation, in full Satisfaction for the said Goods, as if they had been regularly sold; and the respective Commissioners of the Customs shall cause the said Goods to be fairly and publickly sold for the best Advantage; and out of the Produce thereof, the Money so paid or advanced as aforesaid, shall be repaid to such Customer or Collector, with the Privity of the Comptroller, to be replaced to such Funds from whence the same was borrowed; and if any Overplus shall remain, after defraying the Expences of such Sale, and the necessary Charges incident thereto, one Moiety of such Overplus shall be paid into his Majesty's Exchequer, to be made Part of the Sinking Fund, and the other Moiety to the proper Officers who shall have searched and examined such Linens.

Linens entered for the Bounty of greater Value than 1s. 6d. per Yard, to be delivered on Demand into the King's Warehouse,

and 1s. 7d. per Yard to be paid for the same.

Goods to be afterwards sold publickly, to replace the Expence to the proper Funds.

Overplus how to be applied.

V. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall enter for Exportation any Linen at any Value, not exceeding the Value of one Shilling and six Pence *per* Yard, and which, upon the View and Examination of the proper Officers of the Customs, shall be thought to be of greater Value than one Shilling and six Pence *per* Yard, and shall, on Demand made in Writing by the Customer or Collector, and Comptroller of the Port where such Linen is entered for Exportation, refuse to deliver, or cause to be delivered, all or any of the Pieces of such Linen into his Majesty's Warehouse at such Port, for the Use and Benefit of the Crown, and to receive from the said Officers of the Customs at the said Port the Value of one Shilling and seven Pence *per* Yard for such Linen, in full Satisfaction for the same; or if the proper Officers of the Customs shall, upon View and Examination, find any such Linen which shall be entered for Exportation, at the Value of six Pence *per* Yard, or above that Value, not exceeding eighteen Pence *per* Yard, to be under the Value of six Pence *per* Yard, or which shall be entered at the Value of five Pence *per* Yard, or above that Value, and not amounting to the Value of six Pence *per* Yard, to be under the Value of five Pence *per* Yard; or if such Linen shall be less in Quantity than shall be expressed in the said Indorsement on the said Entry or Cocquet, or shall not be of the Breadth of twenty-five Inches at the least; or if the same shall be entered and indorsed under a wrong Denomination, whereby the said Bounty, or any Part thereof, would have been fraudulently obtained; that then, and in every such Case, all such Linen which shall be so refused to be delivered, or that shall be under the Value of six Pence *per* Yard, or five Pence *per* Yard respectively, or shall appear to be less in Quantity than expressed in such Indorsement, or be under the Breadth of twenty-five Inches, or entered and indorsed under a wrong Denomination, and also all the Goods contained in all and every the Package or Packages indorsed on the said Entry or Cocquet, shall be forfeited and lost, and shall and may be seized by any Officer or Officers of the Customs; and the Owner or Merchant shall lose the Benefit of receiving the Bounty for such Goods.

Linens entered at an under Value, and refused to be given up;

and also Linens found to be under the Value of 5d. or 6d. per Yard respectively, or less in Quantity or Breadth, than required by the Act,

or entered under a wrong Denomination,

to be forfeited with the Package.

VI. And be it also further enacted by the Authority aforesaid, That if any *British* or *Irish* Linen for which the Bounty shall have been given or claimed, shall be relanded in *Great Britain*, *Ireland*, or *The Isle of Man*, the same shall be forfeited; and every Person concerned in bringing back or relanding the same, shall forfeit one Shilling for every Yard so brought back or relanded.

Linens relanded to be forfeited, with 1s. per Yard.

VII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to give any Bounty on any Linens that are striped or chequered, or printed or painted, or made into Buckrams or Tillettings.

Striped and chequered Linens, &c. excepted.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That no Linen of the Manufacture of *Ireland*, to be exported from *Great Britain*, shall be intitled to the Bounty, unless such Linen shall be, at the Time of such Exportation, the Property of a Person or Persons residing in *Great Britain*, or in some of his Majesty's Colonies or Plantations in *America*, of which the Exporter or Seller for Exportation of such *Irish* Linen is hereby required to make Oath, before the proper Officer or Officers of the Customs of the Port where such *Irish* Linen shall be entered for Exportation; which Oath such Officer or Officers is or are hereby impowered to administer.

Irish Linen receiving the Bounty, Exporter to make Oath, that the same is the Property of some Person in Great Britain or America.

IX. And be it enacted by the Authority aforesaid, That the Species of *Irish* Linen made of Flax and Hemp, whereof the Piece or Bolt contains thirty-eight Yards in Length, and twenty-four Inches in Breadth, and Cloths of different Lengths and Breadths in Proportion from Number one to Number ten inclusive, which shall weigh fifteen Pounds Weight or upwards, to forty-four Pounds Weight, as the same is described in an Act made in the ninth Year of the Reign of his present Majesty, intituled, *An Act for further encouraging and regulating the Manufacture of* British *Sail Cloth*; *and for the more effectual securing the Duties now payable on foreign Sail Cloth imported into this Kingdom*, shall not be intitled to any Bounty or Reward by virtue or in consequence of this Act; any Thing in this or any former Act contained to the contrary in any wise notwithstanding.

Species of Irish Linens excepted from Bounty.

X. Provided always and be it further enacted, That all Bonds taken or to be taken, and Debentures made or to be made, pursuant to this Act, shall not be chargeable with any of the Duties upon stampt Vellum, Parchment or Paper; any Law or Statute made or to be made to the contrary notwithstanding.

Bonds and Debentures excepted from Stamp Duties.

XI. And be it further enacted by the Authority aforesaid, That if any Person shall falsely make any Oath by this Act directed to be made, and shall thereof be legally convicted in any of his Majesty's Courts of Record in *Great Britain*, every such Person shall forfeit the Sum of two hundred Pounds, and be imprisoned for twelve Months.

200*l.* Penalty, and 12 Months Imprisonment, on making a false Oath.

XII. And be it further enacted by the Authority aforesaid, That the several Seizures, Penalties and Forfeitures in this Act mentioned, shall and may be prosecuted and determined by Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland* respectively, wherein no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance shall be allowed; and one Moiety of the said Seizures, Penalties and Forfeitures, shall be to the Use of the King's Majesty, and the other Moiety to such Person or Persons as will sue for or prosecute the same; and in case in any such Suit it shall be made a Question whether any such Linen is of the Manufacture or Fabrick of *Great Britain* or *Ireland*, or of any foreign Country, in such Case the *Onus Probandi* thereof shall lie upon the Exporter or Seller thereof for Exportation.

Where Seizures, Penalties, and Forfeitures, may be prosecuted.

In case of Question concerning where Linens were manufactured, Proof to lie on the Exporter.

XIII. And be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June*, no Subsidy, Custom, Rate, Duty, or other Imposition whatsoever, shall be demanded, collected, received or taken, upon any Raw or Brown Linen Yarns, made of Flax, and known by the Names of *Dutch* Yarn and *French* Yarn, and of *Spruce* or *Muscovia* Yarn, or any other foreign Raw or Brown Linen Yarns made of Flax, which shall be imported into this Kingdom; but that all such Linen Yarns shall and may be imported Duty-free, for the Space of fifteen Years from the said twenty-fourth Day of *June*, or at any Time thereafter, before the End of the then next Session of Parliament; any former Law, Statute, or Act or Acts of Parliament, to the contrary notwithstanding: And in case any Question shall arise in respect of Yarn imported Duty-free, whether such Yarn be made of Flax or not, the *Onus probandi* shall lie upon the Importer or Claimer thereof.

Duty on foreign Raw Linen Yarns imported, taken off for the Term of 15 Years.

In case of Question relating to the same, Proof to lie on the Importer.

XIV. Provided always, and be it further enacted by the Authority aforesaid, That a due Entry shall be made of all such foreign Raw or Brown Linen Yarns, at the Custom-house belonging to the Port into which the same shall be imported, in such Manner and Form, and expressing the Quantities and Species of such Raw or Brown Linen Yarns, as were used and practised before the making of this Act; and such Yarn shall be landed in the Presence of the proper Officer or Officers of the Customs appointed for that Purpose; and the Importation thereof, be in Ships or Vessels built in *Great Britain*, *Ireland*, or his Majesty's Dominions in *America*, and navigated according to Law; and if any Person or Persons upon the Importation of any foreign Raw or Brown Linen Yarn made of Flax, shall not observe and perform the said Conditions and Directions herein before-mentioned, every such Person shall be liable to and pay such and the same Duties, as such Yarn would have been liable to, if this Act had not been made; any Thing in this Act contained to the contrary notwithstanding.

Entry to be made of such Yarn;

Conditions to be observed in importing,

on Failure of which, Duties to be paid.

XV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Persons sued on Account of this Act, may plead the General Issue, and recover treble Costs.

See farther 32 *Geo.* 2. *c.* 32.

CAP. XVI.

An Act to impower his Majesty to prohibit the Exportation of Salt Petre; and to enforce the Law for impowering his Majesty to prohibit the Exportation of Gunpowder, or any any Sort of Arms and Ammunition; and also to impower his Majesty to restrain the carrying Coastwise of Salt Petre, Gunpowder, or any Sort of Arms or Ammunition.

16 *Car.* 1. *c.* 21. 1 *Jac.* 2. *c.* 8. 5 *Geo.* 1. *c.* 26. 11 *Geo.* 1. *c.* 23. 4 *Geo.* 2. *c.* 29. 15 *Geo.* 2. *c.* 32. 22 *Geo.* 2. *c.* 38.

His Majesty impowered by Proclamation, or Order of Council, to prohibit the Exportation of Salt Petre.

'WHEREAS by an Act of Tonnage and Poundage made in the twelfth Year of the Reign of King CHARLES the Second, Power is expresly reserved to his Majesty to prohibit, at and for such Times as he should see Cause, the transporting of Gunpowder, or any Sort of Arms or Ammunition, into any Parts out of this Kingdom: And whereas Salt Petre is absolutely necessary to the making of Gunpowder, and the publick Safety may require temporary Restraints upon the Exportation thereof, at critical Conjunctures;' Therefore to prevent all Doubts, be it hereby declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That his Majesty may, by Proclamation or Order in Council, when he shall see Cause, and for such Time as shall be therein expressed, prohibit the exporting, or attempting to export, Salt Petre out of this Kingdom, in such Manner and under such Restraints as he shall think fit.

Salt Petre, Gunpowder, Arms, or Ammunition, shipped after such Prohibition, to be forfeited, &c.

and Owner to pay 100 l. for every C. wt. of such Salt Petre and Gunpowder; 100 l. for every 25 Arms, and 100 l. for every CC. wt. of other Ammunition;

II. And it is hereby further enacted, That whatever Quantity or Quantities of Salt Petre, Gunpowder, or any Sort of Arms or Ammunition prohibited by Proclamation or Order in Council to be exported, shall be shipped or laden on Board any Ship or Vessel in any of the Port or Ports of *Great Britain*, in order for Exportation, contrary to such Proclamation or Order, all such Salt Petre, Gunpowder, or any Sort of Arms or Ammunition, prohibited by Proclamation or Order in Council to be exported, shall be forfeited, and may be seized by Warrant from any Magistrate, or by any Custom-house, Impost, or Excise Officer; and the Owner or Owners of such Salt Petre, Gunpowder, or any Sort of Arms or Ammunition prohibited by Proclamation or Order in Council to be exported, as shall be so shipped for Exportation, shall severally and respectively forfeit and pay the Sum of one hundred Pounds for every Hundred Weight of Salt Petre and Gunpowder, and so in Proportion for any lesser Quantity; and one hundred Pound for every five and twenty Arms, and so in Proportion for any greater or lesser Number; and one hundred Pounds for every two hundred Weight of any Species of Ammunition, and so in Proportion for any lesser Quantity, prohibited by Proclamation or Order in Council to be exported, so shipped for Exportation.

and Aiders in shipping thereof, to forfeit 100 l. and treble Value; and the Master 100 l.

III. And be it further enacted, That if any Person or Persons shall be aiding or assisting in the shipping or lading any Salt Petre, Gunpowder, or any Sort of Arms or Ammunition for Exportation, during the Time it shall be so prohibited by Proclamation or Order in Council, contrary to such Proclamation or Order, every such Person shall forfeit and pay one hundred Pounds, and treble the Value of such Salt Petre, Gunpowder, or any Sort of Arms or Ammunition prohibited by Proclamation or Order in Council to be exported.

IV. Provided also, and be it hereby further enacted, That if any Master of any Ship or Vessel shall lade or take on Board, or suffer or permit to be laden or taken on Board, any Salt Petre, Gunpowder, or any sort of Arms or Ammunition for Exportation, during the Time it shall be so prohibited to be exported as aforesaid, every such Master shall forfeit the Sum of one hundred Pounds.

The same may be prohibited from being carried Coastwise.

V. Provided always, and be it further enacted by the Authority aforesaid, That this Act, and every Clause, Matter and Thing herein contained, shall extend, and be construed to extend, to impower his Majesty to prohibit the shipping of any Salt Petre, Gunpowder, or any Sort of Arms or Ammunition, in order to be carried Coastwise, in like Manner as he is by this Act impowered to prohibit the Exportation of Salt Petre.

Application of the Penalties.

VI. And it is hereby further enacted, That the Penalties before in this Act mentioned and provided, shall be divided into three several Parts, two third Parts thereof to his Majesty, his Heirs and Successors, and the other third Part thereof to such Person or Persons as shall seize or sue for the same, by Bill, Plaint or Information, in any of his Majesty's Courts of Exchequer in *Great Britain*, wherein no Essoin, Protection, or Wager of Law, shall be allowed.

CAP. XVII.

An Act to prevent his Majesty's Subjects from serving as Officers under the *French* King; and for the better enforcing an Act passed in the ninth Year of his present Majesty's Reign, to prevent the inlisting his Majesty's Subjects to serve as Soldiers without his Majesty's Licence; and for obliging such of his Majesty's Subjects as shall accept Commissions in the *Scotch Brigade*, in the Service of the States General of the United Provinces, to take the Oaths of Allegiance and Abjuration.

'WHEREAS divers of his Majesty's Subjects have been induced to serve as Officers under the *French* King, which Practice is highly to the Dishonour, and is greatly prejudicial to the Safety and Welfare of this Kingdom:' For Remedy thereof, Be it enacted by the King's most Excellent Ma-

jesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That if any Subject of the Crown of *Great Britain*, from and after the first Day of *May* one thousand seven hundred and fifty-six, shall take or accept of any Military Commission, or otherwise enter into the Military Service of the *French* King, as a Commissioned or Non-commissioned Officer, without Leave or Licence of his Majesty, his Heirs or Successors, first had and obtained for that Purpose, under the Sign-Manual of his Majesty, his Heirs or Successors, every such Person so offending, being thereof lawfully convicted, shall be taken, deemed and adjudged to be guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Accepting of any Military Commission, &c. in the French King's Service, without Leave, under the Sign Manual, Felony.

II. And be it further enacted by the Authority aforesaid, That if any Commissioned or Non-commissioned Officer, or Private Soldier (being a Subject of the Crown of *Great Britain*) who may be now in the said Service, without his Majesty's Licence first had and obtained as aforesaid, do and shall, on or before the twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, return into this Kingdom, with Intent to become, and shall become, a dutiful and faithful Subject to his Majesty, his Heirs and Successors, and surrender himself to any one or more of his Majesty's Justices of the Peace within this Kingdom, and shall within the Time aforesaid, with good and sufficient Sureties, enter into a sufficient Recognizance to appear at the next General Assizes, or General Quarter-Sessions of the Peace to be held for the County in which he or they shall so surrender, and shall at such General Assizes, or Quarter-Sessions of the Peace, take and subscribe the Oaths of Allegiance and Abjuration in open Court, such Officer or Soldier shall from thenceforth be exempted and freed from all Offences, Penalties and Forfeitures created by this Act, or by any other Act, against enlisting in Foreign Service; any Thing in this Act, or any former Act, to the contrary thereof in any wise notwithstanding.

Officers and Soldiers returning within a limited Time to their Duty and Allegiance, and taking, &c. the Oaths,

exempted from Penalties;

III. And be it further enacted, That if any Commissioned or Non-commissioned Officers or Private Soldiers (Subjects of the Crown of *Great Britain*) who are now in the Service of the *French* King, shall remain and continue in such Service, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, without Leave or Licence from his Majesty, his Heirs and Successors, first had and obtained, under the Sign Manual of his Majesty, his Heirs or Successors, all and every such Persons and Person so offending, being thereof lawfully convicted, shall be taken, deemed and adjudged to be guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

otherwise, they are liable to be adjudged guilty of Felony,

and suffer Death.

'IV. And whereas a Practice has been introduced in order to evade and elude the Provisions made by 'an Act passed in the ninth Year of his present Majesty's Reign, intituled, *An Act to prevent the listing 'his Majesty's Subjects to serve as Soldiers without his Majesty's Licence*, by hiring, retaining, or procuring 'his Majesty's Subjects to go beyond the Seas, or embark, with an Intent upon their Arrival abroad, to 'inlist and enter themselves to serve as Soldiers in Foreign Service, without actually giving them any 'inlisting Money at the Time of their so procuring them to go abroad; with the Intent aforesaid: And 'whereas a Doubt has arose, whether the so hiring, retaining or procuring, his Majesty's Subjects, 'with Intent to embark, and go beyond the Seas, to be inlisted when abroad to serve as Soldiers in 'Foreign Service, without actually paying to such Persons, and their receiving inlisting Money here 'from the Persons so hiring, retaining or procuring, be an Inlisting within the Meaning and Intention 'of the said Act of the ninth of his present Majesty, so as to make such Person liable to the Provisions 'and Penalties of the said Act:' For removing the said Doubt, and for the more effectually preventing a Practice so highly detrimental to this Kingdom; Be it declared and enacted, That if any Subject of the Crown of *Great Britain* hath engaged, contracted or agreed, or shall engage, contract or agree, within the Kingdom of *Great Britain* or *Ireland*, to go beyond the Seas, or embark, with an Intent and in order to inlist and enter himself to serve as a Soldier in any Foreign Service, though no inlisting Money be actually paid to or received by him; or if any Person hath hired, retained, engaged or procured, or shall hire, retain, engage or procure any Subject of his Majesty, his Heirs or Successors, though no inlisting Money hath been or shall be actually paid to or received by him, to agree to go beyond the Seas, or embark, with an Intent and in order to be inlisted to serve any Foreign Prince, State or Potentate, as a Soldier, without Leave or Licence of his Majesty, his Heirs or Successors, first had and obtained for that Purpose; every such Person so offending, being thereof lawfully convicted, shall be adjudged to be guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

9 Geo. 2. c. 30.

Subjects contracting, &c. to inlist in Foreign Service,

and Persons engaging them without Licence from his Majesty.

to suffer Death.

'V. And whereas it is highly necessary that Officers of Troops composed of *British* Subjects and recruited in *Great Britain*, by his Majesty's Permission, should not be permitted to enter into the Service of 'any Foreign Power or State whatsoever, without giving the most solemn Testimony of the Allegiance 'which they owe to his most sacred Majesty;' Be it further enacted by the Authority aforesaid, That if any of his Majesty's *British* Subjects shall, from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, accept of Commissions in the Corps in the Service of their High Mightinesses the States General of the United Provinces, distinguished by the Name of *The Scotch Brigade*, and who are not already in that Service, every such Person shall within six Months after the Date of such his Commission, take and subscribe the Oaths of Allegiance and Abjuration in one of his Majesty's Courts at *Westminster*, or at the General Assizes or General Quarter-Sessions of the Peace to be holden for some County, in that Part of *Great Britain* called *England*, or in the Court of Session, Court of Justiciary, Court of Exchequer, in that Part of *Great Britain* called *Scotland*, or in a Sheriff or Stewart Court, or before the Justices of the Peace at their Quarter-Sessions there, or in the Dominions of the States General, before his Majesty's Minister there (who are hereby impowered to administer such Oaths;)

Subjects accepting Commissions in the Scotch Brigade, in the States General's Service,

to take, &c. the Oaths,

and transmit a Certificate thereof, with the Date of their Commission, to the Secretary at War, to be registered &c.

Oaths;) and every such Officer shall within six Months after he shall have taken and subscribed such Oaths as aforesaid, transmit a Certificate thereof signed by Order of such Court, or Person or Persons before whom the same shall have been so taken and subscribed, as before directed, together with an Account of the Date of his Commission, to his Majesty's Secretary at War for the time being, who is hereby required to register the Names of all such Officers, and the Dates of their Commissions; and such Court, or Person and Persons, before whom such Oaths are taken and subscribed, are hereby required to give such Certificate to every such Officer, as aforesaid; and every such Officer not now in the Service of the States General, who shall accept of a Commission in the Corps aforesaid, and shall not take and subscribe the Oaths aforesaid, and transmit a Certificate thereof, in Manner before directed, shall forfeit and pay the Sum of five hundred Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Session or Exchequer in *Scotland*; one Moiety whereof shall go to the Person or Persons who shall sue for the same, and the other Moiety to his Majesty, within one Year after such Person so offending shall come into *Great Britain*.

on Penalty of 500 l.

Offences committed without this Realm, may be tried in Great Britain.

VI. And be it further enacted by the Authority aforesaid, That any Offence against this Act, though committed without this Realm, shall and may be alledged to be committed, and may be laid, enquired of, and tried, in any County in *Great Britain*.

Not to work Corruption of Blood.

VII. Provided always, and be it enacted by the Authority aforesaid, That no Attainder for any Offence made Felony by this Act, shall make or work any Corruption of Blood, Loss of Dower, or Disherison of Heir or Heirs.

CAP. XVIII.

An Act to obviate a Doubt arisen on an Act made in the last Session of Parliament, intituled, *An Act for Relief of Insolvent Debtors*; and for Relief of Sheriffs and Keepers of Prisons, in respect to Escapes of such Persons as were prevented by the said Doubt from being discharged under the said Act.

28 Geo. 2. c. 13.

'WHEREAS by an Act passed the last Session of Parliament, intituled, *An Act for Relief of Insolvent Debtors*; it is (amongst other Things) enacted, That all Sheriffs, Gaolers or Keepers of Prisons in any County, Riding, Division, City, Town and Liberty, within this Kingdom, were required to make an exact alphabetical List of the Names of all such Persons who on the first Day of *January* one thousand seven hundred and fifty-five, were in their actual Custody, together with the Names of the Persons at whose Suit such Prisoners were detained, and deliver the same upon Oath to the Justices at their first General or Quarter Sessions to be held after the thirty-first Day of *March* one thousand seven hundred and fifty-five; as also to fix upon the Gate of the said Prisons true Copies of the said Lists ten Days before the said Sessions: And it was thereby further enacted, That the Persons whose Names were inserted in such Lists, and who at the Time in the said recited Act mentioned were in the actual Custody of any Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers of Prisons, taking the Oath, and giving such Notice to their Creditors as the said Act requires, might be released and discharged from their Imprisonment: And whereas it was in most Places impracticable for Sheriffs, Gaolers, or Keepers of Prisons to deliver in Lists at the Time directed by the said Act, as the first General or Quarter Sessions next after the thirty-first Day of *March* one thousand seven hundred and fifty-five, was held before the said Act passed into a Law: And whereas a Doubt has arisen, whether the Justices in any General or Quarter Sessions of the Peace held for any County, Riding, Division, City, Town or Liberty, within this Kingdom, had, by the said above recited Act, a Power to discharge any Prisoner or Prisoners at any General or Quarter Sessions held subsequent to that held after the thirty-first Day of *March* one thousand seven hundred and fifty-five; and whether the Discharges of Prisoners by the Justices, in pursuance of the said recited Act, have been legal: And whereas the Justices of the Peace for the County Palatine of *Lancaster*, by reason of such Doubt, have absolutely refused to discharge the Prisoners in the Gaols of their several Jurisdictions; which Case may likewise have happened in other Places, whereby they are still detained in a loathsome Prison: And whereas notwithstanding such Doubt the Justices in many Counties have proceeded to discharge, and have discharged Prisoners from many Gaols in this Kingdom, at the Sessions held subsequent to that held next after the thirty-first Day of *March* one thousand seven hundred and fifty-five;' To obviate which Doubt, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Justices of the Peace for any County, Riding, Division, City, Town or Liberty, within this Kingdom, at their General or Quarter Sessions of the Peace, to be held for such County, Riding, Division, City, Town or Liberty, after the passing of this Act, or at any subsequent General or Quarter Sessions (within the Time limited by the said recited Act) to direct and order the Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers of Prisons, to bring up any Person or Persons, who was, or were, in their actual Custody, on the first Day of *January* one thousand seven hundred and fifty-five; and upon such Prisoner and Prisoners pursuing the Directions of the said former Act, such Justices may (if they see just Cause) release and discharge such Prisoner or Prisoners from their Imprisonment; any thing in this or the said former Act to the contrary notwithstanding.

Justices at their Quarter-Sessions, may order Prisoners for Debt on 1 Jan. 1755, to be brought before them, to be discharged on their conforming to the recited Act.

II. And

II. And be it further enacted by the Authority aforesaid, That in case any Action has been, or shall be brought against any Sheriff, Gaoler or Keeper of any Prison, on account of the Escape of any such Prisoner so detained as aforesaid, the Defendant in such Action, upon Proof made that such Prisoner had complied, as far as in him lay, with all the Directions in the said Act, and was detained in Custody, only by reason of the said Doubt, shall not be liable to answer or make Satisfaction to the Plaintiff, to any greater Amount than the Value of the Estate and Effects comprised in the Schedule given in and sworn to by such Prisoner, pursuant to the Directions of the said Act, in case the whole shall appear to have been wasted or secreted, or the Value of so much thereof, as shall appear to have been wasted or secreted, subsequent to the Time when such Schedule was delivered to the Clerk of the Peace.

Sheriff or Gaoler sued for Escape of Prisoner, who had complied with the recited Act, liable only for the Estate or Effects wasted or secreted since Delivery of Prisoner's Schedule.

III. And be it further enacted by the Authority aforesaid, That all Discharges of Prisoners by the Justices of the Peace in pursuance of the herein before recited Act, where such Prisoners have complied with every Direction of the said Act, are hereby declared to be good and legal Discharges, to all Intents and Purposes; and such Justices, and all Sheriffs, Gaolers, Keepers of Prisons, and every other Person or Persons acting under them, are hereby indemnified for what they may have done in pursuance thereof, in the same Manner as if no such Doubt had arisen.

Discharge of Prisoners in pursuance of the recited Act, declared to be valid.

CAP. XIX.

An Act to impower Judges of Courts of Record in Cities and Towns Corporate, Liberties and Franchises, to set Fines on Persons who shall be summoned to serve upon Juries in such Courts, and shall neglect to attend.

For former Laws refer to 13 *Ed.* 1. *c.* 38. 21 *Ed.* 1. *st.* 1. 33 *Ed.* 1. *st.* 4. 5 *Ed.* 3. *c.* 10. 25 *Ed.* 3. *st.* 5. *c.* 3. 34 *Ed.* 3. *c.* 4 & 8. 42 *Ed.* 3. *c.* 11. 1 *R.* 3. *c.* 4. 11 *H.* 7. *c.* 21. 4 *H.* 8. *c.* 3. 5 *H.* 8. *c.* 5. 23 *H.* 8. *c.* 13. 35 *H.* 8. *c.* 6. 27 *Eliz.* *c.* 6. 4 & 5 *W.* & *M.* *c.* 24. 7 & 8 *W.* 3. *c.* 32. 3 & 4 *Ann.* *c.* 18. 3 *Geo.* 2. *c.* 25. 4 *Geo.* 2. *c.* 7. 6 *Geo.* 2. *c.* 37. 24 *Geo.* 2. *c.* 18.

'WHEREAS the City of *London*, and many other Cities and Towns Corporate, Liberties and Franchises, within this Kingdom, have by Royal Grants, or by Prescription, certain Courts of Record holden within such Cities and Towns Corporate, Liberties and Franchises respectively, for the Trial of Actions and Suits arising within the Limits or Jurisdictions of such Cities and Towns Corporate, Liberties or Franchises respectively: And whereas great Inconveniencies and Delays frequently happen to the Suitors in those Courts, by reason that Persons duly impanelled and summoned to serve upon Juries in such Courts, refuse or neglect to appear and serve upon the same: And whereas such Inconveniencies and Delays principally arise from want of Power in the Judge or Judges of such Courts, to compel Persons who are impanelled and summoned to serve upon Juries, for the Trial of Causes depending in such Courts, to attend, or to fine them for their not attending:' Wherefore be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, every Person duly impanelled and summoned to serve upon any Jury for the Trial of any Cause to be tried in any Court of Record, holden or to be holden within the said City of *London*, or in any other City or Town Corporate, Liberties or Franchises, within the Kingdom of *England*, who shall not appear and serve on such Jury (after being openly called three Times, and on Proof being made on Oath of the Person so making Default having been duly summoned) shall forfeit and pay for every such his Default, such Fine not exceeding the Sum of forty Shillings, nor less than the Sum of twenty Shillings, as the Judge or Judges of the respective Courts wherein any such Default shall be made, shall, from time to time, deem reasonable to impose or set, unless some just Cause for such Defaulter's Absence, shall be made appear by Oath or Affidavit, to the Satisfaction of the Judge or Judges of the said respective Courts wherein any such Default shall from time to time be made.

Persons summoned to serve on Juries, not attending, to forfeit not more than 40 *s.* nor less than 20 *s.* unless the Court be satisfied with the Cause of Absence.

II. And be it further enacted by the Authority aforesaid, That if any Person on whom any Fine shall be imposed or set in pursuance of this Act, shall refuse to pay the same to the Person or Persons who shall be authorized by the Judge or Judges who shall impose or set any such Fine, to receive the same, it shall and may be lawful for the Judge or Judges who shall have imposed or set any such Fine, and he and they is and are hereby authorized and required, by Warrant under his Hand and Seal, or their Hands and Seals, to cause all and every such Fine which shall have been imposed or set by him or them as aforesaid, to be levied from time to time, by Distress and Sale of the Goods and Chattles of the Person or Persons on whom any such Fine shall have been so imposed or set as aforesaid; and the Overplus Money, if any, which shall remain after Payment of such Fine, and deducting the reasonable Charges of such Distress and Sale, shall be rendered to the Person or Persons whose Goods and Chattles shall have been so distrained and sold.

Fine leviable by Distress and Sale.

Overplus to be returned to the Owner.

III. And be it further enacted by the Authority aforesaid, That every Fine which shall be imposed or set in pursuance of this Act, shall, when received or levied, be paid by the Person who shall receive or levy the same, to the proper Officer of the City or Town Corporate, Liberty or Franchise, in which the Court or Courts was or were holden, wherein such Fine so received or levied was imposed or set; to be applied to such Uses, as Issues set on Jurors, or other Fines set in Courts holden within such City or Town Corporate, Liberty or Franchise, are by Charter, Prescription or Usage, applicable.

Fine to be paid to the proper Officer, and to be applied as other Fines of Court.

IV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons for any thing done in pursuance of this Act, then

Limitation of Actions.

then and in every such Case, such Suit or Action shall be brought or commenced within six Calendar Months next after the Matter complained of shall have been committed, and not afterwards; and
General Issue. that the Defendant or Defendants in every such Action, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, on any Trial to be had thereupon; and that the same was done in Pursuance and by the Authority hereof; and if upon the Trial of any such Action or Actions, the Jury shall find a Verdict for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his or their Action or Actions; or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may
Double Costs. recover Double Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

CAP. XX.

An Act for erecting, maintaining, and supporting a Light-house on the Island of *Little Cumray*, in the County of *Bute*, at the Mouth of the River *Clyde* in *North Britain*; and for rendering the Navigation in the Frith and River of *Clyde* more safe and commodious. PR.

'WHEREAS the Entry into the River *Clyde* is extremely dangerous, whereby Ships are frequently in great Hazard of being shipwrecked, especially in the Night-time, which might in a great Measure be prevented by a Light-house on the Summit or South-west End of the Island of *Little Cumray*, which will be a publick Benefit: And whereas there are several Shoals and Flats in the Frith and River of *Clyde*, which if removed or marked out by Beacons, would render the Navigation more safe and commodious: And whereas there is no Fund provided for answering the Purposes aforesaid: And whereas the said Island is the Property of the Right Honourable *Alexander* Earl of *Eglingtoun*, which he holds under a strict Settlement of Tailzie, whereby he is restrained from alienating the same, or any Part thereof, under the usual Certification in such Deeds of strict Settlement of irritating and forfeiting his Right to the whole Estate: And whereas the said Earl is willing that two Acres of the said Island of *Little Cumray*, with the Liberty and Privilege of a Road or Passage to the Shore of the said Island, should be vested in Trustees, for the Uses and Purposes herein after-mentioned, to be holden in feu of him, and the other Heirs of Tailzie in the said Estates, on the Payment of an annual Feu duty of two Pounds Sterling, and to execute such Deeds as shall be thought necessary for that Purpose, but the same cannot be done without the Authority of Parliament;' Wherefore, may it please your most Excellent Majesty, that it may be enacted, &c.

"Power given to the Earl of *Eglingtoun* to grant at a certain Rent, a Feu-charter of two Acres of Land "on the Island of *Little Cumray*, for erecting a Light-house. Feu-duty to descend to the Heirs of Tailzie. "Property of the said two Acres vested in Trustees. Trustees impowered to appoint proper Officers, "and to allow them Salaries; also to erect a Light-house and other necessary Works for rendering the "Navigation commodious; and after such Erection, to demand 1 *d. per* Ton from Vessels passing the "said Light-house. Annual Rent of 40 *s.* to be paid to the said Earl, *&c.* out of the said Duties. "Pain of 40 *s.* payable on Arrears of the said Rent. Proceedings of the Trustees, and Accounts of the "Receipts and Disbursements of Monies, to be entered in Books. Trustees impowered to borrow Money for the Purposes of this Act, on the Credit of the Duties. Vessels not to be cleared at the Custom-house, till a Receipt be produced that these Duties are paid. Duties may be levied by Distress and Sale. The King's Ships, *&c.* exempted from the Duties. Buildings vested in, and to be "repaired by the Trustees. Proper Fire in the Night-Season to be kept in the Light-house, *&c.* Surplus to be applied one sixth for improving the Harbour of *Greenock*, and the Residue to the improving the Navigation above *Greenock*. Duties may be sued for in any Court competent for Civil "Actions, and be determined in a summary Way. Civil Officers to assist in putting this Act in Execution.

CAP. XXI.

An Act for imbanking and preserving certain Fen Lands and Low Grounds, called *The Washes*, lying and being in the several Parishes of *Sutton*, *Mepal*, *Witcham*, *Ely*, *Witchford*, *Wentworth*, *Coveney* and *Downham*, in the *Isle of Ely*, and County of *Cambridge*; and of *Bluntisham* with *Erith* in the County of *Huntingdon*. PR.

'WHEREAS certain Fen Lands and Low Grounds, Part of the Great Level of the Fens, commonly called *The Washes*, lying and being in the several Parishes of *Sutton*, *Mepal*, *Witcham*, *Ely*, *Witchford*, *Wentworth*, *Coveney* and *Downham*, in the *Isle of Ely*, and County of *Cambridge*, and also *Bluntisham* with *Erith*, in the County of *Huntingdon*, containing in the whole fifteen hundred Acres or thereabouts, the Boundaries whereof are as followeth; that is to say, Beginning at a Bank called *The Old Bedford Bank*, and from thence over *The Old Bedford River*, below *The Nine Holes Sluice*, to *Earith Drove*; and from thence by the said Drove to the upper End of *Bluntisham* School Ground, and

'and across the upper End of the said School Ground to *The Hundred Feet*, or *New Bedford River*; and 'from thence by the West Side of the said *Hundred Feet*, or *New Bedford River*, to *Richard Harrison*'s 'Wash, below *Ox Willow Load*, and then along the said Load to the *Old Bedford Bank*, and so along the 'East Side of the said Bank to *The Nine Holes Sluice* aforesaid, are, except certain Parts or Parcels thereof, 'which are herein after described and excepted, subject to be overflowed by Tides and small Freshes, and 'are in Danger of being rendered useless, to the great Damage and Impoverishment of the Owners and 'Proprietors of such Ground, and to the Loss of the Publick; May it therefore please your most Excellent 'Majesty, that it may be enacted, &c.

"Commissioners impowered to imbank the River, and lay Tunnels, making Satisfaction for Damages. "Differences to be adjusted at the Quarter-Sessions. Commissioners are to meet twice a Year, and make "Orders concerning the draining and preserving the Low Grounds, and to appoint proper Officers, who "are to give Security. Where Ditches shall be filled up, Posts and Rails are to be erected. An Acre-"tax, not exceeding 1 *s.* 6 *d.* to be laid on the Fens and Low Grounds, for the two first Years; and for "every Year after, not exceeding 1 *s. per* Acre. Days for Payment to be appointed. Proprietors of the "Crops of Hay on *Middle Moors*, to pay two Thirds of the Tax, and the Lessees one Third. Commis-"sioners may borrow Money and assign over the Taxes. The Taxes may be levied by Distress and Sale. "Tenants to pay the Tax, which is to be allowed in their Rent; except where there is a Lease subsisting "of three or more Years. Penalty of making a Way over the Washes. Owners neglecting to scour their "Dikes, and lay proper Tunnels, after Notice, Collectors may cause the same to be done, and levy the "Charge. Penalty of damaging the Banks. For want of Distress Offender to be committed. Accounts "to be audited yearly; Officers to attend, and verify the same on Oath. Accounts when passed to be en-"tered in two Setts of Books, *&c.* Tunnels for taking Water out of the River into the Washes, not to "be laid more than two Feet below the Surface. On Death, *&c.* of Commissioners, others to be chosen. "Number of Commissioners not to exceed thirty-one. Elections to be registered. Qualification of Com-"missioners. Reservation of the Rights of the Conservators of *Bedford Level*."

CAP. XXII.

An Act for draining and preserving certain Fen Lands in the *Isle of Ely* and County of *Norfolk*, lying between the *Hundred Foot River* and the *Ouse*, and bounded on the South by the Hard Lands of *Mepall*, *Wicham*, *Wentworth*, *Wichford*, *Ely*, *Downham* and *Littleport*; and for impowering the Governor, Bailiffs and Commonalty of the Company of Conservators of the great Level of the Fens, commonly called *Bedford Level*, to sell certain Lands lying within the Limits aforesaid, commonly called *Invested Lands*.

'WHEREAS certain Fen Lands and low Grounds lying and being in the several Parishes of '*Mepall*, *Wicham*, *Coveney*, *Wentworth*, *Wichford*, *Downham* and *Littleport*, and in the Town-'ship of *Ely* in the *Isle of Ely* and County of *Cambridge*; and also in the Parish of *Welney* in the said Isle 'and County of *Norfolk*; and also in the Parishes of *Southery*, *Helgay* and *Denver* in the said County of '*Norfolk*; containing in the Whole eighteen thousand Acres, or thereabouts, and which are bounded 'as follows; that is to say, From the South Bank of *New Bedford River*, commonly called *The Hun-'dred Feet Bank*, at the Bottom of *Mepall Green* along the Edge of the said Green and Skirts of the high 'Lands, to a certain Place called *Wicham Hive* or *Hithe*; and from thence along the Skirts of the high 'Lands to the Bottom of *Wolbey Hill*; and from thence round the Edge of the high Lands to *Grunty* '*Fen Drain* near *Wichford* Town's End; and crossing the said Drain, along the Side of the high Lands 'to *Beale Farm* at the Bottom of *Ely Field*; and from thence round the Skirts of the high Lands of '*Ely* and *Downham* to a certain Place called *Downham Hive* or *Hithe*; and from thence along the Side 'of the high Lands to *Westmoor Bridge*, and so along *Grunty Fen Drain* to a certain Place called *Witches* '*Corner*; and from thence by the Skirts of the high Lands of *Downham* and *Chettisham* to the Bottom of '*Chettisham Wood Closes*, now called *Woodhouse Farm*; and along the Bottom of the said Farm to a cer-'tain House called *Wood's End House*; and from the said House along the Skirts of the high Lands 'to *Littleport Causeway*; and along the said Causeway to the hard Lands at the Bottom of *Littleport* '*Field*; and then round the Bottom of the said Field and hard Lands of *Littleport* to a certain Place 'called *Littleport Knoll*, and so round the Edge of the said Knoll; and along the Skirts of the high 'Lands to an ancient Sewer, called *The Croft River*; and then along the North Bank of the said 'Sewer to the West Bank of the River *Ouse*, at a Place called *Littleport Chair*; and from thence along 'the said West Bank of the River *Ouse* to *Denver Sluice*; and from the said Sluice along the South Bank 'of *New Bedford River* to the Bottom of *Mepall Green* aforesaid, except the imbanked Grounds for-'merly of *Edmund Skipwith* Esquire (now belonging to *Viner Small* Esquire) lying on the North Side of 'the River *Ouse*, are frequently very much annoyed with Waters, through the Defect of their Out-'falls to Sea, to the great Damage and Impoverishment of the Owners of such Lands, and of the 'Inhabitants of the several Parishes and Places where the same do lie: And whereas the said 'Fen Lands and low Grounds cannot be drained and preserved without the Aid of Parliament;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Lord

Commissioners with others, to be chosen for the several Places to execute the Act.

Bishop of *Ely* for the time being, the Lord or Lords, Lady or Ladies of the several and respective Manors of *Coveney*, *Littleport*, *Upwell*, *Southery* and *Denver* for the time being, or in their Absence, their several and respective Stewards or Agents appointed under their Hands; an Agent appointed by the Dean and Chapter of *Ely* under their Common Seal; every Person who for the time being shall be *bona fide* seised or possessed in his or her own Right of two hundred Acres of Land, subject to be taxed by virtue of this Act, lying within the Limits above described; or in the Absence of such Person or Persons, his, her or their Agent or Agents appointed under their Hands, together with five Persons, being Owners of Lands lying within the Township of *Ely*; two Persons, being Owners of Lands lying in the Parish of *Witcham*; seven Persons, being Owners of Lands lying in the Parish of *Coveney*; two Persons being Owners of Lands lying in the Parish of *Wichford*, twenty-two Persons, being Owners of Lands lying in the Parish of *Downham*; twenty Persons, being Owners of Lands lying in the Parish of *Littleport*; six Persons, being Owners of Lands lying in the Parish of *Welney*; seven Persons, being Owners of Lands lying in the Parish of *Southery*; nineteen Persons, being Owners of Lands lying in the Parish of *Helgay*; and one Person, being an Owner of Lands lying in the Parish of *Denver*; to be respectively chosen as herein after is directed, shall be Commissioners to put this present Act, and all the Powers and Authorities herein after-mentioned in Execution.

The first Commissioners for the several Places.

II. And be it further enacted, That *William Cole* Esquire, *Charles Nalson Cole* Esquire, *John Morley*, *Jonathan Page*, and *John Drage*, Gentlemen, shall be the first Commissioners for the said Township of *Ely*; *Anthony Gregory* and *William Saberton*, Gentlemen, shall be the first Commissioners for the said Parish of *Witcham*; the Reverend Master *Thomas Neale*, *George Clay*, *William Clay*, *Robert Morling*, *William Sanxter*, *William Musgrave* and *Abraham Biggs*, shall be the first Commissioners for the said Parish of *Coveney*; *George Peacock* and *John Cave*, shall be the first Commissioners for the said Parish of *Wichford*; *Francis Topham* and *Dingley Askham* Esquires, the Reverend Master *Thomas Jones*, *John Leaford*, *John Tingey*, *Francis Tingey*, *Robert Aspland*, *John Leaford* junior, *William Cole* the elder, *Anthony South*, *Joseph Denston*, *Richard Hopkin*, *Edward Martin*, *Robert Rayner*, *Richard Grimditch* senior, *Philip Cawthorne*, *Micah Cole*, *William Langman* senior, *John Ellington*, *Francis Moxon*, *Philip Hopkin* and *Robert Clarke*, shall be the first Commissioners for the said Parish of *Downham*; *John Patericke* Esquire, *Painter Meader*, *Henry Morley* junior, *Ashley*, *John Barber*, *John Love*, Gentlemen, the Reverend Master *Richard Oswin*, *John Barratt Reyner*, *Robert Crabb* senior, *Robert Crabb* junior, *John Cutlack*, *James Clarke*, *William Dillamore*, *Robert Sutton*, *William Crabb*, *John Crabb*, *Henry Wadelow*, *Thomas Prior*, *Thomas Gotobed* and *John Lough*, shall be the first Commissioners for the said Parish of *Littleport*; *William Greaves*, *Hart*, Esquires, *Gabriel Scott*, *Robinson*, *John Scott* and *Edward Smart*, shall be the first Commissioners for the said Parish of *Welney*; Sir *Robert Burdet* Baronet, *Aunger Peacock* Esquire, *John Waddington*, *Henry Robinson*, *Abraham Murphet*, *Gregory Porter* and *William Piggot*, shall be the first Commissioners for the said Parish of *Southery*; Sir *Cecil Wray* Baronet, Sir *Thomas Drury* Baronet, *Matthew Robinson Morris*, *Henry Morley*, *Matthew Wildbore*, *Thomas Waddington* and *Edward Pratt*, Esquires, *George Harland*, *William Galloway*, *Isaac Cockram*, *Thomas Weasenham*, *Eaton*, *Christopher Galloway*, *Henry Mayer*, *Robert Feast*, *Henry Tansley*, *King Whitred*, *William Nix* and *George South*, shall be the first Commissioners for the said Parish of *Helgay*; and the Reverend *Samuel Sedman*, D. D. shall be the first Commissioner for the said Parish of *Denver*: And that the said Persons shall continue Commissioners for the said Towns and Parishes respectively, until the *Friday* after the second *Sunday* in the Month of *April* one thousand seven hundred and fifty-seven; and that all such Persons as are *bona fide* seised or possessed in their own Right, of ten Acres of Land, subject to be taxed by virtue of this Act, lying within the said Township of *Ely*, shall meet at the Shirehouse in *Ely*; and all such Persons as are *bona fide* seised or possessed in their own Right, of ten Acres of like taxable Lands, lying in the several Parishes of *Mepall*, *Witcham*, *Coveney*, *Wentworth*, *Wichford*, *Downham*, *Littleport*, *Welney*, *Southery*, *Helgay* and *Denver*, respectively, shall meet in their respective Parish Churches, upon the *Friday* next after the second *Sunday* in the Month of *April* in the Year of our Lord one thousand seven hundred and fifty-seven, and upon the *Friday* next after the second *Sunday* in *April* in every succeeding Year; and shall choose so many Persons to be Commissioners for the said Towns and Parishes respectively, as are herein before appointed to be Commissioners for the said Towns and Parishes respectively: And in case the Persons who are to choose Commissioners for the Township of *Ely*, or for any of the Parishes aforesaid, shall neglect to meet in any Year at the Time appointed for such Elections, or shall not choose Commissioners accordingly, then the Persons who were Commissioners for the said Township or Parish in the preceding Year, shall continue Commissioners for the same, until other Commissioners shall be chosen as aforesaid, upon the *Friday* after the second *Sunday* in *April* in the next or some succeeding Year.

Their Continuance.

Future Commissioners to be chosen annually.

Their Qualification.

Exception.

III. Provided always, and be it further enacted, That no Person shall be enabled to act, sit or meet as a Commissioner for any of the Purposes of this Act, unless he shall be the real Owner of twenty Acres of like taxable Lands, within the said Fens and low Grounds, bounded and described as aforesaid; except the said Lord Bishop of *Ely*, and the Lord or Lords, Lady or Ladies of the several and respective Manors of *Coveney*, *Littleport*, *Upwell* and *Southery*, for the time being, or his her or their respective Stewards or Agents, the Agent of the Dean and Chapter of *Ely*, and the several and respective Agents of such Persons as shall be possessed of two hundred Acres of taxable Lands as aforesaid, and some one of the Trustees of the Poors Land belonging to each of the Towns of *Ely*, *Welney*, and *Helgay* respectively.

IV. And

IV. And be it further enacted, That the said Commissioners, or their Successors, or any thirteen or more of them, shall twice in every Year, to wit, Upon the last *Wednesday* in *April*, and last *Wednesday* in *October*, or oftner, as they see Cause, meet at some publick House in *Ely*, *Coveney*, *Downham in the Isle*, *Littleport* or *Helgay*, to be appointed by the said Commissioners, or any thirteen or more of them; the first General Meeting to be at the Shire-House in *Ely*, upon the third *Friday* after the passing of this Act; and at such Meeting shall have full Power and Authority to make Orders, and give Directions, for the better and more orderly Management of the Work of draining the said Fens and Low Grounds, and for making proper Cuts, Drains, Dams, Tunnels and Outlets through the same, and for making and erecting proper Works and Engines thereupon, and for the Maintenance thereof; and also to appoint one or more Collector or Collectors, Receiver or Receivers, or such other proper Officer or Officers, as they the said Commissioners shall think fit, for taking Care of such Works, and for collecting the Rates or Assessments which shall be made or assessed for the Maintenance thereof; and to allow and appoint to be paid to such Officers, out of the said Rates and Assessments, such yearly or other Wages and Salaries, for their Trouble and Pains in their respective Offices, as the said Commissioners, or any thirteen of them present at such Meeting, shall think reasonable; which said Collector or Collectors, Receiver or Receivers, or other Officer or Officers, to be appointed as aforesaid, may be altered and removed at the Will and Pleasure of the said Commissioners, or any thirteen of them assembled at such Meeting or Meetings to be held as aforesaid, and another or others chosen and appointed in his or their Room and Stead, as Occasion shall require; and such Collector or Collectors, Receiver or Receivers, to be named and appointed as aforesaid, shall before they act in the Execution of their several Offices, give such Security for the due Execution of such their respective Offices, and for performing the several Trusts to them committed, as the said Commissioners, or any thirteen of them then present, shall in their Discretion think fit.

Commissioners to meet twice in every Year, or oftener, if necessary.

First General Meeting.

Commissioners to appoint Collectors, and other Officers;

who are to be removeable,

and to give Security.

V. And be it further enacted, That the said Commissioners, or any thirteen or more of them, or their Successors, shall have full Power and Authority, from Time to Time hereafter, at their Wills and Pleasures, to make such Cuts, Drains, Dams, Tunnels and Outlets, through the said Fens and Low Grounds, or any Part thereof, so bounded and described as aforesaid, and to erect such Works and Engines thereupon, for draining and conveying the Waters from the same, as shall be thought fit, necessary and convenient, by the said Commissioners, or any thirteen or more of them, at the Meeting or Meetings to be held as herein before is appointed for the Purposes aforesaid.

Commissioners impowered to make Cuts, &c. and erect Engines for draining the Lands.

VI. Provided always, That if the said Commissioners shall make, or cause to be made, any Cut, Drain, Dam, Tunnel or Outlet, through any several Grounds, or erect any new Work or Works thereupon, then they shall pay a reasonable Satisfaction to the Person or Persons who hath or have a Right to the Soil through which such Cut, Drain, Dam, Tunnel or Outlet shall be made, or whereupon such Work or Works, Engine or Engines shall be erected for the Damages such Person or Persons shall sustain, and as shall be agreed upon between the said Commissioners, or any thirteen or more of them, and the Person or Persons having such Right as aforesaid; and if the said Commissioners, or any thirteen or more of them, and such Person or Persons, cannot agree about the Amount of such Damage, that then the same shall be assessed, adjudged and finally determined, by the Justices of the Peace, or the major Part of them, at the next General or Quarter-Session of the Peace to be held for the said *Isle of Ely*, or County of *Cambridge*.

Satisfaction to be made for Damages;

to be determined, in case of Difference, by the Quarter-Sessions.

'VII. And whereas a considerable Part of the said Fen Lands and Low Grounds, lying near the Skirts 'of the High Lands, are much higher in their Situation than the rest, and if the Sewers lie in com-'mon, it is apprehended, may be made too dry, by such Time as the lowest Lands are well drained;' Therefore for avoiding this Inconvenience, be it further enacted, That it shall be lawful for the said Commissioners, or any thirteen or more of them, to erect such Stanches or Overfalls, at proper Places, in the Drains and Dikes leading from the said Lands, as they the said Commissioners shall, in their Discretion judge necessary to keep up a sufficient Head of Water, for the Service of such bordering Lands.

Provision to be made to prevent the Lands near the High Lands from being too dry.

VIII. And be it further enacted, That at all and every or any such Meeting or Meetings to be held as aforesaid, it shall be lawful for the said Commissioners, or any thirteen or more of them, to assess, rate, tax and charge, all and every the respective Owner or Owners, Occupier or Occupiers, of all and singular the said Fen Lands and Low Grounds, so bounded and described as aforesaid, by an equal and proportionable Tax, in any Rate or Sum, not exceeding one Shilling *per* Acre for each Year, for carrying on and effecting the said Work of draining and maintaining the same; and to limit and appoint such certain Days and Places for the respective Payments of such Tax to the Collector or Collectors, Receiver or Receivers, for the Time being, as they the said Commissioners, or any thirteen or more of them, under their Hands, shall direct and appoint.

Commissioners impowered to lay a Tax for draining the Lands.

IX. Provided always, and be it enacted, That the Tax so to be assessed, rated and charged, shall not be less than eight Pence *per* Acre in each Year, until all the Money which shall be borrowed for the Purposes of this Act, with the Interest thereof, shall be discharged.

Not under 8 d. per Acre, till the Money borrowed be paid.

X. Provided always, That no Assessment, Rate or Tax, shall be made, collected or levied, upon any Lands, being Part of the Lands bounded and described as aforesaid, which are High Lands, and have not been subject to Inundations; and that no Assessment, Rate or Tax, shall, during the first five Years after the making of this Act, be made, collected or levied, upon any Lands within the Limits above-mentioned, which are now so dug out into Hods or Turf Pools, so as to be at present of no Use; neither shall any Assessment, Rate or Tax be made, collected or levied, upon the imbanked Lands of *John Parteriche* Esquire, known by the Name of *Willow Row Farms*; nor upon the imbanked Lands of *John Pike* Esquire, called *The Chain Farm* in *Littleport* aforesaid; for so long Time only as

Proviso touching Commons.

Lands exempted for a certain Term.

Other Lands exempted.

as the Owners or Occupiers of thoſe Lands reſpectively ſhall keep and maintain the reſpective Banks, now kept and maintained by them, of a ſufficient Height to keep the Waters (except ſuch Waters as ſhall overflow by a Breach of the Corporation Banks) draining from the Lands which are defended by the ſaid Banks, from overflowing into the Lands without the ſaid Banks.

Commiſſioners not to meddle with the ſaid Lands, while they ſhall be kept imbanked.

XI. Provided alſo, That it ſhall not be lawful for the ſaid Commiſſioners to make any Cuts, Drains, Dams, Tunnels or Outlets, through the ſaid imbanked Lands of *John Parteriche*, or *John Pike*, Eſquires, or to erect any Work or Engine thereupon, for ſo long Time as the Owners or Occupiers of thoſe Lands ſhall keep and maintain their reſpective Banks aforeſaid.

High Lands exempted.

XII. Provided always, That no Tax ſhall be aſſeſſed, rated or charged, upon the bordering or other High Lands, particularly deſcribed in the Schedule to this Act annexed; but all ſuch Lands ſhall be for ever exempted from all Taxes to be aſſeſſed, rated or charged, by virtue of this Act.

Diſpute concerning ſuch Lands, to be determined by View of Commiſſioners.

XIII. And whereas in the ſaid Schedule all Lands may not be included that ought to be exempted from ſuch Taxes; be it further enacted, That if any Diſpute ſhall ariſe concerning any of ſuch Lands (not mentioned in the ſaid Schedule) being to be deemed or not deemed High Lands, the ſame ſhall be determined, upon View, by thirteen or more of the ſaid Commiſſioners.

'XIV. And whereas there is a certain Tract of Fen Land lying within the Townſhip of *Ely*, Parcel of 'the within deſcribed Diſtrict, containing by Eſtimation three hundred and ten Acres, or thereabouts, 'which is called *The Poors Lands*, and made uſe of only by the poor Inhabitants of the Pariſhes of *Trinity*, 'and *Saint Mary*'s in *Ely*, for the Purpoſes of Fuel, who dig their Winters Firing therein, and have ſo 'done for near one hundred Years laſt paſt: And whereas the charging the ſaid Lands with ſuch Tax, as 'is herein impoſed on other Lands comprized within the Diſtrict, are hereby taxed with, would be taxing 'them more than they are able to pay, prevent them from the Enjoyment of ſo neceſſary a Relief, and tend 'to the Miſery of many induſtrious poor Families;' It is hereby further enacted, That the Commiſſioners under this Act ſhall never lay or impoſe more than half the Tax on the ſaid Lands, which they lay or impoſe on other Lands within the Diſtrict.

Moiety only of the Tax to be laid on the Poors Lands.

'XV. And whereas divers Perſons have been at the Expence of imbanking ſeveral Lands within the 'Limits aforeſaid, and erecting Mills for draining the ſame;' Therefore in Conſideration of ſuch Expence; be it enacted by the Authority aforeſaid, That if all or any of the Perſons having ſuch Banks and Mills, ſhall at the firſt or ſecond Meeting of the Commiſſioners for putting this Act in Execution, ſurrender up and reſign to the ſaid Commiſſioners, all ſuch Mill or Mills as to them reſpectively belong, to be taken down and diſpoſed of by the ſaid Commiſſioners, towards carrying on the Work of draining the ſaid Fen Lands, bounded and deſcribed as aforeſaid, any ſuch Perſon or Perſons ſo delivering up their Mill or Mills, ſhall be freed and diſcharged from any Taxes to be impoſed upon the Lands ſo imbanked and milled by virtue of this Act, for the firſt five Years after the ſame takes Place; and alſo that certain Low Lands in *Pymoor*, belonging to *William Cole* Eſquire, containing one hundred and fourteen Acres, or thereabouts (which have been dug out into Turf) ſhall be exempted from ſuch Taxes as aforeſaid, during the ſaid Term of five Years.

Perſons having Banks and Mills on their Lands, ſurrendering the ſame, exempted from the Tax for five Years.

Low Lands in Pymoor exempted for the ſaid Term.

Taxes aſſignable for Money to be borrowed.

XVI. And to the End that a ſufficient Sum of Money may be ſpeedily raiſed for the Purpoſes of this Act; be it further enacted, That the ſaid Commiſſioners, or any thirteen or more of them, ſhall have full Power and Authority, from Time to Time, by Writing under their Hands and Seals, to aſſign over the ſaid yearly Rates and Taxes hereby chargeable, or to be charged, upon the ſaid Fen Lands and Low Grounds, ſo deſcribed as aforeſaid, and every or any Part thereof (the Coſt and Charges of ſuch Aſſignment to be paid out of the ſaid Tax) as a Security for any Sum or Sums of Money by them to be borrowed for the Purpoſe aforeſaid, to ſuch Perſon or Perſons, or their Truſtees, as ſhall advance or lend the ſame, to ſecure the Repayment thereof, with Intereſt, not exceeding legal Intereſt; which ſaid Money ſo borrowed, ſhall be applied, in the firſt Place, to pay and diſcharge the Expences of obtaining this Act of Parliament, and then ſhall be applied and diſpoſed of in making ſuch Cuts, Drains, Dams, Tunnels and Outlets, and erecting ſuch Works and Engines, as ſhall be neceſſary for draining and improving the ſaid Fen Lands and Low Grounds before-mentioned, and to no other Uſe or Purpoſe whatſoever.

Application of the Money.

Taxes to be levied in Default of Payment.

XVII. And be it further enacted, That if any Perſon or Perſons, ſo rated and taxed as aforeſaid, ſhall refuſe or neglect to pay the Rate or Tax charged upon him, her or them reſpectively, within the Space of twenty-one Days after the reſpective Times of Payment, to be appointed by the ſaid Commiſſioners (publick Notice thereof being affixed upon the Market Croſs at *Ely*, by the Collector or Collectors, Receiver or Receivers for the Time being) it ſhall be lawful for ſuch Collector or Collectors, Receiver or Receivers, or for any other Perſons, by virtue of any Warrant or Precept, under the Hands and Seals of five or more of the Commiſſioners (which ſaid Warrant or Precept ſuch Commiſſioners, or any five or more of them, are hereby impowered and required, from Time to Time, to make, as Occaſion ſhall require) to levy the Sum or Sums ſo aſſeſſed and rated upon any Goods and Chattels which ſhall be found upon all or any of the Grounds and Premiſſes ſo charged with any ſuch Sum or Sums of Money, and the Goods and Chattels ſo diſtrained to keep by the Space of five Days, at the Coſts and Charges of the Owner or Owners thereof; and if the ſaid Owner or Owners ſhall not, within the ſaid Space of five Days, pay the Sum or Sums ſo aſſeſſed or rated, that then the Goods and Chattels ſo diſtrained ſhall be appraiſed by two or more of the Inhabitants of the Pariſh where the ſame ſhall be taken, or by other ſufficient Perſons, and ſhall be ſold by the ſaid Collector or Collectors, Receiver or Receivers, for Payment of the ſaid Money, and the Overplus (if any be) coming by ſuch Sale (after the Sum or Sums ſo rated and aſſeſſed, and the Charges of taking, keeping and ſelling the ſaid Diſtreſs, are deducted) ſhall be returned to the Owner or Owners thereof, upon Demand; and the ſeveral and reſpective Tenants of all and ſingular the ſaid Fen Lands and Low Grounds, ſo

Tax to be paid by the Tenants, and deducted out of their Rent.

bounded

bounded and described as aforesaid, which shall be assessed or rated by virtue of this Act, are hereby required and authorized to pay such Sum and Sums of Money, as shall be so assessed, rated and charged upon such Fen Lands and Low Grounds, and to deduct out of the Rent so much of the said Assessment or Rate, as the said Fen Lands and Low Grounds, or the Tenant or Tenants in respect thereof, shall be assessed or rated at; and the Landlords, both mediate and immediate, according to their respective Interests, are hereby required to allow such Deduction and Payment, upon Receipt of the Residue of their Rent; and every Tenant paying such Assessment or Rate, shall be acquitted and discharged for so much Money as the said Assessment or Rate shall amount unto, as if the same had been actually paid to the Person or Persons intitled to the Rent of such Lands and Grounds, except where there is a Lease of three or more Years to come, from the Commencement of this Act; in which Case the Proportion of the Assessment or Rate, which the Tenant ought to bear and pay, in Consideration of the Benefit he receives by such Lease, shall be adjusted and awarded by thirteen or more of the Commissioners for putting this Act in Execution.

In case of a Lease, Tenant to pay in Proportion.

XVIII. Provided always, and it is hereby further enacted, That in case any of the said Fen Lands or Low Grounds shall at any Time hereafter be untenanted or unoccupied, so that no sufficient Distress can be found whereon to levy the said Rates and Taxes, then the Lands and Grounds charged with the said Rates and Taxes, shall always remain a Security for Payment thereof; and all Goods and Chattels which shall at any Time thenafter be found upon such Lands or Grounds, shall and may be distrained, kept, appraised and sold, in Manner aforesaid, until all Arrears of the said Rates and Taxes and the Charges of such Distress shall be fully paid and satisfied.

Lands unoccupied, to remain a Security for Payment of the Tax.

XIX. Provided always, and be it further enacted, That it shall and may be lawful for *William Cole* Esquire, Owner of certain imbanked Lands in *Pymoor*, which have been dug up into Turf, containing one hundred and fourteen Acres, or thereabouts, and likewise for the Worshipful *Francis Topham*, Doctor of Laws, Lessee under the Right Reverend the Lord Bishop of *Ely*, of a certain Tract of imbanked Lands called *The Fryth*, lying under *Downham Park*, and for their respective Heirs, Executors, Administrators and Assigns, at their own proper Charges and Expences, to maintain and continue such Banks as are now standing, for the Preservation of the said Lands; and also to maintain and work one Mill or Engine on each of the said Tracts of Land, for throwing off the Waters towards the Outfall, in like Manner as they have heretofore done; and also for the Owners and Occupiers of such other Parts of the said Fen Lands comprised within the District intended to be drained by this Act, as are Arable, and produce Winter Crops, or have actually been dug up into Turf, to erect Horse-Mills, or other small Engines thereon, in order to drain such Lands so as to preserve the said Crops, and to render the Lands so dug up useful, and for no other Purpose whatsoever.

Proviso touching Arable Lands, or those dug up in Turf.

XX. And be it further enacted, That if the Owner or Owners, Occupier or Occupiers of any of the said Fen Lands, to which any Outring or Division Dike doth or shall belong, hath or have filled, or shall fill up, or make any Way over the same, without laying a sufficient Tunnel under it, or shall neglect or refuse sufficiently to rode, scour, cleanse, open or repair, such Outring or Division Dike, after twenty-one Days Notice given to him, her or them, for that Purpose, by the Collector or Collectors, Receiver or Receivers, for the Time being, appointed by virtue of this Act, then it shall be lawful for such Collector or Collectors, Receiver or Receivers, to cause such Dike to be roded, scoured and cleansed, in a sufficient Manner; and where there is not a sufficient Tunnel under such Ways, to cause those Ways to be taken up, and made so wide and deep as the Dike ought to be; and by Warrant or Precept under the Hands and Seals of thirteen or more of the said Commissioners (which Warrant or Precept such Commissioners, or any thirteen or more of them, are hereby impowered and required, from Time to Time, to make, as Occasion shall require) to levy the Charge thereof upon the Goods and Chattels of such Owner or Owners, Occupier or Occupiers, by Distress and Sale of his, her or their Goods and Chattels, upon the Ground and Premisses to which such Dike or Dikes, Way or Ways, doth or do, or shall respectively belong (over and above the other Rates and Taxes chargeable or to be charged upon the said Ground and Premisses by virtue of this Act) rendering the Overplus (if any) to such Owner or Owners, Occupier or Occupiers respectively, when demanded, after all Charges paid.

Collectors to scour Outrings and Dikes, and lay sufficient Tunnels under Ways made over them, the Owners neglecting so to do.

Charges to be levied upon the Owners or Occupiers.

XXI. Provided always, and be it further enacted by the Authority aforesaid, That if any Tunnel or Tunnels shall be laid for taking Water out of the River *Ouse*, or the *Hundred Foot River*, the Bottom of such Tunnel or Tunnels, for taking Water out of the *Hundred Foot River*, shall not at any Time be laid more than three Feet below the Surface or Level of the adjacent Ground; and the Bottom of such Tunnel or Tunnels, for taking Water out of the River *Ouse*, shall not at any Time be laid more than two Feet below the Surface or Level of the adjacent Ground: And if any Person shall lay the Bottom of any such Tunnel lower than three or two Feet respectively, as aforesaid, below the Surface or Level of the adjacent Ground, and shall be lawfully convicted thereof, before any Justice of the Peace of the County or Place where such Offence shall be committed, he or she so offending shall for every such Offence, forfeit to the Use of the Person giving Information thereof, the Sum of five Pounds for every such Offence, to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of the Justice before whom he or she shall be convicted as aforesaid.

Regulations concerning the laying of Tunnels.

Penalty on not conforming.

XXII. And be it further enacted, That if any Person or Persons shall, at any Time or Times hereafter, wilfully or maliciously cut, throw down or destroy any of the Banks, Works or Engines so to be made or erected as aforesaid, or by any ways hinder, obstruct or lay open any of the Cuts, Drains or other Works to be made for draining or improving the said Fens or Low Grounds as aforesaid, and shall be thereof convicted upon Oath before two Justices of the Peace for the said *Isle of Ely*, if the Offence shall be committed within the said Isle, or before two Justices of the Peace of the said County of

Penalty upon Persons cutting down or destroying Banks or other Works;

of *Norfolk*, if the Offence shall be committed in the said County; every such Person so convicted shall forfeit for every such Offence the Sum of one hundred Pounds, to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hands and Seals of any two of the said Justices before whom such Conviction shall be had, to be employed and laid out in carrying on the Works and Improvements in and upon the said Fens and low Grounds where such Offence is or shall be committed; and for want of such sufficient Distress, such Offender or Offenders shall by the said Justices be committed to the Common Gaol of the said *Isle of Ely*, or County of *Norfolk*, for any Time not exceeding twelve Months, at the Discretion of the said Justices: And if any Person or Persons shall wilfully or maliciously set fire to, burn or otherwise destroy any of the said Engines to be erected as aforesaid, and be thereof lawfully convicted, such Person or Persons shall be adjudged guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court, by or before whom such Person or Persons shall be tried, shall and have hereby Power and Authority to transport such Felons for seven Years, in the like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm.

and on Persons burning or destroying Engines.

XXIII. And to the End it may appear clearly, what Money has been raised from time to time, by virtue of this Act, and that the Owners and Occupiers of the said Fen Lands and low Grounds may be satisfied that the Money so raised has been duly applied; Be it further enacted, That once in every Year, on one of the Days herein before appointed for the Meeting of the said Commissioners, Inspection shall be had by the said Commissioners, or any thirteen of them, of the Receipts and Disbursements of such Money as shall have been raised by virtue of this Act, to the twenty-fifth Day of *March* then next preceding; and all Accounts relating to the same, shall be then or within ten Days after, made up and settled by the said Commissioners, or any thirteen of them, then assembled at such their Meeting as aforesaid; at which Time the Collector or Collectors, Receiver or Receivers of the said Rates and Sums of Money to be raised as aforesaid, are hereby required to attend with proper Books of Accounts of their Receipts and Disbursements, and all Vouchers for the same; and upon Consideration and Examination thereof upon Oath to be administered by one of the said Commissioners (which Oath any one of the said Commissioners is hereby impowered to administer) the said Commissioners, or any thirteen of them, are hereby impowered to allow and pass the said Accounts, as they shall think fit, or such Part or Parts of the same, as they shall see just and reasonable; and such Account or Accounts, or such Part or Parts of them as shall be so allowed by the said Commissioners, or any thirteen of them, under their Hands, shall be fairly entered in two several Books to be kept for that Purpose, one whereof shall remain with the said Commissioners, and the other in the Parish Church of the *Holy Trinity* in *Ely*; and the said Books shall and may be inspected and perused at any Time, at reasonable Hours, by any Person or Persons requiring the same (being an Owner or Owners of any of the said Fen Lands and low Grounds) without Fee or any other Reward.

Accounts to be examined annually by the Commissioners upon Oath.

Two Books of them to be kept, and inspected gratis.

XXIV. Provided always, and it is hereby further enacted, That towards defraying the Expences of the said Commissioners, upon Account of their Attendance at any of the Meetings, to be held as aforesaid, for putting this Act in Execution, the Sum of one Shilling, and no more, shall be paid by the Collector or Receiver of the said Rates and Taxes, to each of the said Commissioners present at any such Meeting, and shall be allowed in the Accounts of such Collector or Receiver, as so much Money paid for the Purposes of this Act, so that the whole Expence, at any one Meeting, shall not exceed the Sum of twenty Shillings; any thing herein before contained to the contrary notwithstanding.

Allowance to be made to Commissioners for their Attendance.

XXV. Provided also, and it is hereby further enacted, That this Act, or any thing herein contained, shall not extend or be construed to extend, to impower the said Commissioners appointed for putting this Act in Execution, to have, use or exercise any Power or Authority over, or to intermeddle with any of the Banks, Sewers, Drains or Works already made, or hereafter to be made by the Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens, called *Bedford Level*, by virtue of an Act made in the fifteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for settling the Draining of the Great Level of the Fens, called* Bedford Level, or by virtue of any other Act or Statute whatsoever, or to invalidate, lessen, diminish, alter or take away any of the Rights, Powers and Authorities, vested in the said Governor, Bailiffs and Commonalty, or in the said Governor, Bailiffs and Conservators, but that all Rights, Powers and Authorities whatsoever, which by virtue of the said Act made in the fifteenth Year of the Reign of King CHARLES the Second, or any other Act or Statute whatsoever, now are vested in the said Governor, Bailiffs and Commonalty, or in the said Governor, Bailiffs and Conservators, or any of them, shall for ever hereafter remain, continue and be in the said Governor, Bailiffs and Commonalty, and in the said Governor, Bailiffs and Conservators, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

Clause to save the Rights of the Bedford Level Corporation.

XXVI. Provided also, and it is hereby further enacted, That the said Governor, Bailiffs and Commonalty, shall keep and maintain the South Bank of the *Hundred Foot River*, and the West Bank of the River *Ouse*, in like Manner as they have hitherto done.

Corporation to maintain the South Bank of the Hundred Foot River, and West Bank of the Ouse.

XXVII. Provided always, and it is hereby further enacted, That *Viner Small* Esquire, his Heirs or Assigns, being Owner or Owners of the imbanked Grounds, late of *Edmund Skipwith* Esquire, before exempted, shall not at any Time hereafter run off the Waters from the said imbanked Grounds, through Tunnels or otherwise, into the Lands intended to be drained by virtue of this Act, but shall keep and maintain the Banks round the said Grounds of the same Height and Strength they now are.

Proviso concerning the imbanked Grounds of VinerSmall, Esq;

XXVIII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to deprive the Owners and Proprietors of Lands and Commons lying in *Grunty Fen*, of the Drains they

Drains of Grunty Fen continued to the Proprietors.

they have hitherto had and enjoyed, and still do enjoy, for running off the Waters of the said Fen, through *Grunty Fen Drain*, towards the Outfall.

'XXIX. And whereas by the said Act of the fifteenth Year of King CHARLES the Second, it was, amongst other Things, enacted, That the Governor, Bailiffs and Conservators of the Great Level, should have a Power to lay Taxes upon the ninety-five thousand Acres of Land (allotted as a Recompence for the Draining of the said Great Level) for the Support, Maintenance and Preservation of the said Great Level, and to levy the same with Penalties for Non-payment; and that the said Governor, Bailiffs and Conservators, should have Power to sell so much, or such Parts and Proportions of the said ninety-five thousand Acres, upon which any Tax should be in Arrear, or Penalties, in such Proportions as the said Governor, Bailiffs and Conservators, should judge to be sufficient to raise such Taxes and Penalties: And whereas several Parcels of the said ninety-five thousand Acres of Land, lying within the said District, bounded and described as aforesaid, were at different Times put up to Sale, in pursuance and according to the Directions of the said Act of the fifteenth of King CHARLES the Second, and of another Act made in the twentieth Year of the said King, intituled, *An Act for the Taxing and Assessing of the Lands of the Adventurers within the Great Level of the Fens*, in order to raise the Taxes and Penalties in Arrear, for and in respect of the said Lands; but the same not being thought worth the Taxes and Penalties due thereon, such Lands could not be sold so as to raise such Penalties and Taxes; and the said Governor, Bailiffs and Conservators, having directed their Officers, from Time to Time, to bid for such Lands as could not be sold for the Amount of the Taxes and Penalties respectively due thereon, they the said Officers became the Purchasers of such Lands, and have either conveyed the same to the said Governor, Bailiffs and Commonalty, or declared such Purchases to have been made in Trust for the said Corporation; and the Lands so purchased have ever since such Purchases respectively made thereof remained vested in the said Corporation, and been called *Invested Lands*, and have been annually rated and assessed to the Taxes laid upon the said ninety-five thousand Acres, according to their respective Proportions, in pursuance of the said Acts of the fifteenth and twentieth of King CHARLES the Second; but such Taxes not having been raised or paid, the said Corporation have, from Time to Time, lett such invested Lands, or such Parts thereof as they could find Tenants for, at such Rents as could be procured for the same; but the Profits arising from the Lands so lett have been very small and inconsiderable, and much less than the Taxes with which such Lands have been assessed: And whereas the said Governor, Bailiffs and Conservators, apprehending it would be for the Benefit of the said Corporation, that such invested Lands should be sold, discharged of the Arrears of Taxes which had been assessed thereon, but subject and liable in like Manner as the rest of the said ninety-five thousand Acres, to the Taxes to be assessed for the future, by virtue of the said Acts of the fifteenth and twentieth of King CHARLES the Second, did cause five hundred and sixty-eight Acres of the said invested Lands, lying within the District herein before described, to be put up to publick Sale; and *Matthew Robinson Morris* Esquire, being the best Bidder for the same, at the Sum of one hundred Pounds, the said Corporation thereupon agreed with the said *Matthew Robinson Morris* for the Sale of the said five hundred and sixty-eight Acres, for the said Sum of one hundred Pounds, discharged of the Arrears of Taxes which had been charged thereon before the first Day of *April* one thousand seven hundred and fifty-four, and subject to future Taxes; and the most Noble *John* Duke of *Bedford*, Sir *Thomas Drury* Baronet, *Matthew Wildbore* and *Thomas Waddington* Esquires, having delivered Proposals to the said Corporation for the Purchase of one thousand seven hundred Acres, and twenty Perches of the said invested Lands (being the Residue of the said invested Lands lying within the said District) at the Price of one thousand Pounds, and such Proposals having been published in the publick News Papers, and Notice having been thereby given, that the said Corporation were ready to treat with any Persons who should be willing to give more than the said Sum of one thousand Pounds for the said Lands, and no Person having offered so much as the said Sum of one thousand Pounds for the same, the said Corporation did agree with the said *John* Duke of *Bedford*, Sir *Thomas Drury*, *Matthew Wildbore* and *Thomas Waddington*, for the Sale of the said one thousand seven hundred Acres, and twenty Perches of invested Lands, at the said Price of one thousand Pounds, discharged of all Arrears of Taxes, which at any Time before the conveying of such Lands shall have been charged thereon, and subject to future Taxes: And whereas it will be for the Benefit of the said Corporation, that the said Governor, Bailiffs and Commonalty, should be impowered to sell the said invested Lands, discharged of the Arrears of Taxes, according to the Agreements entered into as aforesaid;' Be it therefore further enacted, That it shall be lawful for the said Governor, Bailiffs and Conservators, or any seven or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, to grant or convey, under the Seal of the said Corporation, the said five hundred and sixty-eight Acres of invested Lands, to the said *Matthew Robinson Morris*, and the said one thousand seven hundred Acres, and twenty Perches of invested Lands, to the said *John* Duke of *Bedford*, Sir *Thomas Drury*, *Matthew Wildbore* and *Thomas Waddington*, freed and discharged of and from the Taxes which have been rated or assessed upon the said invested Lands, by virtue of the said Act of the fifteenth of King CHARLES the Second, or of any other Act or Acts of Parliament now in Being, relating to the said Great Level, according to the before recited Agreements made by the said Corporation with the said *Matthew Robinson Morris*, and the said *John* Duke of *Bedford*, Sir *Thomas Drury*, *Matthew Wildbore* and *Thomas Waddington*; and such Grants and Conveyances so made shall be good and effectual in the Law, to all Intents and Purposes whatsoever, as if the said Lands had been sold at the Shire-house in *Ely*, for Non-payment of Taxes, pursuant to the said Acts of the fifteenth and twentieth of King CHARLES the Second, before the said Lands became invested.

15 Car. 2. c. 17.

State of the invested Lands in the aforesaid District, belonging to the Corporation.

20 Car. 2. c. 8.

Recital of Agreements with Mr. Robinson Morris, and the Duke of Bedford and others, for Sale of the invested Lands.

Corporation impowered to convey the same, discharged of Arrears of Taxes, pursuant to the Agreements,

XXX. Provided

but not to diſcharge them from future Taxes;

XXX. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower the ſaid Corporation to diſcharge the ſaid inveſted Lands, or any Part thereof, from any Rates or Taxes, which the ſame ſhall hereafter be liable to be rated or aſſeſſed with, by virtue of the ſaid Act of the fifteenth of King CHARLES the Second, or any other Act or Acts of Parliament whatſoever, but that the ſaid inveſted Lands ſhall be liable to be rated and aſſeſſed in the ſame Manner as they were before the making of this Act; any Thing herein before contained to the contrary notwithſtanding.

One Third of the Expences of this Act to be paid by them.

XXXI. Provided alſo, and be it further enacted, That the ſaid Governor, Bailiffs and Conſervators ſhall, out of the above-mentioned Sums of one hundred and one thouſand Pounds, for which the ſaid inveſted Lands are hereby directed to be ſold, pay one third Part of the Expences of obtaining this Act.

Limitation of Actions.

XXXII. And it is hereby further enacted, That if any Action, Suit or Information ſhall be commenced or proſecuted againſt any Perſon or Perſons for any thing done or to be done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within ſix Months next after the Fact committed, and ſhall be laid or brought in the Court of Pleas of the ſaid *Iſle of Ely*, or in the Counties of *Cambridge* or *Norfolk*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall

General Iſſue.

and may plead the General Iſſue, and if in Replevin, may juſtify and avow by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do; and give this Act and the Special Matter in Evidence, without ſpecially pleading the ſame, otherwiſe than as aforeſaid, at any Trial to be had thereupon, and that the Fact alledged to have been done, was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or forbear Proſecution, or diſcontinue his, her or their Suit or Suits; or if any Verdict ſhall paſs againſt him, her or them, upon a De-

Treble Coſts.

murrer or otherwiſe, then in any of the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover treble Coſts, for which he, ſhe or they ſhall have like Remedy as where Coſts by Law are awarded.

Publick Act.

XXXIII. And be it further enacted and declared, That this Act ſhall be deemed and allowed to be a publick Act; and all Judges, Juſtices and other Perſons are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

The Schedule to which the annexed Act refers; being a Liſt of ſuch bordering, and other High Lands, as are to be exempted from the Taxes to be aſſeſſed, rated or charged in purſuance of the ſaid Act.

MEPALL.

ALL the Widdons, except four Acres, Part of the Adventure Land taken out of the ſame, belonging to Daniel Dickins.

WICHAM.

The Widdons, formerly called Jeggam Hall Grounds.

In the Cowcrofts.

Three Acres of Richard Papworth.
Five Acres of John Hazlum.
Five Acres in the Occupation of William Sabberton.
One Acre of John Winter.
One Acre, Part of four Acres, of Edward Hemmings.

In the Hale Fens.

Thomas Johnſon's Lot, and all the Lots between that and Wolbey Hills, except a Part of four Lots, one belonging to William Nix, two to Lord Wentworth and Miſtreſs King, and one to Anthony Gregory.

WOLBEY HILLS.

Thirty Acres, Part of forty Acres, of Miſtreſs King.
Fifty Acres of John Leaford.
Ten Acres of John Cole.
Five Acres, Part of ten Acres, of Maſter Eaſt's Heirs.
Two Acres, Part of nine Acres, of William Muſgrave.

COVENEY.

All the Hale Fens South of Wardey Hill, from a Lot of Jeremiah Hinkin, to a Lot of George Clay incluſive.
Two Acres and an Half, Part of ſix Acres, of Headley's Heirs.
Two Acres, Part of ſix Acres, of Headley's Heirs.
Four Acres, Part of ſix Acres, of James Creek, called Sampſon's Lot.

In the New Drove Grounds.

Six Acres of William King, Clerk.
Four Acres, Part of ſix Acres, of Charles Cole, Clerk.
One Acre and an Half, Part of Six Acres, of Thomas Neale, Clerk.
Four Acres, Part of ſix Acres, of Edward Merry.
Six Acres of William Cole, Eſquire.
Seventeen Acres, Part of twenty-ſeven Acres, of Miſtreſs Swan.
Three Acres, Part of ſix Acres, of Bidwell Nix.
Six Acres, late of Iſaac Woolaſton, Eſquire. } in Sedge Fen.
Six Acres of Mary Merrick, Widow.

Ten

Ten Acres, Part of forty Acres, of Matthew Robinſon, Eſquire, abutting upon Weſtfield.

In the New Dams.

Eight Acres, Part of thirty Acres, of Lord Townſend's abutting upon ditto.
Two Acres, Part of nine Acres, of Coveney Feoffees.
Three Acres, Part of nine Acres, of George Clay, called Cocks's Dam.
Two Acres, Part of twelve Acres, of Thomas Neale, Clerk, called The Spots.
Four Acres, Part of fourteen Acres, of Lord Townſend.
Three Acres, Part of ten Acres, of Margaret Clay.
Four Acres, Part of ſixteen Acres, of Miſtreſs Swan, called The Long Dam.

At Way Head.

Four Acres, Part of nine Acres, of Margaret Clay.
Three Acres and an Half, Part of ſeven Acres, of Charles Cole, Clerk.
Five Acres, Part of ſeven Acres, of Elizabeth Barton.
Seven Acres of Frances South.
Twenty-one Acres of George Clay, in three Lots.
Twelve Acres of Elizabeth Barton.
Six Acres, Part of ſixteen Acres, of Thomas Nix.
One Acre, Part of ſeven Acres, of John Feaſt.
Three Acres, Part of ſeven Acres, of George the Son of Margaret Clay.
Ten Acres and an Half of George Clay, being a Lot and a Half.
Four Acres of Bidwell Nix.
Seven Acres, Part of ſixteen Acres, of George Clay.

In the Great Dams.

Four Acres, Part of nine Acres, of Miſtreſs Swan.
Eleven Acres, Part of fifty-ſix Acres, of Matthew Robinſon, Eſquire.
Six Acres, Part of eighteen Acres, of George Clay.
Five Acres, Part of twenty-four Acres, late of Iſaac Woolaſton, Eſquire.
Four Acres, Part of nine Acres, of George Clay, late Matthews.
Four Acres and an Half, Part of nine Acres, of George Clay, late Childs's.
Four Acres and an Half, Part of nine Acres, of Robert Morling.
Five Acres, Part of eighteen Acres, of Maſter Hazlum.
Three Acres, Part of ſix Acres, of George Clay.
Eight Acres, Part of eighteen Acres, of Aungier Peacock, Eſquire.
Six Acres, Part of thirty Acres, of William Mayer.
Four Acres, Part of nine Acres, of Robert Feaſt.

In the Blockmores.

All the Blockmores North of Wardey Hill, from the Gravel to a Blockmore of Abraham Biggs, late Knight's including the ſame.
Four Acres and an Half, Part of ſeven Acres, of Abraham Biggs, being three Blockmores, late Painter's.
One Acre and a Half, Part of two Acres, of Margaret Clay.
Six Acres, Part of eight Acres, of William Sanxter, being two Blockmores.
Four Acres of William Knight.
Four Acres of William Cole, Eſquire.
Six Acres of Margaret Clay.
Two Acres of Abraham Biggs, being a Lockſpit at the Bottom thereof.
Five Acres, Part of eight Acres, of Amy Barrs.
One Acre of John Pennington.
One Acre of George Clay.
One Acre of Thomas Nix.
Two Acres, Part of three Acres, of Aungier Peacock, Eſquire.

In the Pingles.

Ten Acres, Part of twenty Acres, belonging to Pembroke Hall.
Four Acres, Part of ten Acres, of George Clay.
Three Acres, Part of ſix Acres, of Charles Clay, called Gunton's Pingle.
Six Acres of George Clay, called The Home Pingle.
All the High Land, Cloſes and Yards at Coveney and Wardey Hill.

In Ely Byal Fen.

Five Acres, Part of fifteen Acres, in two Dolvers, of Robert Morling. } by Wardey Hill Gravel.
Two Acres and an Half, Part of ten Acres, in two Dolvers, of Edward Hemmings. } by Wardey Hill Gravel.
Four Acres, Part of five Acres, of John Winter, called Kirby's Ground.
Four Acres, Part of five Acres, in a Lot of John Knowles.
Five Acres, a Lot of Miſtreſs Sabberton.
Five Acres, a Lot of Maſter Mayer.
Three Acres, Part of five Acres, in a Lot of Maſter Mayſer.
All the Old Fens in Witcham and Wentworth.

In WENTWORTH Sedge Fen.

Two Acres and an Half, Part of eight Acres, of Maſter Twelves.
An Hill, called Plain Hill, containing about eight Acres.

WICHFORD.

Half an Acre in each ſmall Lot in Sedgefield Pooles.
Six Acres of William Cole, Eſquire, in Pymore.

ELY.

All the Grounds called Alderforth, in Weſt Fen Side, abutting on Beald Drove.
One Acre and an Half, Part of three Acres, of John Prior.
Three Acres, Part of ſix Acres, of Edward Cropley.
Three Acres, Part of ſix Acres, of Charles Cole, Clerk.
Three Acres, Part of ſix Acres, of William Cole, Clerk.
Eleven Acres, Part of twelve Acres, of Lady Parſons.
All the Lands between Beald Drove and Ely Field.
All Beald Farm (except three Acres, and thirty Acres of Adventure Land in Pymore, uſed therewith.)

Eighteen Acres of William Cole, Esquire, in four Pieces, late Trowell's and Beesley's, abutting on Ely Field.
Sixteen Acres of John Bringhurst, Clerk, in two Dolvers, abutting on ditto.
All the Lots above Long Drove, from Gall Drove to West Fen Drove.
Eight Acres, Part of twelve Acres, of Mistress Ralph.
Six Acres of George Tookie.
Six Acres of Thomas Day.
Six Acres of John Bringhurst, Clerk,
} abutting against Long Drove.
Thirty Acres of Thomas Watkins, Clerk, called Flowers Hill.
Fourteen Acres, Part of thirty Acres, of Elizabeth Gee.
Six Acres of Henry Kempton.
Eight Acres, Part of twelve Acres, of Thomas Watkins, Clerk.
Four Acres, Part of six Acres, of Thomas Poole.
Eight Acres, Part of twelve Acres of William Aungier.
Fifteen Acres, Part of twenty-four Acres.
Twenty-one Acres, Part of twenty-four Acres.
} of Mistress Towers, called Baalam's Pieces.
} abutting on West Fen Drove.

DOWNHAM.

All the Land called the Hurst and the Holts (except fourteen Acres of Morley Unwin, Clerk, called the Pooles.)

In West Fen Side.

Four Acres, Part of twelve Acres, of Philip Cawthorne.
Four Acres, Part of twelve Acres, of Joseph Denston.
Two Acres, Part of four Acres, of Philip Sibley.
Two Acres, Part of four Acres, of Matthew Hallock.
Two Acres, Part of four Acres, of Joseph Denston.
Sixteen Acres, Part of sixty Acres, of Robert Cole, in several Pieces.
Two Acres of Philip Hopkin.
Two Acres of Christopher Green.
Two Acres of Francis Moxon.
Four Acres of Matthew Cross.
Two Acres of Joseph Denston.
Seven Acres, Part of fifteen Acres, of John Yarrow, in two Pieces.
One Acre, one Part of two Acres, of Christopher Green.
Six Acres, Part of fifteen Acres, of Downham Feoffees.
One Acre, Part of two Acres, of William Eagle.
Two Acres, Part of four Acres, of Mistress Gordon.
Two Acres, Part of four Acres, of Robert Rayner.
One Acre, Part of three Acres, of William Eagle.
One Acre, Part of two Acres, of John Bayes.
One Acre, Part of two Acres, of Frances South.
Six Acres, Part of twelve Acres, of Joseph Denston, six Pieces.
Four Acres, Part of twelve Acres, of Thomas Brown.
Three Acres, Part of eight Acres, of Francis Moxon.
Two Acres, Part of six Acres, of Richard Moxon.
One Acre, Part of two Acres, of William Eagle.
One Acre, Part of two Acres, of Henry Waddelow.
Two Acres and three Roods of Richard Moxon, called Cop Hall.

In the Land Floods.

Two Acres at the Hithe of Mary Smith, senior.
Two Acres of Frances South.
Two Acres and an Half, called a Holt and a Yard, at the Hithe of Joseph Denston.
Eleven Acres, Part of seventeen Acres, of Frances South.
One Acre, Part of two Acres, of John Bayes.
Two Acres, Part of four Acres, of Francis Moxon.
One Acre, Part of two Acres, of John Leaford.
Two Acres of Joseph Denston.
Four Acres of Richard Moxon.
Two Acres of Francis Tingey.
All the Land Floods from Westmore Bridge to the Park by Westmore Bridge.
Five Acres, Part of six Acres, of Richard Hopkin, junior.
Three Acres, Part of six Acres, of William Merry.
Two Acres, Part of ten Acres, of Richard Hopkin, senior.
One hundred Acres of Francis Topham, Esquire, (lying under Downham Park) being the highest Part of the Frith.

In North Fen Side.

Four Acres, Part of eight Acres, of Thomas Jones, Clerk, at the Bottom of Lone Lane.
One Acre, Part of two Acres, of John Churk, at ditto.
One Acre, Part of two Acres, of Isaac Aspland.
Five Acres, Part of eight Acres, of William Cole, Esquire, of Cabbage-hole.
Seven Acres of John Ellington, in ditto.
Two Acres, Part of twelve Acres, of Elizabeth Ellington, next Beald Drove.
Two Acres, Part of twelve Acres, of Henry Hull, next Beald Drove.
One Acre, Part of two Acres, of Sarah Bringhurst.
One Acre, Part of two Acres, of Mary Smith, junior.
Three Acres, Part of six Acres, of John Hitch.
One Acre, Part of two Acres, of William Cole, Esquire.

One

One Acre, Part of two Acres, of Richard Hopkin.
Three Acres, Part of six Acres, of John Ellington.
Five Acres, Part of twelve Acres, of John Flanders.
One Acre, Part of two Acres, of Downham Feoffees.
Two Acres, Part of four Acres, of Francis Tingey.
Two Acres, Part of four Acres, of Henry Morley, Esquire.
} called Causy.

All the Lots, called Marshall End, in Downham and Ely.

Twelve Acres, Part of seventy-eight Acres, of Richard Holditch, Esquire, under Chetisham Wood.

PYMORE.

Twelve Acres of Anthony South.
Twelve Acres of William Harrison.
Twelve Acres of Morley Unwin, Clerk.
Twelve Acres of John Leaford.
Twelve Acres of Joseph Denston.
Twelve Acres of John Churk.
Six Acres of Margaret South.
Four Acres, Part of six Acres, of John Leaford.
} All these North-East of Pymore Drove.

Twelve Acres of William Langman.
Four Acres of Margaret South.
Four Acres, of William Langman.
Sixteen Acres of Sarah Bringhurst.
Twelves Acres of Francis Skinner.
Four Acres of Margaret South.
Twenty Acres of John Leaford.
Twelve Acres of John Leaford.
Eight Acres, Part of twelve Acres, of John Leaford.
Two Acres, Part of six Acres, of Richard Nicholas.
Four Acres, Part of six Acres, of John Churk.
Eight Acres, Part of twelve Acres, of Thomas Jones, Clerk.
Eight Acres, Part of twelve Acres of Richard Holditch, Esquire.
Five Acres, Part of twelve Acres, of Margaret South.
Two Acres, Part of twelve Acres, of Frances South.
One Acre, Part of four Acres, of Margaret South.
} All these South-West of Pymore Drove.

Twelve Acres of John Leaford.
Twelve Acres of Frances South.
Twelve Acres of John Yarrow.
Six Acres, Part of twelve Acres, of Frances South.
Twelve Acres of Robert Rayner.
Three Acres, Part of five Acres, of Elizabeth Ellington.
Eight Acres, Part of seventeen Acres, of John Leaford, in two Lots.
} In Straight Furlong.

Four Acres of William Langman.
Twenty-five Acres, late Saint John's,
Seventeen Acres, late Drureys,
Sixteen Acres, out of seventeen Acres, late Saint John's.
} Of Master John Leaford.
Five Acres, out of seventeen Acres, of Lord Saint John's.
Three Acres, out of seventeen Acres of Francis Tingey.
} Parts of the Fifties.

In a Place called Dunkirk.

Two Acres, Part of twelve Acres, of John Cawthorne's Heirs.
Nine Acres, Part of twelve Acres, of Richard Hopkin.
Three Acres, Part of twelve Acres, of Isaac Aspland.
Twelve Acres of William Cole, junior.
Two Acres, Part of twelve Acres, of John Flanders, at Frith Head.

In the Ely North Fen Side.

Six Acres, Part of nine Acres, in three Lots, of Henry Morley, Esquire.
One Acre and an Half, Part of three Acres, one Lot, belonging to Saint Peter's College, Cambridge.
Three Acres, Part of six Acres, in two Lots, of Henry Morley, Esquire.
One Acre and an Half, Part of three Acres, one Lot, of James Harkness, Esquire.
Nine Acres, Part of eighteen Acres, in six Lots, of Henry Morley, Esquire.
Eight Acres, Part of twelve Acres, in four Lots, of Henry Morley, Esquire.
} Under Woodhouse Farm.

Twelve Acres, Part of twenty-five Acres and an Half, in eight Lots and an Half, of Henry Morley, Esquire.
One Acre, Part of three Acres, one Lot, of Henry Morley, Esquire.
One Acre, Part of three Acres, one Lot, of James Harkness, Esquire.
Three Acres, one Lot, of Henry Morley, Esquire, called Gull Piece.
} Abutting on the Road to Littleport.

LITTLEPORT.

In North Fen Side, under Littleport Field, commonly called Wood Fen.

Nine Acres of Elizabeth Meader.
Three Acres, Part of four Acres, one Lot of Henry Mayner.
Four Acres, Part of eight Acres, two Lots, of Matthew Scurchin.
Two Acres, Part of four Acres, one Lot, of Master Middleton.

Two Acres, Part of four Acres, one Lot, of William Gary, Esquire, his Heirs.
Four Acres, Part of eight Acres, two Lots of Lathbury, Clerk.
One Acre and an Half, Part of four Acres, one Lot, of William Easy.
One Acre and an Half, Part of four Acres, one Lot, of Robert Mayes.
Two Acres, Part of four Acres, one Lot, of John Barret Rayner.
Five Acres, Part of eight Acres, two Lots, of Littleport Feoffees.
One Acre, Part of four Acres, one Lot, of John Cuttlack.
One Acre and an Half, Part of four Acres, one Lot, of James Clarke.
One Acre, Part of four Acres, one Lot, of John Kennell.
One Acre, Part of four Acres, one Lot, of John Partheriche, Esquire.
One Acre, Part of four Acres, one Lot, of James Clarke.
One Acre, Part of four Acres, one Lot, of Philip Gotobed.
One Acre and an Half, Part of four Acres, one Lot, of ditto.
Two Acres, Part of four Acres, one Lot, of John Creek, late Blow's.
Eight Acres, being two Lots, of Thomas Gillett.
One Acre and an Half, Part of four Acres, one Lot, of Papworth Crab.
One Acre and an Half, Part of four Acres, one Lot, of Lathbury, Clerk.
Eight Acres, Part of sixteen Acres, four Lots, of John Mayes.
Four Acres, Part of eight Acres, two Lots, of William Porter.
Six Acres, Part of eight Acres, two Lots, of Daniel Clarke.
Six Acres, Part of sixteen Acres, four Lots, of James Clarke.
One Acre and an Half, Part of four Acres, one Lot, of Isaac Harle.
One Acre and an Half, Part of four Acres, one Lot, of Master John Drage.
Seven Acres, Part of sixteen Acres, four Lots, of ditto.
Five Acres, Part of eight Acres, two Lots, of ditto.
Two Acres, Part of four Acres, one Lot, of Christopher Gillett.
One Acre, Part of four Acres, one Lot, of Henry Waddelow.
One Acre, Part of four Acres, one Lot, of Anne Brassett.
One Acre, Part of four Acres, one Lot, of Henry Waddelow.
One Acre, Part of four Acres, one Lot, of Widow Webb.
One Acre, Part of four Acres, one Lot, of William Burridge.
Three Acres and an Half, Part of eight Acres, two Lots, of William Cuttlack's Heirs.
Four Acres and an Half, Part of eight Acres, two Lots, of John Partheriche, Esquire.
Two Acres and an Half, Part of four Acres, one Lot, of Thomas Evans, Esquire.
One Acre and an Half, Part of four Acres, one Lot, of Thomas Gillett,
One Acre and an Half, Part of four Acres, one Lot, of Master John Drage.
Two Acres, Part of four Acres, one Lot, of William Dillimore.
Two Acres, Part of four Acres, one Lot, of John Partheriche, Esquire.
One Acre and an Half, Part of four Acres, one Lot, of Thomas James.
One Acre and an Half, Part of four Acres, one Lot, of Matthew Wildbore, Esquire.
One Acre and an Half, Part of four Acres, one Lot, of Thomas James.
One Acre and an Half, Part of four Acres, one Lot, of William Dillimore.
One Acre, Part of four Acres, one Lot, of Matthew Wildbore, Esquire.
One Acre and an Half, Part of four Acres, one Lot, of Master Thickpenny.
Two Acres, Part of four Acres, one Lot, of Christopher Crabb.
Four Acres, Part of eight Acres, two Lots, of John Partheriche, Esquire.
Two Acres and an Half, Part of four Acres, one Lot, of Matthew Wildbore, Esquire.
Six Acres, Part of twelve Acres, three Lots, of Thomas Door.
Three Acres, Part of eight Acres, two Lots, of Master Thomas Tawney.
Six Acres, Part of eight Acres, two Lots, of William Piggott.
Three Acres, Part of four Acres, one Lot, of James Clarke.
Three Acres, Part of four Acres, one Lot, of Widow Blow's.
Two Acres and an Half, Part of four Acres, one Lot, of Master Thomas Tawney.
Two Acres and an Half, Part of four Acres, one Lot, of William Porter.
Five Acres, Part of eight Acres, two Lots, of William Crabb.
Two Acres and an Half, Part of four Acres, one Lot, of Mathew Eburn.
Two Acres and an Half, Part of four Acres, one Lot, of John Barret Bayner.
Eight Acres, two Lots, of Sir William Brown, by the Knoll.

The Knoll.

In Westmoor, from Grunty Fen Drain by the Knoll Bridge.
Twelve Acres of John Barber, two Lots, called Wadeload Lots.

The Plains.

Seven Acres, Part of nine Acres, of Papworth Crabb.
Six Acres, Part of nine Acres, of Christopher Crabb.
Six Acres, Part of nine Acres, of Meader's Heirs.
Four Acres, Part of nine Acres, of William Piggott.
Two Acres, Part of nine Acres, of Robert Crabb.
Two Acres, Part of nine Acres, of Christopher Crabb.
Seven Acres, Part of nine Acres, of Lathbury, Clerk.
Four Acres, Part of forty-four Acres, of Mistress Doo.
Two Acres, Part of nine Acres, of Sir William Brown.

Thirteen

Thirteen Acres, Part of eighteen Acres, of Thomas Evans, Esquire.
Four Acres, Part of nine Acres, of Matthew Wildbore, Esquire.
Three Acres of Thomas Gotobed.
Six Acres of Master Skeeles.
Six Acres of Thomas Prior.
Seven Acres of Papworth Crabb.
Twenty-one Acres of Master Thomas Tawney, in two Pieces.
Three Acres of the Widow Waddelow.
Three Acres of Master Thomas Tawney.
Five Acres, Part of six Acres, of Papworth Crabb.
Two Acres, Part of three Acres, of Glebe Land.
Two Acres, Part of three Acres, of William Crabb.
Three Acres of William Gary, Esquire, his Heirs.
Three Acres of Sarah Robinson.
Three Acres of Widow Gillett.
Six Acres of Christopher Crabb, in two Pieces.
Three Acres of Widow Godson.
Six Acres of James Clarke.
Two Acres, Part of three Acres, of John Crabb.
Two Acres, Part of three Acres, of John Cuttlack.
Four Acres, Part of six Acres, of John Crabb.
Three Acres of Painter Meader.
Four Acres, Part of fourteen Acres, of Matthew Wildbore, Esquire.

On the South-west Side of the Croft River.
From Blacklake Bridge to the Hundred Feet Bank.
Five Acres, Part of six Acres, of Abigail Clarke.
Two Acres, Part of six Acres, of Daniel Clarke.
Two Acres, Part of six Acres, of Matthew Wildbore, Esquire.
Six Acres, Part of twelve Acres, of John Partheriche, Esquire.
One Acre and an Half, Part of six Acres, of Sarah Blowes.
Seven Acres, Part of eighteen Acres, of William Crabb, in three Pieces.
Two Acres, Part of six Acres, of Robert Garner.
Four Acres, Part of twelve Acres, of Robert Crabb senior.
Seven Acres, Part of twelve Acres, of Thomas Woodhouse, in two Pieces.
One Acre, Part of twenty Acres, called The Cambridge Croft.
Three Acres, Part of ten Acres, of Thomas Evans, Esquire.
Seven Acres of William Crabb.

Apeshall Farms.
Fifteen Acres of John Parteriche, Esquire.

In Master Evans's Farm.
Forty-five Acres, being the Hill.
Five Acres and an Half, the Yards.

In Painter Meader's Farm.
Nine Acres, called
Three Acres, Part of twenty-seven Acres.
Ten Acres, being the Old Hill.
Three Acres, the Yards.
Two Acres, Part of twelve Acres, called The Hassock Ground.
Ten Acres, Part of twelve Acres, called Pont's Croft.
Twenty-five Acres, Part of thirty-five Acres, of Thomas Evans, Esquire,
Thirteen Acres, Part of eighteen Acres, of Painter Meader.
One Acre and an Half belonging to ditto.
Ten Acres, Part of twenty-four Acres, of Mary Atkins, in two Pieces.
Four Acres of William Dillimore, the Yards.
Six Acres, Part of seven Acres, of ditto.
Two Acres, Part of twenty Acres, of Thomas Evans, Esquire.
Five Acres, Part of thirteen Acres, of John Partheriche, Esquire.
Four Acres, Part of nine Acres, of Robert Sutton.
Four Acres, Part of nine Acres, of John Partheriche, Esquire.
One Acre of Matthew Easter, the Yard.
Six Acres, Part of ten Acres, of ditto.
Five Acres, Part of sixteen Acres, of Thomas Evans, Esquire.
Eight Acres, Part of forty Acres, of Matthew Easter.
Three Acres, Part of fourteen Acres, of Thomas Evans, Esquire.
One Acre and an Half, Part of three Acres, of John Partheriche, Esquire.
One Acre and an Half, Part of nine Acres, belonging to Welney Feoffees.
Seven Acres, Part of eleven Acres (being the Home Stall) of Anthony South.
Four Acres of Lord Saint John (the Mustard Seed Yard).
Eleven Acres, Part of thirty-three Acres, of ditto, in three Pieces.

On the North-East Side of the Croft River.
From the Hundred Feet Bank towards Littleport (the Crofts).
Two Acres, Part of three Acres, of Anthony South.
Twelve Acres, Part of eighteen Acres, of Sir William Brown.
Two Acres, Part of three Acres, of Master East's Heirs.
Six Acres, Part of nine Acres, of Thomas Evans, Esquire.
Fourteen Acres, Part of twenty-seven Acres, of William Crabb.
Three Acres, Part of six Acres, of Thomas Evans, Esquire.
One Acre and an Half, Part of three Acres, called Bread Bank.
Three Acres, Part of six Acres, of Thomas Evans, Esquire.
Four Acres, Part of nine Acres, of Robert Sutton.
Four Acres of ditto, called the Yards.
Four Acres and an Half, Part of six Acres, of Isaac Sallis.
Seven Acres, Part of twelve Acres, of Hannah Taylor.
Ten Acres, Part of eighteen Acres, of Welney Feoffees.
Ten Acres, Part of seventeen Acres, of Thomas Evans, Esquire, in four Pieces.
Nine Acres, Part of twelve Acres, of William Gary, Esquire, his Heirs.
Three Acres, Part of twenty Acres, of Thomas Evans, Esquire.
Three Acres, Part of twenty Acres, of William Gary Esquire, his Heirs.
Two Acres, Part of nine Acres, of Painter Meader.

Four

Four Acres, Part of ten Acres, of William Dillimore.
Two Acres and an Half, Part of eleven Acres, of Thomas Evans, Esquire.
Six Acres and an Half, Part of twenty Acres, of William Dillimore, in two Pieces.
Three Acres, Part of six Acres, of Thomas Evans, Esquire.
Ten Acres, Part of eighteen Acres, of Painter Meader.
Three Acres, Part of twelve Acres, of John Partheriche, Esquire.
One Acre, Part of six Acres, of Thomas Evans, Esquire.
One Acre and an Half, Part of six Acres, of Mary Atkin.
One Acre and an Half, Part of four Acres, of Thomas Evans, Esquire.
Two Acres, Part of eight Acres, of William Crabb.
One Acre, Part of six Acres, of Thomas Evans, Esquire.
One Acre and an Half, Part of eight Acres, of William Gary, Esquire, his Heirs.
One Acre, Part of six Acres, of William Crabb.
One Acre, Part of four Acres, of Thomas Clarke.
One Acre and an Half, Part of six Acres, of Master John Drage.
One Acre, Part of six Acres, of William Piggott.
One Acre, Part of four Acres, of Thomas Evans, Esquire.
Six Acres, Part of eighteen Acres, of William Gary, Esquire, his Heirs.
Nine Acres, Part of eighteen Acres, of Thomas Evans, Esquire, in two Pieces.
Four Acres and an Half, Part of eight Acres, of Thomas Prior.
One Acre of Thomas Evans, Esquire.
Two Acres, Part of three Acres, of ditto.
Six Acres, Part of sixteen Acres, of the Widow Brassett.
One Acre and an Half, Part of three Acres, of Thomas Clarke.
Six Acres, Part of nine Acres, of Walton, Clerk.
Five Acres of ditto.
One Acre, Part of three Acres, of Widow Sindall.
Two Acres, Part of four Acres, of Thomas Clarke.
Two Acres, Part of eight Acres, of Lathbury, Clerk.
One Acre, Part of two Acres, of Thomas Prior.
Two Acres, Part of twelve Acres, of John Barrett Rayner.
Two Acres, Part of six Acres, of Thomas Brassett.
Two Acres, Part of eight Acres, of William Gary, Esquire, his Heirs.
One Acre and an Half, Part of seven Acres, of Thomas Brasset.
One Acre and an Half, Part of six Acres, of Henry Youngs.
Two Acres, Part of sixteen Acres, Glebe Land.
One Acre, Part of eight Acres, of William Wilkinson.
Two Acres and an Half, Part of nine Acres, of John Cuttlack.
Four Acres, Part of sixteen Acres, of Henry Waddelow.
One Acre and an Half, Part of six Acres, of John Cuttlack.
Two Acres, Part of sixteen Acres, of Robert Crabb, junior.
In Mow Fen, between Ferry Bridge and the Chair.
Two Acres and an Half, Part of six Acres, of Mary Mobbs.
Two Acres, Part of six Acres, of Francis Hide.
Two Acres and an Half, Part of six Acres, of John Voyce.
Four Acres, Part of six Acres, of John Barret Rayner.
Twelve Acres of Painter Meader, two Lots.
Six Acres of Daniel Clarke.
Six Acres of John Love.
Six Acres of Daniel Clarke.
Four Acres, Part of six Acres, of ditto.
Three Acres and an Half, Part of six Acres, of Robert Crabb, senior.

SOUTHERY, under the West Bank of the River Ouze.

Half an Acre, Part of twelve Acres, of Sir Robert Burdett.
One Acre, Part of eighteen Acres, of ditto. } In Nix's Farm.
One Acre, Part of twelve Acres, belonging to the Lady of Southery (Canham's Farm).
One Acre, Part of four Acres, of ditto (Gregory Porter's Farm).
One Acre, Part of four Acres, of Isaac Cockram.
One Acre, Part of four Acres, of Woodhouse's.
Half an Acre, Part of twenty Acres, of Isaac Cockram (Ward's Farm).

HELGAY.

Six Acres, Part of fifty-two Acres, of Isaac Cockram, in four Pieces (Wolley's Yard).
Two Acres, Part of four Acres, of ditto (Wolley's Yard).
Two Acres and an Half, Part of twenty-five Acres, of Sir Robert Burdett (Roper's Farm).
One Acre, Part of ten Acres, of Sir Cecil Wray, called Baker's Hill.
Two Acres and an Half, Part of nine Acres, of Christopher Barkham (Prior's Farm).
One Acre, Part of eleven Acres (Helgay Feoffees).
One Acre, Part of eleven Acres, of William Galloway.
Four Acres, Part of forty Acres, of Sir Cecil Wray, (Harland's).
Two Acres, Part of one hundred Acres, Helgay Poor's Land.
Two Acres, Part of thirty Acres, of Christopher Galloway, called Tiffany's.
Six Acres, Part of fifty Acres, of Mistress Smith, called Doman's.

DENVER.

One Acre, Part of twenty Acres, Glebe Land.
Two Acres, Part of five Acres, of Abraham Wardle.
Seven Acres and an Half, Part of forty-one Acres, of King Whitred, in three Pieces (Hopkins's Farm).
Five Acres of Lord Saint John (Langman's Farm).

Welney, by the Hundred Feet Bank.

Eighteen Acres of William Greaves, Esquire (Part of Flower's Farm).
Six Acres, Part of twenty Acres, called Fisher's Croft.

CAP. XXIII.

An Act for encouraging the Fisheries in that Part of *Great Britain* called *Scotland*.

Concerning Fishery in Scotland refer to 13 *Geo.* 2. c. 30.

'WHEREAS the extending and improving of the *British* Fishery is of great Importance to this 'Kingdom, as it not only adds considerably to the national Wealth, but is moreover a fruitful 'Nursery of able Seamen for the publick Service: And whereas the same is greatly obstructed by cer- 'tain Restrictions, Exactions and Regulations, to which the Fishers and Curers of Fish in *North Bri-* '*tain* are subject, either by Custom or the Laws now in Force: And whereas it further appears that it 'would be very advantageous to Trade in general, as well as to the Fishery, if the said Exactions and 'Restrictions were taken off, and such new Regulations made, as are more accommodated to the pre- 'sent Circumstances of both: And whereas by an Act made in the third Session of the first Parliament 'of the late Queen ANNE, in *Scotland*, intituled, *An Act for advancing and establishing the Fishing Trade* '*in and about that Kingdom*, all her Majesty's Subjects of that Kingdom are authorized and impowered 'to take and cure Herring and White Fish, in all and sundry the Seas, Channels, Bays, Firths, Lochs, 'Rivers and so forth, of that her Majesty's Kingdom and Islands thereto belonging, wheresoever Her- 'ring or White Fish are or can be taken; and for their greater Conveniency, to have the free Use of 'all Ports, Harbours, Shores, Forelands and others, for bringing in, pickling, drying, unloading and 'loading the same, upon Payment of the ordinary Dues where Harbours are built, that is, such as 'are paid for Ships, Boats and other Goods; and discharges all other Exactions, such as one Night's 'fishing in the Week, commonly called *Saturday's Fishing*, *Top-money*, *Stallage*, and the like:' And for the further explaining, enforcing and amending the said Law; May it please your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *June* one thousand seven hundred and fifty-six, all Persons whatsoever, Inhabitants of *Great Britain*, shall, and they are hereby declared to have Power and Authority, at all Times and Seasons, when they shall think proper, freely to take, buy from Fishermen, and cure any Herrings, Cod, Ling or any other Sort of White Fish, in all and every Part of the Seas, Channels, Bays, Firths, Locks, Rivers or other Waters, where such Fish are to be found, on the Coasts of that Part of *Great Britain* called *Scotland*, and of *Orkney*, *Shetland*, and all other Islands belonging to that Part of *Great Britain* called *Scotland*; any Law, Statute or Custom, to the contrary in any wise notwithstanding: And if any Person or Persons whomsoever shall, after the twenty-fifth Day of *June* one thousand seven hundred and fifty-six, under any Pretence whatsoever, presume to obstruct or hinder any Person or Persons from Fishing as aforesaid, in Moonlight Nights, or at any other Time whatsoever, in all or any, or in any Part of the said Seas, Channels, Bays, Firths, Lochs, Rivers or other Waters as aforesaid, or shall demand or receive any Gratuity or Allowance whatsoever, either in Money, Fish or otherwise, under the Name of *Saturday Night's Fishing*, or under any other Name or Pretence whatsoever, from any Fisherman or other Person, for the Liberty of Fishing in all or any, or in any Part of the said Seas, Channels, Bays, Firths, Lochs, Rivers and other Waters, as aforesaid; every such Person shall, for every such Offence respectively, forfeit the Sum of one hundred Pounds Sterling, to be recovered in Manner herein after directed; any Law, Usage or Custom to the contrary notwithstanding.

Act of the third Session of Queen Anne in Scotland.

Power given to Inhabitants to take, buy from Fishermen, and cure White Fish, in any of the Seas or Rivers in Scotland, or Islands thereto belonging.

100 *l.* Penalty on Persons obstructing the Fishery, or taking any Gratuity for Liberty of fishing.

II. And be it further enacted by the Authority aforesaid, That all and every Person or Persons employed in the said Fishery, on the Coasts of that Part of *Great Britain* called *Scotland*, or on the said Coasts of *Orkney*, *Shetland*, or any of the said Islands, shall have and exercise the free Use of all Ports, Harbours, Shores and Forelands, in that Part of *Great Britain* called *Scotland*, or in *Orkney*, *Shetland*, or any of the said Islands, below the highest High Water Mark, and for the Space of one hundred Yards on any Waste or uncultivated Land, beyond such Mark, within the Land, for landing their Nets, Casks, and other Materials, Utensils and Stores, and for erecting Tents, Huts and Stages, and for the landing, pickling, curing, drying, and reloading their Fish, without paying any Foreland or other Dues, or any other Sum or Sums of Money, or other Consideration whatsoever, for such Liberty, except as hereafter excepted; any Law, Statute or Custom whatsoever to the contrary notwithstanding: And if any Person or Persons shall presume to demand or receive any Dues, Sums of Money, or other Consideration whatsoever, for the Use of any such Ports, Harbours, Shores or Forelands, within the Limits aforesaid, so made Use of for the Purposes aforesaid, or shall presume to obstruct the Fishermen or other Persons employed in the taking, buying, or curing of Fish in the Use of the same, every Person so offending shall, for every such Offence, forfeit the Sum of one hundred Pounds Sterling, to be recovered and levied in Manner herein after directed.

The Use of Ports, Harbours, and Shores, allowed for landing Nets, erecting Stages and Tents, and curing Fish.

100 *l.* Penalty on demanding or taking such Consideration Money.

III. Provided always, That nothing in this Act contained shall extend to exempt the Vessels or Boats employed in the said Fishery, from the Payment of such Harbour or Pier Dues as are and by Law ought to be demanded for Ships, Vessels or Boats, in Piers or Harbours, which are built or artificially made, but that such Harbour or Pier Dues shall be paid in like Manner as the same were liable to be paid before the passing of this Act.

Duties to be paid within artificial Harbours or Piers.

'IV. And whereas it is found by Experience that the Barrels now used for packing and putting up of 'White Herrings and Wet White Fish, in that Part of *Great Britain* called *Scotland*, are not of proper 'thickness;' Be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *June* one thousand seven hundred and fifty-eight, the Staves of all Barrels in which such Fish shall

Staves of Herring Barrels to be Half an Inch thick throughout, on Penalty of being confiscated, with the Fish.

shall be packed or put up, shall be at least one Half Part of an Inch in thickness throughout, of made Work; and if after the said twenty-fifth Day of *June* one thousand seven hundred and fifty-eight, any Barrel or Barrels containing such Fish, shall be found to be of a less thickness, than one Half Part of an Inch in any Part of the said Barrel, any Officer of Customs or Excise, or any Curemaster in *Scotland*, are hereby authorized and required to seize the same, and upon Proof thereof before any two Justices of the Peace, the Owner or Proprietor of such Fish shall forfeit both Fish and Barrel.

5 Ann. c. 8.

'V. And whereas by an Act made in the fifth Year of the Reign of Queen ANNE, intituled, *An Act for an Union of the two Kingdoms of* England *and* Scotland; it is enacted, That from and after the Union, the Laws and Acts of Parliament in *Scotland*, for pining, curing, and packing of Herrings, White Fish and Salmon for Exportation, with foreign Salt only, without any Mixture of *British* or *Irish* Salt, be continued in Force in *Scotland*, subject to such Alterations, as shall be made by a *British* Parliament; and that for establishing an Equality in Trade, all Fish exported from *Scotland* to Parts beyond the Seas, which should be cured with foreign Salt only, without any Mixture of *British* or *Irish* Salt, should have the same Eases, Premiums and Drawbacks, as were or should be allowed to such Persons as export the like Fish from *England*; by which enacting Clause the Curers of Fish in that Part of *Great Britain* called *Scotland*, are restricted and debarred from using either *British* Salt, or a Mixture of *British* and foreign Salt, in the curing or any Kind of Fish for Exportation, and have not the Liberty of taking Salt free of Duty from the Salt Works for curing of Fish for Exportation, which Restriction and Prohibition are found by Experience to be very detrimental to the Fishing Trade of that Part of *Great Britain* called *Scotland*: And whereas by an Act made in the fifth Year

5 Geo. 1. c. 18.

of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for recovering the Credit of the* British *Fishery in Foreign Parts, and for better securing the Duties on Salt*; the Curers of Fish in that Part of *Great Britain* called *England* are allowed to use either Foreign or *British* Salt, or to mix them in curing of any Kind of Fish, and also to import foreign Salt, and take Salt from the Salt Works without paying any Duty for the same, except the Customs payable on such foreign Salt at the Importation thereof, for curing of Fish for Exportation only: And whereas by an Act made in the eighth

8 Geo. 1. c. 16.

Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for taking off the Duty upon Salt used in the curing and making of White Herrings; and instead thereof laying a proportionable Duty upon all White Herrings consumed at Home only*, the Curers of White Herrings in that Part of *Great Britain* called *England* were allowed to use such Foreign and *British* Salt as should be delivered to them Duty-free for the curing of Fish for Exportation, in the curing of White Herrings for Home Consumption, upon Payment of a Duty of three Shillings and four Pence for every Barrel of such White Herrings as should be entered for Home Consumption, under certain Regulations and Penalties in the said Act mentioned: And whereas the extending the said Provisions and Regulations in the said Acts made in the fifth and eighth Years of the Reign of his said late Majesty, would tend to the Encouragement and Improvement of the Fisheries in *Scotland*, and to the Benefit and Advantage of the United Kingdom;' Be it therefore further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *June* one thousand seven hundred and fifty-six, it shall and may be lawful for any Person or Persons whomsoever in that Part of *Great Britain* called *Scotland*, to import foreign Salt, and to take *British* Salt there from the Salt Works, without paying any Duty for the same, for curing of Fish for Exportation only; except the Customs payable upon the Importation of such foreign Salt; and that it shall and may be lawful for any Person or Persons whomsoever, in that Part of *Great Britain* called *Scotland*, to use any such foreign or *British* Salt as shall be delivered Duty-free for curing of Fish for Exportation, in the curing of White Herrings for Home Consumption; and that the said Act made in the fifth Year of the Reign of his said late Majesty, intituled, *An Act for recovering the Credit of the* British *Fishery in foreign Parts, and for better securing the Duties on Salt*; and also the said Act made in the eighth Year of the Reign of his said late Majesty, intituled, *An Act for taking off the Duty upon all Salt used in the curing and making of White Herrings; and instead thereof laying a proportionable Duty upon all White Herrings consumed at Home only*; and every Clause, Regulation, Exemption, Penalty, Punishment, Proviso Rule, Article, Matter and Thing whatsoever in the said Acts contained, so far as relates to the curing of Fish for Exportation with Salt, without Payment of Duty, and likewise to the several Rates or Sums of Money allowed upon the Exportation of Fish from that Part of *Great Britain* called *England*, and also to the curing of White Herrings for Home Consumption (except the Imposition of the said Duty of three Shillings and four Pence *per* Barrel) shall be, and the same are hereby declared to extend to that Part of *Great Britain* called *Scotland*, in as full and ample Manner as if the same were repeated and re-enacted in this present Act; any thing in the said Acts or in any other Act of Parliament contained to the contrary notwithstanding.

Liberty given to import foreign Salt, and to take British Salt, for curing Fish for Exportation, Duty-free; Customs on Importation excepted, 5 Geo. 1. c. 18. 8 Geo. 1. c. 16. extended under certain Restrictions to Scotland.

A Duty of 1s. per Barrel payable in Scotland on Herrings entered for Home Consumption.

VI. And be it further enacted by the Authority aforesaid, That for every Barrel of White Herrings containing thirty-two Gallons, entered for Home Consumption in that Part of *Great Britain* called *Scotland*, the Proprietor of such Herrings shall pay a Duty of one Shilling, and so in Proportion for every Half Barrel; under the Regulations and Penalties prescribed and inflicted in the said last mentioned Act, for the ascertaining, collecting, and recovering the said Duty of three Shillings and four Pence *per* Barrel.

and 3s. 4d. per Barrel, for Herrings brought into England, and entered there for Home Consumption.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to carry and bring from any Port in that Part of *Great Britain* called *Scotland*, to any Port of that Part of *Great Britain* called *England*, White Herrings cured with *British* or foreign Salt, the Persons bringing the said Herrings into *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, paying at the Port to which the same shall be brought, three Shillings and four Pence for every Barrel of such White Herrings,

rings, containing thirty-two Gallons, which shall be entered there for Home Consumption; and so in Proportion for every Half or Quarter Barrel.

'VIII. And whereas by an Act made in the fifth Year of the Reign of his present Majesty, intituled, 'An Act for reviving the Duties on Salt for the Term therein mentioned'; it was enacted, That it should 'and might be lawful to carry and bring from any Port of that Part of *Great Britain* called *Scotland*, 'to any Port of that Part of *Great Britain* called *England*, White Herrings cured with Salt made in 'Scotland, the Person or Persons bringing the said White Herrings into *England* paying at the Port to 'which the same should be brought, two Shillings and four Pence for every Barrel, containing thirty-'two Gallons, of such White Herrings brought from *Scotland*, and in Proportion for Half Barrels, un-'der certain Regulations, Restrictions and Penalties in the said Act mentioned: And whereas if Liberty 'were also granted to bring Salmon, Cod, Ling, Tusk, and other White Fish cured with Salt made in 'Scotland, into any Port of that Part of *Great Britain* called *England*, for Home Consumption, the 'same would tend to the Benefit and Advantage of both Parts of the United Kingdom;' Be it therefore further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *June* one thousand seven hundred and fifty-six, it shall be lawful to carry and bring, from any Port of that Part of *Great Britain* called *Scotland*, to any Port of that Part of *Great Britain* called *England*, for Home Consumption, any Salmon, Cod, Ling, Tusk, and other White Fish, cured with Salt made in *Scotland*, for which the Duty hath been there paid or secured, the Person or Persons bringing such Fish into *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, paying at the Port to which the same shall be brought, two Shillings and four Pence for every Barrel, containing thirty-two Gallons of such Fish wet; and so in Proportion for a greater or lesser Quantity; and one Shilling and two Pence for every hundred Weight of such Fish dry; and so in Proportion for a greater or lesser Quantity.

5 Geo. 2. c. 6.

2 s. 4 d. per Barrel to be paid for Salmon, Cod, and other Fish wet, cured with Scotch Salt, and imported into England for Home Consumption; and for Dry Fish 1 s. 2 d. per C. weight.

IX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to carry or bring, from any Port or Place of that Part of *Great Britain* called *Scotland*, or the Islands thereunto belonging, to any Port of that Part of *Great Britain* called *England*, for Re-exportation, any Herrings, Salmon, Cod, Ling, Tusk, and other White Fish, the Owner of the Fish, or Master of the Vessel, making Oath that such Fish was caught in *North Britain*, or on the Coasts thereof, and cured with Salt delivered Duty-free from some Part of *Great Britain*, and when and where the same was so delivered.

Fish cured in Scotland, may be brought into England for Re-exportation.

X. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *June* one thousand seven hundred and fifty-six, all such Herrings, Salmon, Cod, Ling, Tusk, and any other White Fish, so brought Coastwise from *Scotland* into *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, shall upon Exportation thereof, or any Part thereof, to foreign Parts, be intitled to the same Allowances or Bounties as by the said Act passed in the fifth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for recovering the Credit of the British Fishery in foreign Parts; and for better securing the Duties on Salt*, are granted on the Exportation of Fish cured in that Part of *Great Britain* called *England*; such Fish being subject to the same Rules and Regulations, in order to prevent the relanding or reimporting thereof, and the Owners thereof subject to the same Penalties in case of relanding, or any other fraudulent Proceeding, in order to obtain the said Bounties, as by the said Act are prescribed and inflicted, in regard to Fish cured in, and exported from, that Part of *Great Britain* called *England*; any Thing to the contrary thereof in any wise notwithstanding.

Bounty allowed on the Exportation of such Fish to foreign Parts, on conforming to Act 5 Geo. 1. c. 18.

XI. Provided always, and be it enacted, That no Allowance or Bounty granted by this Act, shall be paid in that Part of *Great Britain* called *England*, Dominion of *Wales*, and Town of *Berwick* upon *Tweed*; but the Chief Officer of the Customs, or his Deputy, at the Port or Place from which such Fish shall be respectively exported, shall upon the Request of the Person or Persons exporting the same, and Oath made before the Principal Officers of the said Port, who are hereby impowered to administer the same, of the shipping of the said Fish, and its not being relanded, or intended to be relanded in *Great Britain*, give a Debenture under his Hand, without Delay, Fee or Reward, for Payment of the said Allowances or Bounties; which Debenture being produced to the Commissioners of the Customs, or to the Commissioners of the Excise (at the Option of the Exporter or his Assigns) in that Part of *Great Britain* called *Scotland*, shall intitle the Exporter of such Fish, or his Assigns, to the Payment of the Bounties granted by this Act, which the said Commissioners are hereby required to pay out of any Money remaining in their Hands, arising by any Branch of his Majesty's Customs or Excise, Regard being had to the Priority of the Dates of the said Debentures in the Payment thereof.

Debenture to be granted for the Bounty, and to be paid in Scotland.

XII. Provided always, and be it further enacted, That the Proprietor or Proprietors of such Herrings, Salmon and White Fish, as shall be shipped aboard any Ship or Vessel in any Port or Place in *Scotland*, or the Islands thereunto belonging, to be transported or carried to any Port or Place in *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, whether for Home Consumption, or Exportation to foreign Parts, or their respective Agents, shall before any such Ship or Vessel depart from such Port or Place in *Scotland*, or the Islands thereunto belonging, make a full and particular Entry with the Collector, or other principal Officer of the Customs there, of the Fish so shipped, expressing the Number of Barrels of Wet Fish, with the Marks and Numbers thereof, and the Number and Weight of each Species of Dry Fish; and declare upon Oath, that the said Fish were cured in *Scotland*, or on the Coasts thereof; and whether they were cured with Salt delivered Duty free, or with Salt for which the Duty payable by the above mentioned Act hath been paid or secured; and that the said Salt was taken on Board from some Port or Place in *Great Britain*, and when and where it was so put on Board;

Entry to be made at the Port in Scotland, of all Fish shipped for England, whether for Home Consumption, or Exportation;

and Officer to administer an Oath for that Purpose, and grant a Certificate, which is to be delivered to the Officer of the Customs in England, before the landing or re-shipping such Fish.

and that no Drawback for the same hath been had, or intended to be had, upon the Exportation of the said Salt; which Oath the said Collector, or other principal Officer of the Customs, is hereby authorized to administer, and is likewise required to grant and deliver to the Master of such Ship or Vessel without Delay, Fee or Reward, a Certificate or Cocquet, under his Hand, that such Entry or Entries, Oath or Oaths, have been duly made; and that the Master of every Ship or Vessel, wherein such Fish shall be shipped or put on Board, to be carried Coastwise as aforesaid, or the Proprietor or Proprietors, or their respective Agents, do, before landing or putting on Shore the said Fish, or any Part thereof, or putting it on Board any other Ship or Boat, in any Port or Place in *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, deliver the said Certificate or Cocquet to the proper Officer of the Customs in the Port or Place where the same shall be imported, brought in, or landed, or put on Board any other Ship or Boat; upon Pain of forfeiting all such Fish, and also double the Value thereof, that shall be imported, brought in, or landed, or put on Board any other Ship or Boat, contrary to the true Intent and Meaning hereof, and likewise the Casks or Vessels in which such Fish shall be found; to be recovered of the Importer or Proprietor of the Fish, or of the Master of the Ship or Vessel in which the same shall be imported and brought in; one Moiety of all which Penalties and Forfeitures to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Officer or Officers, who shall seize, sue, or inform for the same, to be sued for, recovered, and levied, in such Manner, and with such Power of Mitigation, as any Fine, Penalty or Forfeiture, may be sued for, recovered, levied and mitigated by any Law of Excise, or by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege or Wager of Law shall be granted or allowed, nor any more than one Imparlance; and all Officers of his Majesty's Customs or Duties upon Salt are hereby authorized and impowered to seize all such Herrings, Salmon, Cod, Ling, Tusk, or any other White Fish imported, brought in, or landed, or put on Board any other Ship or Boat, contrary to the true Intent and Meaning of this Act, and also the Casks and Vessels in which any of the said Species of Fish shall be found.

Penalty.

Recovery and Application of the Penalty.

Officers of the Customs and Salt Duties, may seize all Fish imported contrary to this Act.

Application of the Duties on Fish imported into England from Scotland.

XIII. And be it further enacted by the Authority aforesaid, That the several Rates and Duties which shall be charged by virtue of this Act upon Fish brought from *Scotland*, or the Islands thereunto belonging, into *England*, *Wales*, or *Berwick* upon *Tweed*, as aforesaid, shall be levied, charged, brought in, applied, issued and disposed of to the same Purposes, and in the same Proportions, as the Duties upon Salt and Rock Salt, and the Duties upon Red Herrings and White Herrings, are levied, charged, brought in, applied, issued and disposed of by virtue of any Act or Acts of Parliament now in Force.

Counterfeiting, &c. any Cocquet, or using the same, deemed Forgery.

XIV. And be it further enacted, That if any Person or Persons do presume to counterfeit, raise, or alter any Certificate or Cocquet, by this Act directed to be made; or shall use any such Certificate or Cocquet, knowing the same to be so counterfeited, raised or altered, such Person or Persons shall incur the Pains which are by Law inflicted on Persons found guilty of Forgery.

5 Geo. 2. c. 6. in part repealed.

XV. And be it further enacted by the Authority aforesaid, That so much of an Act passed in the fifth Year of the Reign of his present Majesty, intituled, *An Act for reviving the Duties on Salt*, as relates to the Importation of White Herrings from *Scotland* into *England*, be, and is hereby repealed.

200 l. and one Year's Imprisonment, Penalty on Persons making a false Oath.

XVI. And be it further enacted by the Authority aforesaid, That if any Person shall falsely make any Oath by this Act directed to be made, and shall thereof be legally convicted in any of his Majesty's Courts of Record in *Great Britain*, such Person so guilty shall forfeit the Sum of two hundred Pounds, and be imprisoned for twelve Months.

Penalties and Forfeitures how to be recovered and applied.

XVII. And be it further enacted by the Authority aforesaid, That the several Penalties and Forfeitures in this Act mentioned, shall and may be prosecuted and determined by Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland* respectively, wherein no Essoin, Protection or Privilege, Wager of Law, or more than one Imparlance shall be allowed; and one Moiety of the said Penalties and Forfeitures shall be to the Use of his Majesty, and the other Moiety to such Person or Persons as will sue for or prosecute the same.

Copy of this Act to be transmitted to the Ministers of certain Parishes in Scotland, to be read to the Parishioners;

XVIII. And to the End that no Person in the Highlands of *Scotland*, or the remote Islands thereunto be'onging, may pretend to be or remain ignorant of those Regulations, which more immediately concern them; Be it therefore further enacted by the Authority aforesaid, That the Trustees for the Fishery and Manufactures of *Scotland* shall, as soon as may be, transmit one Copy of this Act to each of the Ministers of the several Parishes within the Synods of *Argyle*, *Ross*, *Murray*, *Sutherland* and *Caithness* and *Orkney*; and that each of the said Ministers shall, immediately after Divine Service, on the last *Sunday* of the Month of *May* in every Year, for four successive Years, commencing with the Year one thousand seven hundred and fifty-seven, publickly, audibly, and distinctly read to his Parishioners, in the Language best understood by them, the former Part of this Act, from the Beginning thereof to the Conclusion of the third enacting Clause; and also that the Judges of *Scotland* shall order the said Part of this Act to be publickly, audibly, and distinctly read at the opening of each Circuit Court, to be held at *Inverara* and *Inverness* every Year for four Years successively, beginning in the Year one thousand seven hundred and fifty-seven.

and also by the Judges at their Circuit Courts.

General Issue.

XIX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance, and by the Authority of this Act: And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or

their Action or Actions, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff; the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants have in other Cases by Law. Treble Costs. *Concerning Fishery see farther* 29 *Geo.* 2. *c.* 39. 30 *Geo.* 2. *c.* 21 & 30. 33 *Geo* 2. *c.* 27. & 2 *Geo.* 3 *c.* 15.

CAP. XXIV.

An Act for granting to his Majesty certain Sums of Money out of the Sinking Fund, and applying certain Monies remaining in the Exchequer, for the Service of the Year one thousand seven hundred and fifty-six.

Most Gracious Sovereign,

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament 'assembled, being desirous to raise the Residue of the necessary Supplies which we have chearfully 'granted to your Majesty in this Session of Parliament, by Ways and Means the least burthensome to 'your Majesty's Subjects, have resolved to give and grant to your Majesty the Sums herein after 'mentioned;' And do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Sum of two hundred fifty-five thousand nine hundred and fifty-five Pounds, eleven Shillings, and eleven Pence Halfpenny, remaining in the Receipt of the Exchequer, of the Income of the Surplusses, Excesses, Overplus Monies, and other Revenues, composing the Fund, commonly called *The Sinking Fund*, for the Quarter ended the fifth Day of *April* one thousand seven hundred and fifty-six, shall and may be issued and applied, for and towards the Supply granted to his Majesty, for the Service of the Year one thousand seven hundred and fifty-six; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, are hereby authorized and impowered to issue and apply the same accordingly. 255,955 l. 11 s. 11 d. 2 q. Surplus of the Sinking Fund remaining in the Exchequer, for the Quarter ending 5 April 1756.

II. And be it further enacted by the Authority aforesaid, That by or out of such Monies as shall thereafter from time to time be and remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the said Fund (after paying, or reserving sufficient to pay, all such Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may in like Manner be issued and applied, a Sum not exceeding the Sum of one million and three hundred thousand Pounds, for and towards the said Supply. and 1,300,000 l out of the growing Produce of the said Fund,

III. And be it further enacted by the Authority aforesaid, That the several Sums amounting in the Whole to the Sum of eighty-three thousand four hundred and twelve Pounds, two Shillings and five Pence Halfpenny, remaining in the Receipt of the Exchequer, being Monies disposable by Parliament for the Publick Service, be in like Manner issued and applied at the said Receipt, for and towards the said Supply. with 83,412 l. 2 s. 5 d. 2 q. remaining in the Exchequer, unappropriated, granted for the Service of the current Year.

'IV. And whereas it may so happen, That there may be a want of Money for carrying on the current Service of the Year one thousand seven hundred and fifty-six, before Monies sufficient may have 'arisen into the Exchequer, from the said Surplusses, Excesses, or Overplus Monies, commonly called '*The Sinking Fund*, to satisfy and pay the said Sum of one million and three hundred thousand Pounds, 'by this Act granted;' In such Case it shall and may be lawful to and for the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, by Warrant under their Hands, to permit and suffer any Person or Persons, Body or Bodies Politick or Corporate, to advance and lend unto his Majesty, at the Receipt of his Exchequer, so much Money as together with the Monies then remaining in the said Exchequer, of the said Surplusses, Excesses or Overplus Monies, shall be wanting to compleat the said Sum of one million and three hundred thousand Pounds, upon Credit of the growing Produce of the said Surplusses, Excesses or Overplus Monies, and to be repaid out of the same, as they shall quarterly afterwards arise, together with Interest for the Forbearance thereof in the mean time; any thing herein before contained to the contrary notwithstanding. The aforesaid Sum of 1,300,000 l. may be borrowed on the Credit of the Sinking Fund.

CAP. XXV.

An Act for appointing a sufficient Number of Constables for the Service of the City and Liberty of *Westminster*; and to compel proper Persons to take upon them the Office of Jurymen, to present Nuisances, and other Offences, within the said City and Liberty.

'WHEREAS by reason of some Defects in an Act of Parliament, passed in the twenty-seventh 'Year of the Reign of Queen ELIZABETH, intituled, *An Act for the good Government of the City* '*and Borough of* Westminster, *in the County of* Middlesex; the publick Ways and Passages are greatly 'obstructed, and many other Annoyances and Offences are daily committed within the said City and 'Borough: And whereas by reason of the great Increase of Buildings in *Westminster* of late Years, and 27 Eliz. Private.

'of some Irregularity in the Appointment of Constables for the said City and Borough, there is not at 'present a sufficient Number of those Officers for the Service of *Westminster*:' To remedy which said Evils; May it please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *June* one thousand seven hundred and fifty-six, the Dean of the Collegiate Church of Saint *Peter*, *Westminster*, for the time being, or the High Steward of the City and Liberty of *Westminster* for the time b ing, or his lawful Deputy, is hereby authorized and required (calling to his Assistance the Burgesses of the said City and Liberty of *Westminster*, if the said Dean, or High Steward or his Deputy, shall think fit) at a Court Leet to be holden for the said City and Liberty, on *Tuesday* next following the Feast of Saint *Michael* the Archangel in every Year, yearly to appoint eighty able and fit Persons residing within the said City and Liberty, being Artificers, or Persons using any Trade of buying or selling (Alehousekeepers, Victuallers, or Persons retailing Spirituous Liquors, only excepted) to be Constables for the said City and Liberty of *Westminster*, being duly presented thereto, in Manner herein after mentioned and directed.

Eighty Constables to be appointed yearly for the City and Liberty of Westminster,

II. And for the better and more easy executing the said Office of Constable, and for preserving the Peace in *Westminster*; Be it further enacted by the Authority aforesaid, That the Constables to be appointed as aforesaid, shall be chosen out of the several Parishes in *Westminster* as followeth; that is to say, There shall be yearly chosen out of the Parish of Saint *Margaret* fourteen; out of the Parish of Saint *John the Evangelist* four; out of the Parish of Saint *Martin in the Fields* fourteen; out of the Parish of Saint *George Hanover Square* twelve; out of the Parish of Saint *James* fourteen; out of the Parish of Saint *Anne* eight; out of the Parish of Saint *Paul Covent Garden* six; out of the Parish of Saint *Clement Danes* six; and out of the Parish of Saint *Mary le Strand* two: And the Constables so appointed shall take the usual Oath of Office, and shall do and execute all and every Matter and Thing appertaining and belonging to the Office of a Constable, for the Space of one whole Year, to commence from their Appointment to the said Office, or until other Persons shall be appointed in their Stead, or shall find fit and able Persons, to be approved of by the said Court Leet, to serve and take the Oath of the Office of Constable, as their Deputies, and in their Room and Stead; such other Persons not being Alehousekeepers, Victuallers, or Persons retailing Spirituous Liquors.

to be chosen out of the several Parishes, and in the Proportions here mentioned;

who are to take the usual Oath of Office, and serve for 1 Year.

III. And in order that fit and proper Persons may be appointed to the said Office of Constable; Be it further enacted by the Authority aforesaid, That the said Dean of *Westminster* for the time being, or the said High Steward for the time being, or his Deputy (calling to his Assistance the Burgesses of the said City and Liberty of *Westminster*, if the said Dean, or High Steward, or his Deputy, shall think fit) shall and may, and he is hereby authorized and required to issue out a Precept or Precepts within six Weeks before the Feast of Saint *Michael* in every Year, directed to the High Bailiff of *Westminster*, who is hereby authorized, directed and required to obey the same, to impanel and return forty substantial Housholders and Traders residing within the said several Parishes in *Westminster*, in the Proportions before mentioned; and to summon such Persons to appear at such Time and Place as in such Precept or Precepts shall be directed and appointed; and out of the Persons so impanelled, summoned and returned, the said Dean, or High Steward, or his Deputy (calling to his Assistance the Burgesses of the said City and Liberty of *Westminster*, if the said Dean, High Steward, or his Deputy, shall think fit, shall at a Court to be held by him for that Purpose, nominate and appoint so many as he shall think fit, not exceeding thirty, taking Care that one or more be nominated out of each of the said Parishes; and that the Persons so nominated and appointed shall be called *The Leet Jury*, and shall be sworn to present to the said Court fit and proper Persons to be chosen and appointed Constables for the Service of the City and Liberty of *Westminster* for the Year then next ensuing; that is to say, The said Jury shall present to serve as Constables for the Parish of Saint *Margaret* twenty-eight; the Parish of Saint *John the Evangelist* eight; the Parish of Saint *Martin in the Fields* twenty-eight; the Parish of Saint *George Hanover Square* twenty-four; the Parish of Saint *James* twenty-eight; the Parish of Saint *Anne* sixteen; the Parish of Saint *Paul Covent Garden* twelve; the Parish of Saint *Clement Danes* twelve; and the Parish of Saint *Mary le Strand* four; out of which said Number so presented the said Court shall, at the Time, and in the Manner and Proportions herein before directed, appoint eighty to be Constables to serve for the said City and Liberty; and the Persons so nominated and appointed to be *The Leet Jury*, shall continue in the said Office for one whole Year, or till others are appointed and sworn in their Room and Stead.

Precepts to be issued for returning and summoning a Leet Jury,

who are to present a certain Number of proper Persons out of each Parish to serve as Constables.

Leet Jury to continue in Office for 1 Year.

IV. Provided always, and be it enacted by the Authority aforesaid, That in case any Person who shall be summoned by the said High Bailiff, by virtue of any Precept or Precepts to be directed as aforesaid, to take upon him the said Office of Juryman, shall neglect or refuse to appear according to the Direction of such Summons, or appearing shall refuse to take upon him the said Office (being thereunto appointed) or shall at any Time refuse to appear to present proper Persons to be Constables, being duly summoned for that Purpose, every such Person shall forfeit the Sum of forty Shillings; which said Sum of forty Shillings shall be set upon him by the said Court by way of Fine for such his Contempt or Refusal, to be recovered in such Manner as is herein after directed.

40 s. Fine on Persons summoned, refusing to appear, to execute the Office of Jurymen.

V. And be it further enacted by the Authority aforesaid, That all and every Person and Persons who shall be presented by the Jury as aforesaid, as fit and proper Persons for the Office of Constable, shall by a Precept or Precepts from the said Court, be summoned by the Petty Constables to whom such Precept shall be directed, to appear at the said Court Leet, to be holden for the City and Liberty of *Westminster*, to take upon them the said Office; and in case any Person that shall be so summoned, shall neglect to appear according to the Direction of such Summons (Proof being made of the Service of

Precepts to be issued for summoning Persons presented to serve as Constables, to attend the Court;

such Summons on Oath) or appearing, shall refuse to take upon him the Office of Constable being thereunto appointed as aforesaid, or to find a fit and able Person, then to take upon him the said Office, in his Stead, every such Person shall forfeit the Sum of eight Pounds; which said Sum of eight Pounds shall be set upon him by the said Court, by way of Fine, for such his Contempt or Refusal to take upon him the said Office; to be recovered in such Manner as is herein after directed.

and on their refusing to attend or serve, they are to forfeit 8 l.

VI. And be it further enacted by the Authority aforesaid, That the said Dean, or High Steward, or his Deputy, shall and may, and he is hereby authorized and impowered to adjourn the said Court Leet from time to time, as he shall think fit: And in case any Constable shall die, remove out of the Parish for which he was appointed, or shall be discharged from his said Office on Account of his Inability, or for other just Cause, it shall be lawful for him, and he is hereby authorized and impowered, at such adjourned Courts, to summon others before him, being first presented by the Jury as aforesaid; which said Jury, the said Dean, or High Steward, or his Deputy, shall summon for that Purpose, and to appoint one or more of such fit Person or Persons to serve as Constables or Constable in the Room and Stead of such Person or Persons as shall die, be removed or discharged as aforesaid, in like Manner as is before directed for appointing Constables at the annual Leet; and all Persons who shall be so summoned and appointed, are hereby required to appear and take upon them, or find other fit Persons to take upon them the Execution of the said Office, on Pain of the like Penalties and Forfeitures as are before inflicted upon Persons refusing to appear, according to the Direction of their Summons, or to take upon them the Execution of the Office of Constable, at the annual Leet.

Court may be adjourned from time to time; and on Death, Removal, or Discharge of any Constables, others to be presented to the Court, and chosen into the Office.

VII. Provided always, and be it further enacted by the Authority aforesaid, That no Person who hath served or shall hereafter serve, by himself or Deputy, the Office of Constable, shall be presented again to the said Office, or shall be summoned or appointed to serve the same in less than seven Years after the end of such former Service; and that no Person who hath been or shall be nominated and sworn to be on the Leet Jury, and hath served or shall serve the said Office of Juryman, shall be again summoned or appointed to serve the said Office, in less than seven Years after the End of such former Service.

None liable to serve as Constable, or Juryman, more than once in 7 Years.

VIII. And be it further enacted by the Authority aforesaid, That the said Dean, or High Steward, or his Deputy, shall, at the said Court Leet to be holden on *Tuesday* next after the Feast of Saint *Michael* yearly, appoint an able Person, being an Artificer, or using some Trade of buying and selling, and not being an Alehouse-keeper, Victualler, or Retailer of Spirituous Liquors, to be High Constable of the said City and Liberty of *Westminster*, being duly summoned for that Purpose, who shall take the usual Oath of Office, and do and execute all and every Matter and Thing appertaining to the Office of High Constable for the Space of one whole Year, to commence from his Appointment to the said Office, or until another Person shall be appointed in his Stead; and that in case of the Death or Removal of such High Constable, the said Dean, or High Steward, or his Deputy, shall at some Adjournment of the said Court Leet, appoint another Person to serve in his Room, being duly summoned for that Purpose.

High Constable to be chosen, who is to take the usual Oath of Office, and serve for one Year,

On his Death or Removal another to be appointed.

IX. Provided always, That no Person shall serve the said Office of High Constable for more than three Years together; and every Person who shall be so summoned and appointed, is hereby required to appear and take upon him the Execution of the said Office of High Constable, on Pain of forfeiting the Sum of twenty Pounds; which said Sum shall be set upon him by way of Fine, for such his Contempt or Refusal to take upon him the said Office; to be recovered in such Manner as herein after is directed.

None may serve as High Constable for more than 3 Years together.

20 l. Penalty not serving the said Office.

'X. And whereas the Obstruction of the publick Ways and Passages in *Westminster*, and other Annoy-
'ances and Offences committed therein, are greatly owing to the want of a sufficient Power to compel
'Persons to take upon them the Office of Jurymen, to present Nuisances and other Offences committed
'in *Westminster*, and to the want of an easy Method of recovering the Amerciaments set by such Jury;'
Be it therefore enacted by the Authority aforesaid, That the said Dean, or High Steward, or his Deputy, the two Chief Burgesses of *Westminster*, and the other Burgesses for the time being, or any five of them, whereof the said Dean, High Steward, or his Deputy, or one of the said two Chief Burgesses, to be one, shall and may, and they are hereby authorized and required twice in every Year, to issue out their Precept or Precepts under the Common Seal of their Court, directed to the High Bailiff of *Westminster*, who is hereby authorized, directed and required to obey the same, to impanel and return eighty substantial Housholders and Traders residing and dwelling within the said several Parishes in *Westminster*, in the Proportions before-mentioned, and to summon such Persons to appear before them, at such Time, and such Place, as in such Precept or Precepts shall be set forth; and out of the Persons so impanelled, summoned and returned, the said Dean, High Steward, or his Deputy, the said two Chief Burgesses, and the other Burgesses, or any five of them, whereof the said Dean, High Steward, or his Deputy, or one of the two Chief Burgesses to be one, shall, at a Court to be held for that Purpose, nominate and appoint so many as they shall think proper, not exceeding forty-eight, taking care that one or more be nominated out of each of the said Parishes; and that the several Persons so nominated and appointed shall be called *The Annoyance Jury*, and shall take an Oath to the Effect following, which Oath the said Court are hereby impowered to administer.

Precepts to be issued for returning and summoning an Annoyance Jury.

Oath to be taken by the Jury.

I A. B. *do swear, That I will diligently enquire and make true Presentment to this Court of all such publick Annoyances, and other Offences, that shall be committed in* Westminster, *during the Time of my Continuance in the Office whereunto I am now appointed; and that I will present no Person or Thing through Hatred or Malice, nor leave any unpresented through Love, Favour or Affection.* So help me God.

XI.

40 s. Penalty on Persons summoned refusing to appear, or to execute the Office of Juryman.

XI. Provided always, and be it enacted by the Authority aforesaid, That in case any Person who shall be summoned as aforesaid to take upon him the said Office of Juryman, shall neglect or refuse to appear according to the Direction of such Summons, or appearing, shall refuse to take upon him the said Office (being thereunto appointed) every Person so offending shall forfeit the Sum of forty Shillings; which said Sum shall be set upon him by the said Court, by way of Fine, for such his Contempt or Refusal to take upon him the said Office; to be recovered in such manner as is herein after directed.

Duty of the Annoyance Jury and Court with respect to the Pavements, Annoyances, Obstructions and Encroachments in the publick Ways.

XII. And be it further enacted by the Authority aforesaid, That the *Jury of Annoyance* to be appointed as aforesaid, shall subdivide themselves into smaller Bodies, not being less than twelve in each Body, and they are hereby authorized and required, as often as they shall be directed by the said Court, strictly to inquire into, and present to the said Court, according to their Oath, upon their own View and Knowledge, all defective or bad Pavements, and all Annoyances in, Obstructions of, or Encroachments upon, any of the publick Ways or Passages within the said City or Liberty; and the said Jury shall give or leave Notice in Writing of their Intention to present the same, at the House or Houses to which such defective Pavements belong, or to the Person or Persons who shall cause or suffer such Annoyances, Obstructions or Encroachments; and if such Pavements are not amended, or such Annoyances, Obstructions or Encroachments, removed within fourteen Days after such Notice given, then the said Jury shall amerce the Person or Persons inhabiting the said House or Houses, or causing or suffering such Annoyances, Obstructions or Encroachments, in such Sums as they shall think proper, according to the Nature of the Offence, not exceeding forty Shillings for any one Offence; to be recovered in such Manner as is herein after directed: And

40 s. Fine on Persons insulting or obstructing the Jury, in the Execution of their Office.

if any Person or Persons shall abuse or insult any of the said *Jury of Annoyance*, when they are in the Execution of their Office, or shall any way obstruct them in executing the Duties of the said Office, it shall be lawful for any one or more Justice or Justices of the Peace for the said City and Liberty of *Westminster*, upon the Fact alledged being duly proved upon the Oath of two or more credible Witnesses, to fine such Person or Persons so offending as aforesaid, in any Sum not exceeding forty Shillings; to be recovered in such Manner as is herein after directed.

Duty of the Jury and Court, with respect to the Pavements and Annoyances before empty Houses.

XIII. And be it further enacted by the Authority aforesaid, That where the said *Jury of Annoyance* shall upon their View as aforesaid, find any bad or defective Pavement, belonging to any empty House or Building within the said City or Liberty, or any Annoyance before such House or Building, it shall and may be lawful to and for the said Jury, and they are hereby authorized, directed and required, to present such defective or bad Pavement, or such Nuisance, to the said Court of Burgesses, first leaving Notice in Writing on the Door or other publick Part of such empty House or Building, of their Intention to present the same; and in case the Owner or Owners, Proprietor or Proprietors, of such House or Houses, Building or Buildings, shall not within fourteen Days after such Notice given as aforesaid, cause such Pavement to be amended, or such Annoyance removed, then the said Court shall forthwith cause such Pavement to be repaired, or such Nuisance to be removed, and the said Jury shall amerce the Owner or Owners, Proprietor or Proprietors, of such House or Building, in such Sum or Sums of Money as by the Order and Directions of the said Court shall be laid out and expended in making good such defective Pavement, or removing such Nuisance, and the Charge attending the same; which said Amerciament or Amerciaments so set as aforesaid, shall be levied on the next Tenant or Tenants, Occupier or Occupiers, of the Ground Floor of such House or Houses, Building or Buildings, in such Manner as is herein after directed for the levying of other Amerciaments that shall be set and imposed by virtue of this Act; and it shall and may be lawful to and for such Tenant or Tenants, Occupier or Occupiers, of such Houses or Buildings, who shall pay any Sum or Sums of Money so amerced as aforesaid (if they shall pay the same voluntarily) to deduct and detain out of their Rent then due, or thereafter to grow due, all and every such Sum or Sums of Money as they shall so pay.

Amerciament may be levied on the succeeding Tenant, who is to deduct the same out of the Rent.

Duty of the Jury with respect to Weights and Measures.

XIV. And for preventing Persons dealing by unlawful Weights, Balances or Measures, within the said City or Liberty of *Westminster*; Be it further enacted by the Authority aforesaid, That the said *Annoyance Jury* shall and are hereby authorized and impowered, at all seasonable Times in the Day-time, to enter into any Shop, House or Warehouse, within the said City and Liberty, belonging to any Person or Persons that deal by Weight or Measure; and if the said Jury shall find any Weight, Balance or Measure, to be unlawful or defective, it shall and may be lawful to and for the said Jury, and they are hereby directed and required, to break and destroy the same, and to amerce the Person or Person so offending, in such Sum or Sums of Money as they shall think proper, according to the Nature of the Offence, not exceeding forty Shillings for any one Offence.

None liable to serve on the Annoyance Jury more than once in 3 Years.

XV. Provided always, and be it enacted by the Authority aforesaid, That no Person who hath been or shall be nominated and appointed to be on the *Annoyance Jury*, and hath served or shall serve the said Office of Juryman, shall be again summoned or appointed to serve the said Office, in less than three Years after the End of such former Service.

40 s. on High Bailiff, or other Officer, accepting any Gratuity to excuse Persons from appearing to serve, or not summoning them, and on Persons giving any Gratuity on such Account,

XVI. And be it enacted by the Authority aforesaid, That in case the said High Bailiff, or his Deputy or other Officer acting under him, or under the Order or Authority of the said Court, by virtue of this Act or otherwise, shall ask, demand, or take of any Person or Persons whatsoever, any Sum or Sums of Money or other Gratuity or Reward whatsoever, for or under Pretence of excusing any Person or Persons from appearing to serve, or for not summoning any Person or Persons to serve the said Office of Constable, or to serve on either of the Juries aforesaid, or on any other Jury within the said City and Liberty of *Westminster*; or if any Person whatsoever shall give any Sum or Sums of Money, or other Reward whatsoever, to any such Officer as aforesaid, for or on Account of excusing him from serving or being summoned to serve the Office of Constable, or to serve on such Juries, that then and in either

either of such Cases, it shall and may be lawful for any one or more Justice or Justices of the Peace for the said City and Liberty of *Westminster*, upon the Fact alledged being duly proved upon the Oath of two or more credible Witnesses, to fine such Person or Persons so offending as aforesaid, in any Sum not exceeding forty Shillings, to be recovered in such Manner as is herein after directed.

Fines and Amerciaments to be levied by Distress and Sale.

XVII. And be it enacted by the Authority aforesaid, That upon the Non-payment of any Fine or Amerciament that shall be set or imposed upon any Person or Persons by the Authority of this Act, it shall and may be lawful for the High Bailiff of *Westminster*, or his Deputy or Deputies, and he and they is and are hereby authorized, directed and required, by a Warrant or Warrants from the said Court Leet, or by a Warrant or Warrants under the Common Seal of the said Court of Burgesses, or by a Warrant or Warrants from the Justice or Justices of the Peace before whom any such Person or Persons shall be convicted as aforesaid, to levy all and every such Fines and Amerciaments as shall be set and imposed as aforesaid, by Distress of the Goods and Chattels of every such Person or Persons as shall be fined or amerced as aforesaid, being then Resiant or inhabiting within the said City or Liberty of *Westminster*, and to cause Sale to be made thereof in case they shall not be redeemed within five Days, rendering the Overplus, if any, to the Owner, upon Demand, after deducting the reasonable Charges of such Distress and Sale; and if such Offender or Offenders shall not have Goods or Chattels within the said City and Liberty, whereof such Fine or Fines, Amerciament or Amerciaments, can be levied as aforesaid, then and in such Case, and upon the Non-payment of such Fine or Fines, Amerciament or Amerciaments, it shall and may be lawful for any one or more Justice or Justices of the Peace, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Offenders to one of his Majesty's Gaols within the City or Liberty of *Westminster*, there to remain for the Space of ten Days, unless he, she or they shall sooner pay, or cause to be paid, the said Fine or Fines, Amerciament or Amerciaments, so imposed as aforesaid; in which Case he, she or they, on Payment thereof, shall be forthwith discharged out of Custody.

For want of Distress, and on Non-payment, Offender to be committed.

Fines to be paid over to the Overseers, and applied in Aid of the Poors Rate.

XVIII. And be it further enacted by the Authority aforesaid, That all and every the Fine or Fines which shall be set, imposed and recovered, by virtue of this Act, shall, from time to time, be paid by the High Bailiff of *Westminster*, or other Person into whose Hands the same shall come, within fourteen Days next after the Receipt thereof, to the Overseers of the Poor for the time being of the several Parishes in *Westminster* respectively, out of which the same shall be so recovered, who shall give a Receipt or Receipts for the same; and the said Overseers are hereby directed and required to apply the said Fine or Fines to the same Uses and Purposes that the poor Rates in the said several Parishes are by Law to be applied; and shall duly account upon Oath for the same at the Time, and in the Manner, they are obliged to account for all other Sums of Money that shall come into their Hands; and all and every the Amerciament and Amerciaments which shall be set and imposed by the said *Annoyance Jury*, and recovered by virtue of this Act, shall be applied and disposed of in Manner following; that is to say, The said High Bailiff for the time being shall be, and he is hereby intitled to one Moiety or Half Part thereof, and shall receive and take the same to his own Use; and the other Moiety or Half Part thereof shall be taken and applied by the said Court of Burgesses to pay the necessary Charges and Expences that shall attend the Execution of this Act.

Amerciaments set by the Annoyance Jury, to go to the High Bailiff, and Court of Burgesses.

Limitation of Actions.

XIX. And be it further enacted by the Authority aforesaid, That if any Suit shall be brought or commenced against any Person or Persons for any thing done in pursuance of this present Act, or in relation to the Premisses, that in every such Case the Action shall be commenced within six Months next after the Fact committed, and not afterwards; and shall be laid and brought in the County of *Middlesex*, and not elsewhere, except the Person or Persons against whom such Action shall be brought, shall remove into and reside in the City of *London*; in which Case, the said Action shall be laid and brought in the said City of *London*; and the Defendant or Defendants in such Action or Actions to be brought, may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority thereof; and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County, City or Place, than the County of *Middlesex* (except in such Case as aforesaid) that then and in such Case the Jury shall find for the Defendant or Defendants; and if upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her or their Action or Actions; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit, in other Cases by Law.

General Issue.

Treble Costs.

Exemptions from this Act.

Explained and amended by 31 *Geo.* 2. *c.* 17.

XX. Provided always, That this Act, or any Thing or Matter therein contained, shall not extend to the Church or College of *Westminster*, nor to the Close of *Westminster*, nor to any Person or Persons inhabiting within the Site, Circuit or Precinct of the said Church, College or Close, for any Offence or Misgovernment to be committed by them or any of them, within the Site, Circuit or Precinct of the said Church, College or Close.

CAP.

CAP. XXVI.

An Act for further continuing an Act of the sixth Year of the Reign of his present Majesty, for securing and encouraging the Trade of his present Majesty's Sugar Colonies in *America*; to indemnify Commissioners of the Land Tax for Counties at large and Ridings, who have acted by virtue of Leasehold Estates; and to obviate a Doubt relating to the Qualification of Commissioners of the Land Tax, for the City and Liberty of *Westminster*.

6 Geo. 2. c. 13.

'WHEREAS an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in* America; 'and which by several subsequent Acts hath been continued, until the twenty-fourth Day of *June* one 'thousand seven hundred and fifty-six, hath by Experience been found useful and beneficial, and is near 'expiring;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be, and the same is hereby further continued, from the Expiration thereof, for the Term of three Years.

Further continued for three Years.

Farther continued by 1 *Geo.* 3. *c.* 9.

'II. And whereas in an Act made in this Session of Parliament, for granting an Aid to his Majesty by a 'Land Tax, for the Service of the Year one thousand seven hundred and fifty-six; and also in several former Acts for granting a Land Tax to his Majesty, for the Service of the respective Years in such Acts 'mentioned; it was enacted, That no Person should be capable of acting as a Commissioner, in the Execution of such Acts respectively, or any of the Powers therein contained, in or for any County at large, 'within *England*, the Dominion of *Wales* (except as is therein excepted) or in or for any of the Ridings of 'the County of *York*, unless such Person was seised and possessed of Lands, Tenements or Hereditaments, 'which were taxed, or did pay in the same County or Riding, for the Value of one hundred Pounds *per* '*Annum* or more, of his own Estate, to the Land Tax for the preceding Year: And whereas several Persons appointed Commissioners for putting such Acts in Execution, within Counties at large, or within 'the said Ridings, have acted as Commissioners by virtue of being possessed of Leasehold Estates, for Term 'or Terms of Years, and of being taxed, or having paid to the Land Tax for such Estates, to the Amount, 'and in the Manner in the said Acts mentioned, and thereby may have incurred the Forfeitures mentioned 'in the said Acts;' Be it therefore enacted by the Authority aforesaid, That every such Person shall be, and is hereby indemnified for having acted as a Commissioner in the Execution of such Acts; and is hereby exonerated, freed and discharged, of and from all Penalties and Forfeitures incurred or to be incurred, before the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, for or upon Account of acting in the Execution of such Acts; any Thing in the said Acts, or either of them, contained to the contrary notwithstanding.

Clauses in several Land Tax Acts, respecting the Qualification of Commissioners.

Commissioners indemnified for having acted under the said Acts;

If Judgment against them be not already obtained.

III. Provided always, That this Act shall not extend to vacate or set aside any Judgement, against any Person for having acted in the Execution of any or either of the said Acts, without being qualified in the Manner required by such Acts respectively.

'IV. And whereas by the said Acts for granting Aids to his Majesty by a Land Tax, it is enacted, That 'no Person should be capable of acting as a Commissioner in the Execution of such Acts respectively, or 'any of the Powers therein contained, within the City and Liberty of *Westminster*, unless such Person was 'seised and possessed of Lands, Tenements or Hereditaments, being Freehold, Copyhold or Leasehold, 'over and above all Ground Rents, Incumbrances and other Reservations, payable out of, or in respect of 'such Leasehold Estates which were taxed, and did pay in the said City and Liberty, for the Value of 'twenty Pounds *per Annum* or more, of his own Estate to the Land Tax, for the Service of the respective 'Years mentioned in the said several Acts: And whereas some Doubts have arisen upon the Construction 'of the said several Acts, in relation to the Commissioners acting within the said City and Liberty;' Be it therefore enacted and declared by the Authority aforesaid, That the said several Acts did, do and shall extend, and ought to be construed, adjudged and taken to extend, to authorize all and every of the Commissioners named in, or appointed by the said several Acts, or any of them, who were, are or shall be, at the Times of their acting as Commissioners, within the said City or Liberty, possessed of any Leasehold Estate or Estates, over and above all Ground Rents, Incumbrances and other Reservations, payable out of or in respect of the same, which were taxed, and did pay in the said City or Liberty, for the Value of twenty Pounds *per Annum* or more, of his own Estate to the Land Tax, for the Service of the respective Years mentioned in the said several Acts, to put the said several Acts, and all and every the Powers therein contained in Execution, in as full and ample a Manner, as if such Person or Persons had been, or were seised and possessed of any Freehold or Copyhold Estate or Estates, which were taxed, and did pay to the Land Tax, within the said City or Liberty, for the said respective Years, in the said Acts mentioned, for the same Value; any Thing in the said in part recited Acts, or any or either of them, to the contrary thereof in any wise notwithstanding.

Clauses in the recited Acts respecting the Qualification of Commissioners for Westminster, explained, &c.

CAP.

CAP. XXVII.

An Act for extending the Act of the twenty-second Year of his present Majesty *(for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels and Forces by Sea)* to such Officers, Seamen and others, as shall serve on board his Majesty's Ships or Vessels employed upon the Lakes, great Waters, or Rivers, in *North America*.

'WHEREAS divers of his Majesty's Ships or Vessels are at present, and may hereafter be occasionally employed in and upon certain Lakes, great Waters, or Rivers, in *North America*, not within the Body of any County actually settled by the King's Subjects, and under the regular Government of his Laws and Courts, although the same may be within his Majesty's Dominions:' Now in order to obviate any Doubts which may arise touching the good Regulation and Government of all such Officers, Seamen and others, as do, or for the Time being, shall serve on Board of any of his Majesty's said Ships or Vessels so employed as aforesaid; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That a certain Act of Parliament made in the twenty-second Year of the Reign of his present Majesty (intituled, *An Act for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels and Forces by Sea)* and all and every the Articles, Orders, Powers, Authorities, Clauses, Matters and Things therein mentioned and contained, shall be, and shall be deemed and taken to be in full Force, and shall be observed, used, exercised, performed and executed for the Trial and Punishment of all and every, or any such Offences or Offence specified or mentioned in the same Act of Parliament, which have been or shall be committed by any Officers, Seamen or other Persons respectively, who do, or for the Time being, shall serve on Board of any of his Majesty's said Ships or Vessels employed in or upon such Lakes, great Waters, or Rivers, in *North America*, as fully and effectually, to all Intents and Purposes, as if the same Offences or Offence had been committed upon the main Sea, or in great Rivers, beneath the first Bridges of the said Rivers, nigh to the Sea, or in any Haven, River or Creek within the Jurisdiction of the Admiralty of *Great Britain*.

22 Geo. 2. c. 33. extended to Officers and Seamen serving in his Majesty's Vessels employed in the Lakes, &c. in North America.

CAP. XXVIII.

An Act for reviving and continuing an Act for the Relief of Debtors, with Respect to the Imprisonment of their Persons; and for continuing an Act made in the last Session of Parliament, to continue several Laws relating to the Distemper now raging among the horned Cattle in this Kingdom.

'WHEREAS several Laws herein after-mentioned have by Experience been found useful and beneficial, and are expired, or near expiring;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the second Year of the Reign of his present Majesty (intituled, *An Act for the Relief of Debtors, with respect to the Imprisonment of their Persons)* which was to continue in Force for the Term of five Years, and from thence to the End of the then next Session of Parliament; and was explained and amended by an Act made in the third Year of the Reign of his present Majesty; and which by another Act made in the eighth Year of the Reign of his present Majesty, was further explained and amended, and continued until the twenty-fifth Day of *March* one thousand seven hundred and forty, and from thence to the End of the then next Session of Parliament; and which by another Act made in the fourteenth Year of the Reign of his present Majesty, with the several Articles and Clauses therein contained (except the Clause in the said last-mentioned Act for setting mutual Debts one against the other, which by the said Act is made perpetual) was further continued, from the Expiration thereof, until the first Day of *June* one thousand seven hundred and forty-seven, and from thence to the End of the then next Session of Parliament; and which by another Act made in the twenty-first Year of the Reign of his present Majesty, intituled, *An Act to continue and amend several Laws for the Relief of Debtors, with respect to the Imprisonment of their Persons; and to rectify a Mistake in an Act passed in the last Session of Parliament, for continuing several Laws therein mentioned; and to continue two Acts, the one passed in the nineteenth Year, the other in the twentieth Year of his present Majesty's Reign, to prevent the spreading of the Distemper amongst the horned Cattle*; was (so far as relates to the Relief of Debtors, with respect to the Imprisonment of their Persons) further amended and continued until the first Day of *June* one thousand seven hundred and fifty-four, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby revived, and shall continue and be in Force, until the first Day of *June* one thousand seven hundred and fifty-nine.

2 Geo. 2. c. 22. continued, explained and amended by the several subsequent Acts. 3 Geo. 2. c. 27. 8 Geo. 2. c. 24. 14 Geo. 2. c. 34. 21 Geo. 2. c. 33. revived and continued to the first of June 1759. *See farther* 32 Geo. 2. c. 28.

II. And be it further enacted by the Authority aforesaid, That an Act made in the last Session of Parliament (intituled, *An Act to continue several Laws relating to the Distemper now raging among the horned Cattle in this Kingdom)* shall be, and the same is hereby further continued, from the Expiration thereof, until

28 Geo. 2. c. 18. continued to 29 Sept. 1756.

until the twenty-ninth Day of *September* one thousand seven hundred and fifty-six, and from thence to the End of the then next Session of Parliament.

CAP. XXIX.

An Act for enabling his Majesty to raise one million for the Purpose therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain* in Parliament assembled, having taken into our serious Consideration your Majesty's most gracious Message, signifying your Majesty's Hopes to be enabled, by your faithful Commons, to concert and take all such Measures as may be necessary to disappoint or defeat any Enterprizes or Designs of your Majesty's Enemies, and as the Exigency of Affairs may require, have resolved to give and grant to your Majesty the Sum of one million for that Purpose; and do therefore most humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commissioners of his Majesty's Treasury, now or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the fifth Day of *January* one thousand seven hundred and fifty-six, to cause or direct any Loans to be taken or received at his Majesty's Exchequer, from any Person or Persons, Natives or Foreigners, Body or Bodies Politick or Corporate; or any Number of Exchequer Bills to be made out there for any Sum or Sums of Money, not exceeding in Loans and Exchequer Bills together, in the Whole, the said Sum of one million, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions, as in and by an Act of this present Session of Parliament for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry for the Service of the Year one thousand seven hundred and fifty-six, are enacted and prescribed, concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act.

The Sum of one million may be raised by virtue of his Majesty's Warrant, by Exchequer Bills;

in the same Manner as in the Malt Act of this Session is directed, &c.

II. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities, contained in the said last-mentioned Act, relating to the Loans or Exchequer Bills, authorized to be made by the same Act (except such Clauses as do charge the same on the Duties granted by the same Act) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

All Advantages and Penalties contained in the recited Act, relating to Loans or Exchequer Bills, extended to this Act.

III. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, together with the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies which shall be granted in the next Session of Parliament; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the fifth Day of *July* one thousand seven hundred and fifty-seven, then all the said Loans or Exchequer Bills, with the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies, as at any Time or Times at or after the said fifth Day of *July* one thousand seven hundred and fifty-seven shall be or remain in the Receipt of the Exchequer of the Surpluses, Exceses, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*, except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses, by any Act or Acts of Parliament in that Behalf; and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Loans or Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

Loans to be repaid out of the next Supplies;

and if none sufficient be granted before the 5 July 1757, they are to be charged upon, and paid out of the Sinking Fund;

IV. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surpluses, Exceses, Overplus Monies, or other Revenues composing the Sinking Fund, shall from Time to Time be replaced by and out of the first Supplies to be then after granted in Parliament; any Thing herein contained to the contrary notwithstanding.

and the Monies issued thereout, to be replaced out of the first Supplies.

V. Provided always, and it is hereby enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty six*, and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament

Appropriation of the Supplies.

The Monies arising by the Malt Tax,

ment (intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-six; and for the Relief of the Inhabitants of the City and County of the City of* Lincoln, *in respect of Arrears of the Land Tax*;) and so much Money (if any such be) of the Tax thereby granted as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer by Contributions for Annuities and a Lottery granted by one other Act of this Session of Parliament (intituled, *An Act for granting to his Majesty the Sum of two millions to be raised by way of Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament; and for extending to* Ireland *the Laws made in this Kingdom against private and unlawful Lotteries)* and also the Sum of two hundred fifty-five thousand nine hundred fifty-five Pounds eleven Shillings and eleven Pence Half-penny remaining in the Receipt of the Exchequer of the Income of the Surpluses, Excesses, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*, for the Quarter ended the fifth Day of *April* one thousand seven hundred and fifty-six, directed to be issued and applied by one other Act of this Session of Parliament (intituled, *An Act for granting to his Majesty certain Sums of Money out of the Sinking Fund; and applying certain Monies remaining in the Exchequer for the Service of the Year one thousand seven hundred and fifty-six*;) and also the Sum of one million three hundred thousand Pounds, by the said Act directed to be issued and applied out of the growing Produce of the said Sinking Fund; and also the Sum of eighty-three thousand four hundred twelve Pounds two Shillings and five Pence Halfpenny remaining in the Receipt of the Exchequer, being Money disposeable by Parliament for the publick Service, and by the said Act directed to be issued and applied; and the further Sum of one million by this Act granted, shall be further appropriated, and are hereby appropriated for and towards the several Uses and Purposes herein after expressed; that is to say, It is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding three millions nineteen thousand twenty-one Pounds and three Shillings, for or towards the Naval Services herein after particularly expressed; that is to say, For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers; and for or towards maintaining nine thousand one hundred and thirty-eight Marines; and for or towards the Buildings, Rebuildings and Repairs of his Majesty's Ships for the said Year.

Land Tax.

Lottery Act.

Sums remaining in the Exchequer, &c.

Viz. out of the Aids in general, 3,019,021 l. 3 s. towards Naval Services.

VI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding three hundred thousand Pounds, towards paying off and discharging the Debt of the Navy.

300,000 l. towards paying off the Navy Debt.

VII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding twenty thousand Pounds, for or towards carrying on the Works of the Hospital for sick and wounded Seamen, building at *Haslar* near *Gosport*, for the Year one thousand seven hundred and fifty-six.

20,000 l. for building the Hospital near Gosport.

VIII. And it is hereby enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

10,000 l. to Greenwich Hospital.

IX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding two hundred ninety-nine thousand one hundred sixty-seven Pounds and eight Pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and fifty-six, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

299,157 l. 8 d. to the Ordnance.

X. And it is hereby also enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding two million one hundred seventy-four thousand five hundred and forty Pounds five Shillings and two Pence Halfpenny, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; that is to say, Any Sum or Sums of Money not exceeding nine hundred thirty thousand six hundred and three Pounds six Shillings and nine Pence, for defraying the Charge of thirty thousand five hundred and four effective Men, including Commission and Non-commission Officers, and also three thousand seven hundred and fifty-nine Invalids, for Guards, Garrisons and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and fifty-six; and any Sum or Sums of Money not exceeding two hundred ninety-eight thousand five hundred thirty-four Pounds seventeen Shillings and ten Pence Halfpenny, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Minorca* and *Gibraltar*, and for Provisions for the Garrisons of *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thousand seven hundred and fifty-six; and any Sum or Sums of Money not exceeding eighty-one thousand one hundred seventy-eight Pounds and sixteen Shillings, for defraying the Charge of the Royal *American* Regiment of Foot to be raised for his Majesty's Service in *North America*, for the Service of the Year one thousand seven hundred and fifty-six; and any Sum or Sums of Money not exceeding fifty-three thousand nine hundred fifty-five Pounds nineteen Shillings and six Pence, upon account for Out-pensioners

2,174,540 l. 5 s. 2 d. 2 q. to the Land Forces; of which 930,603 l. 6 s. 9 d. for Guards and Garrisons, &c. in Great Britain, Guernsey and Jersey; 298,534 l. 17 s. 10 d. 2 q. for Guards and Garrisons, &c. in the Plantations, Minorca and Gibraltar. Nova Scotia, Newfoundland and Providence. 81,178 l. 16 s. for the Royal American Regiments of Foot.

53,955 l. 19 s. 6 d. for the Out-Penſioners of Chelſea Hoſpital.

38,000 l. to the reduced Officers of the Land Forces and Marines.

3,599 l. 5 s. 10 d. to the Officers and Gentlemen of Horſe Guards, &c. reduced.

2,484 l. to the Penſions of Officers Widows, &c. to be iſſued by his Majeſty's Sign Manual.

75,835 l. 7 s. 3 d. for extraordinary Expences of Land Forces, and other Services incurred in the Year 1755.

91,919 l. 10 s. for ten Regiments of Foot.

49,628 l. 11 s. 3 d. for eleven Troops of Dragoons, for the Service of the Year 1756.

79,915 l. 6 s. for Troops in North America and the East Indies.

100,000 l. to the Empreſs of Ruſſia.

54,140 l. 12 s. 6 d. to the Landgrave of Heſſe Caſſel; and

163,357 l. 9 s. 9 d. for Troops hired from him.

121,447 l. 2 s. 6 d. for Troops from Hanover.

10,000 l. to the Elector of Bavaria.

20,000 l. to the King of Pruſſia.

1,000,000 l. to be applied as the Exigency of Affairs may require.

55,032 l. 19 s. towards the ſettling Nova Scotia.

687 l. 2 s. 7 d. for Charges incurred in Nova Scotia in 1754, not provided for.

3,557 l. 10 s. for defraying the Civil Eſtabliſhment of Georgia.

10,000 l. for ſupporting the Forts and Settlements on the Coaſt of Africa.

ſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and fifty-ſix; and any Sum or Sums of Money not exceeding thirty-eight thouſand Pounds, upon account of Half-pay, for the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and fifty-ſix, ſubject to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as are hereafter preſcribed concerning the ſame; and any Sum or Sums of Money not exceeding three thouſand five hundred thirty-nine Pounds five Shillings and ten Pence, for defraying the Charge for Allowances to the ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and Regiment of Horſe reduced, and to the ſuperannuated Gentlemen of the four Troops of Horſe Guards, for the Year one thouſand ſeven hundred and fifty-ſix; and any Sum or Sums of Money, not exceeding two thouſand four hundred and eighty-four Pounds, for paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and fifty-ſix; which ſaid Sum of two thouſand four hundred and eighty-four Pounds, ſhall be iſſued to ſuch Perſon and Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual, direct and appoint to receive the ſame, to be by him or them paid over to ſuch Widows of Half-pay Officers, or their Aſſigns, according to ſuch Eſtabliſhments, Liſts or other Directions, and with and ſubject to ſuch Conditions, Qualifications, and other Allowances for the ſame, as his Majeſty, by ſuch and the like Warrant or Warrants, ſhall be graciouſly pleaſed to direct and appoint; and any Sum or Sums of Money not exceeding ſeventy-five thouſand eight hundred and thirty-five Pounds ſeven Shillings and three Pence, for defraying the extraordinary Expences of his Majeſty's Land Forces, and other Services, incurred in the Year one thouſand ſeven hundred and fifty-five, and not provided for by Parliament; and any Sum or Sums of Money not exceeding ninety-one thouſand nine hundred and nineteen Pounds ten Shillings, for defraying the Charge of ten Regiments of Foot, for the Service of the Year one thouſand ſeven hundred and fifty-ſix; and any Sum or Sums of Money not exceeding forty-nine thouſand ſix hundred twenty-eight Pounds eleven Shillings and three Pence, for defraying the Charge of eleven Troops of Light Dragoons, for the Service of the Year one thouſand ſeven hundred and fifty-ſix; and any Sum or Sums of Money, not exceeding ſeventy-nine thouſand nine hundred and fifteen Pounds ſix Shillings, for defraying the Charge of two Regiments of Foot ordered from *Ireland* to *North America*, and of four Regiments of Foot on the *Iriſh* Eſtabliſhment ſerving in *North America* and the *Eaſt Indies*, for the Service of the Year one thouſand ſeven hundred and fifty ſix; and any Sum or Sums of Money not exceeding one hundred thouſand Pounds, to enable his Majeſty to make good his Engagements with the Empreſs of *Ruſſia*, purſuant to Treaty; and any Sum or Sums of Money not exceeding fifty-four thouſand one hundred forty Pounds twelve Shillings and ſix Pence, to enable his Majeſty to make good his Engagements with the Landgrave of *Heſſe Caſſel*, purſuant to Treaty; and any Sum or Sums of Money not exceeding one hundred ſixty-three thouſand and three hundred fifty-ſeven Pounds nine Shillings and nine Pence, towards defraying the Charge of ſix thouſand five hundred and forty-four Foot, with the General Officers and Train of Artillery, the Troops of the Landgrave of *Heſſe Caſſel* in the Pay of *Great Britain*, from the twenty-third of *February* one thouſand ſeven hundred and fifty-ſix, to the twenty-fourth Day of *December* following, both incluſive, together with the Subſidy purſuant to Treaty; and any Sum or Sums of Money not exceeding one hundred twenty-one thouſand four hundred forty-ſeven Pounds two Shillings and ſix Pence, towards defraying the Charge of eight thouſand ſix hundred and five Foot, with the General Officers, Train of Artillery and Hoſpital, the Troops of *Hanover* in the Pay of *Great Britain*, from the eleventh Day of *May* one thouſand ſeven hundred and fifty-ſix to the twenty-fourth Day of *December* following, both incluſive; and any Sum or Sums of Money not exceeding ten thouſand Pounds, to enable his Majeſty to make good his Engagements with the Elector of *Bavaria*, purſuant to Treaty; and any Sum or Sums of Money not exceeding twenty thouſand Pounds, to enable his Majeſty to make good his Engagements with the King of *Pruſſia*, purſuant to Treaty.

XI. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million, upon Account, to enable his Majeſty to concert and take all ſuch Meaſures as may be neceſſary to diſappoint or defeat any Enterprizes or Deſigns of his Enemies, and as the Exigency of Affairs may require.

XII. And it is hereby alſo enacted, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding fifty-five thouſand and thirty two Pounds nineteen Shillings, upon Account, for ſupporting and maintaining the Settlement of his Majeſty's Colony of *Nova Scotia*, for the Year one thouſand ſeven hundred and fifty-ſix; and any Sum or Sums of Money not exceeding ſix hundred eighty-ſeven Pounds two Shillings and ſeven Pence, upon Account, for defraying the Charges incurred by ſupporting and maintaining the Settlement of his Majeſty's Colony of *Nova Scotia*, in the Year one thouſand ſeven hundred and fifty-four, and not provided for by Parliament; and any Sum or Sums of Money not exceeding three thouſand five hundred and fifty-ſeven Pounds ten Shillings, upon Account, for defraying the Charges of the Civil Eſtabliſhment of his Majeſty's Colony of *Georgia*, and other incidental Expences attending the ſame, from the twenty-fourth day of *June* one thouſand ſeven hundred and fifty-five, to the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-ſix; and any Sum or Sums of Money not exceeding ten thouſand Pounds, to be employed in maintaining and ſupporting the *Britiſh* Forts and Settlements upon the Coaſt of *Africa*.

XIII. And

XIII. And be it further enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one hundred thousand Pounds, upon Account, for or towards enabling his Majesty to defray the Expences which have been, or may be incurred by his Majesty in giving Assistance to the distressed People of *Portugal*, and our unhappy fellow Subjects residing and trading there; and any Sum or Sums of Money not exceeding thirteen thousand eight hundred sixty-nine Pounds seven Shillings and ten Pence, to enable his Majesty to pay the said Sum to *James Tierney* of *London* Merchant, Agent for and on Behalf of Don *Libino Bernardo Vanderbronk*, and other Merchants, residing at *Cadiz*, Subjects of his Catholick Majesty, Owners of the Money and Effects taken in the *Spanish* Ship *Anna Maria y Saint Felix*; provided that all Claims of the *Spanish* Merchants be by them or their Agent or Agents, assigned over to proper Persons, to the End that the same be recovered and applied to the Use of the Publick; and any Sum or Sums of Money not exceeding the Sum of one hundred and fifteen thousand Pounds, upon Account, to be distributed in such Proportions as his Majesty in his Wisdom shall think fit, to his Majesty's Colonies of *New England*, *New York*, and *Jersey* in *America*, as a free Gift and Reward for their past Services, and an Encouragement to them to continue to exert themselves with Vigour in Defence of his Majesty's just Rights and Possessions; and any Sum or Sums of Money not exceeding five thousand Pounds, to be given to Sir *William Johnson* as a Reward for his Services; and any Sum or Sums of Money not exceeding seventy-one thousand one hundred and eighty-one Pounds two Shillings and three Pence three Farthings, to make good the Deficiency of the half Subsidies of Tonnage and Poundage, charged with the Payment of several Annuities by the Acts of the sixth of Queen ANNE, and sixth of King GEORGE the First, to satisfy all Annuities charged thereupon, to the fifth Day of *January* one thousand seven hundred and fifty-six; and any Sum or Sums of Money not exceeding six thousand and thirty-two Pounds seven Shillings and one Penny, to be paid to *John Roberts*, late Governor of *Cape Coast Castle* in *Africa*, for his extraordinary Charges in supporting and defending the *British* Forts and Settlements there against the Hostilities of the *Dutch*, and Encroachments of the *French*, in the Year one thousand seven hundred and fifty; and any Sum or Sums of Money not exceeding ten thousand Pounds, towards enabling the Commissioners for building a Bridge cross the River of *Thames* from the City of *Westminster* to the opposite Shore in the County of *Surry*, to purchase Houses and Grounds for the widening the Ways, and making more safe and commodious the Streets, Avenues and Passages leading from *Charing Cross* to the two Houses of Parliament, the Courts of Justice, and *Westminster Bridge*; and any Sum or Sums of Money not exceeding three thousand Pounds, to enable his Majesty to defray the Expence of erecting a Monument in the Collegiate Church of *Saint Peter*, *Westminster*, to the Memory of Captain *James Cornwall*, pursuant to an Address to his Majesty on the twenty-eighth Day of *May* one thousand seven hundred and forty-seven; and any Sum or Sums of Money not exceeding three thousand thirty-eight Pounds six Shillings and ten Pence Halfpenny, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and fifty-five; and any Sum or Sums of Money not exceeding ten thousand Pounds, towards enabling the Governors and Guardians of the Hospital for exposed and deserted young Children, to receive into the said Hospital all Children under a certain Age to be appointed by the said Governors and Guardians, who shall be brought to the said Hospital after the first Day of *June*, and before the thirty-first Day of *December* one thousand seven hundred and fifty-six.

100,000 l. for defraying Expences of assisting the distressed People of Portugal.

13,869 l. 7 s. 10 d. to J. Tierney, to repay the Spanish Merchants their Demands on Account of the Ship Anna Maria y St. Felix.

115,000 l. as a free Gift to the Colonies of New England, New York and Jersey, &c.

5,000 l. to Sir William Johnson as a Reward for his Services;

7[1],181 l. 2 s. 3 d. 3 q. to make good the Deficiency of Half Subsidy of Tonnage and Poundage; 6,032 l. 7 s. 1 d. to John Roberts, Charges for defending Cape Coast Castle, &c.

10,000 l. to Commissioners for Westminster Bridge, for laying open the Streets from Charing Cross, &c.

3,000 l. for the Monument erected to Capt. Cornwall.

3,038 l. 6 s. 10 d. 2 q. Deficiency of the Grants for the Year 1755 10,000 l. to the Foundling Hospital.

XIV. And it is further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before-mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout, by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

These Aids to be applied to no other Uses.

XV. And as to the said Sum of thirty-eight thousand Pounds by this Act appropriated on Account of Half-pay as aforesaid; it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Imployment of Profit Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons as would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

Rules to be observed in the Application of the Half-pay.

See 30 *Geo.* 2. *c.* 26. § 17.

'XVI. And whereas by an Act of Parliament made and passed in the twenty-eighth Year of his 'Majesty's Reign, intituled, *An Act for granting to his Majesty a certain Sum of Money therein mentioned 'out of the Sinking Fund, and applying certain Monies remaining in the Exchequer, for the Service of the 'Year one thousand seven hundred and fifty-five; and for carrying the Surplus of certain Duties to the 'Sinking Fund; and for further appropriating the Supplies granted in this Session of Parliament*; the 'several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated; 'to the several Uses and Purposes therein expressed; amongst which, any Sum or Sums of Money 'not

28 Geo. 2. c. 22.

'not exceeding forty-seven thousand Pounds, was appropriated to be paid to the reduced Officers of 'his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the Appli- 'cation of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of forty-seven thousand Pounds, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or lost their Limbs in the late Wars, or such others as by reason of their long Service or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act or the said former Act to the contrary notwithstanding.

Rules to be observed in the Application of the Surplus of 47,000 l. appropriated in 1755, to the Payment of reduced Officers.

CAP. XXX.

An Act for more effectually discouraging and preventing the stealing, and the buying, and receiving of stolen Lead, Iron, Copper, Brass, Bell-metal and Solder, and for more effectually bringing the Offenders to Justice.

'WHEREAS the pernicious Practice of stealing Lead, Iron, Copper, Brass, Bell-metal and Solder 'fixed to, or lying or being in or upon Houses, Outhouses, Mills, Warehouses, Workshops and 'other Buildings, Areas, Vaults, Yards, Gardens, Orchards or other Places; and also the stealing of 'such Materials from Ships, Barges, Lighters, Boats and other Vessels and Craft, upon navigable 'Rivers, in Ports of Entry or Discharge, Creeks and Docks belonging thereto, and also from off 'Wharfs, Keys and other Places, is become a great and notorious Evil, by reason of the Difficulty in 'apprehending and convicting the Thieves, and the still greater Difficulty of discovering and convicting 'the Buyers or Receivers thereof; which Buyers or Receivers are the principal Cause of the Com- 'mission of such Thefts; and in regard that the said Offences are committed in such close and clan- 'destine Manner, that there can be no Witness or Witnesses to the same, but such who is or are Par- 'takers of the Offence: And whereas if the Buyers and Receivers of Lead, Iron, Copper, Brass, 'Bell-metal or Solder, knowing or having reasonable Cause to suspect the same to be stolen or unlaw- 'fully come by, were made original Offenders, and punishable independent of the Apprehension and 'Conviction of the Thief; and if the apprehending, prosecuting and convicting the Offenders in both 'Kinds were rendered more easy and speedy, it might more effectually tend to the Discovery and Sup- 'pression of the said Offences:' For Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *October* one thousand seven hundred and fifty-six, every Person who shall buy or receive any Lead, Iron, Copper, Brass, Bell-metal or Solder, knowing the same to be unlawfully come by, or shall privately buy or receive any stolen Lead, Iron, Copper, Brass, Bell-metal or Solder, by suffering any Door, Window or Shutter to be left open or unfastened between Sun-setting and Sun-rising for that Purpose, or shall buy or receive the same, or any of them, at any Time in any clandestine Manner from any Person or Persons whatsoever, shall, being thereof convicted by due Course of Law, although the principal Felon or Felons has not or have not been convicted of stealing the same, be transported for fourteen Years to any of his Majesty's Colonies or Plantations in *America*, according to the Laws in Force for the Transportation of Felons.

Buyers or Receivers of any of the Materials herein mentioned knowing the same to be stolen or unlawfully come by, &c. if convicted, to be transported for 14 Years.

II. And be it enacted by the Authority aforesaid, That it shall and may be lawful for any one Justice of the Peace, upon Complaint made to him upon Oath by any credible Persons, that there is cause to suspect stolen Lead, Iron, Copper, Brass, Bell-metal or Solder is concealed in any Dwelling-house, Out-house, Yard, Garden or other Place or Places, by Warrant under his Hand and Seal, to cause every such Dwelling-house, Out-house, Yard, Garden and Place to be searched in the Day-time; and if any Lead, Iron, Copper, Brass, Bell-metal or Solder, suspected to be stolen, shall be found therein, to cause the same, and the Person or Persons in whose House, Out-house, Yard, Garden or other Place the same shall be found, to be brought before any two or more Justices of the Peace for the same County, City, Riding, Division, Liberty or Place; and if the said Person or Persons shall not give an Account, to the Satisfaction of such Justices, how he, she or they came by the same; or shall not, within some convenient Time to be set by the said Justices, produce the Party or Parties of or from whom he, she or they bought or received such stolen Lead, Iron, Copper, Brass, Bell-metal or Solder, that then the said Person or Persons so offending shall be deemed and adjudged guilty of a Misdemeanor.

Where there is Cause of Suspicion, Justice to issue a Search Warrant, and the Materials, and the Party with whom the same are found, to be carried before two Justices, &c. Party not accounting satisfactorily, deemed guilty of a Misdemeanor.

III. And be it further enacted by the Authority aforesaid, That every Constable, Headborough or Tithingman, in every County, City, Town Corporate or other Place where they shall be Officers, and every Beadle within his Ward, Parish or District, and every Watchman, during such Time only as he is on his Duty, shall and may apprehend, or cause to be apprehended, all and every Person or Persons who may reasonably be suspected of having or carrying, or any ways conveying, at any Time after Sun-setting, and before Sun-rising, any Lead, Iron, Copper, Brass, Bell-metal or Solder suspected to be stolen or unlawfully come by; and the same, together with such Person or Persons, as soon as conveniently may be, to convey or carry before any two or more Justices of the Peace for the County, City, Riding, Division, Liberty or Place aforesaid; and if the Person or Persons so apprehended

Suspected Persons, with any of the said Materials, in the Night-time, may be apprehended by the Parish Officers or Watchmen, and carried before two Justices, &c.

hended conveying any such Lead, Iron, Copper, Brass, Bell-metal or Solder, shall not produce the Party or Parties from whom he, she or they bought or received the same, or some other credible Witness to depose upon Oath the Sale or Delivery of the said Lead, Iron, Copper, Brass, Bell-metal or Solder (which Oath any such Justices are hereby impowered to administer) or shall not give an Account, to the Satisfaction of any two or more of such Justices, how he, she or they came by the same, that then the said Person or Persons so apprehended shall be deemed and adjudged guilty of a Misdemeanor.

and not accounting satisfactorily, deemed guilty of a Misdemeanor.

IV. And be it enacted by the Authority aforesaid, That where any Person or Persons shall be convicted of either of the Misdemeanors aforesaid, it shall and may be lawful for any two more of such Justices to cause such Lead, Iron, Copper, Brass, Bell-metal or Solder to be deposited in the Hands of the Churchwardens or Overseers of the Poor of the Place where such Lead, Iron, Copper, Brass, Bell-metal or Solder were found, or in any other convenient Place, for any Time not exceeding thirty Days; and in the mean Time to order the said Churchwardens and Overseers of the Poor, or one of them, in all and every of the Parishes within the Bills of Mortality, to insert an Advertisement in some publick Paper, and in every other Parish or Place to cause Notice to be given by some publick Cryer, and by fixing on the Church or Chapel Door Notice describing such Lead, Iron, Copper, Brass, Bell-metal or Solder, and where the same shall be so deposited, to the End that Persons having lost such Lead, Iron, Copper, Brass, Bell-metal or Solder may come and claim the same, or any reputable Person on their Behalf; and in case any Person or Persons can prove their Property to the said Lead, Iron, Copper, Brass, Bell-metal or Solder, upon Oath, to the Satisfaction of any two or more of such Justices of the Peace for such County, City, Riding, Division, Liberty or Place, that then such Justices shall order Restitution of such Lead, Iron, Copper, Brass, Bell-metal or Solder to the Owner or Owners thereof, after paying the reasonable Charges of removing, depositing and giving publick Notice of the same; and if at the End of the said thirty Days no Person or Persons shall come and prove his, her or their Property, nor any reputable Person on his or their Behalf, to such Lead, Iron, Copper, Brass, Bell-metal or Solder, the same to be sold for the best Price that can reasonably be had; and after deducting the Charges as aforesaid, one Moiety of the Money arising from such Sale to be given to the Person or Persons who shall apprehend the Party or Parties guilty of the Misdemeanors afore-mentioned, or either of them; and the other Moiety thereof to the Poor of the Parish where such Offence shall be committed (if it is known where) or else where such Convictions shall be made.

In which Cases, the Materials to be deposited with the Churchwardens, &c.

and publick Notice by Advertisement and otherwise to be given,

and the Owner, proving his Property, is to have them,

otherwise they are to be sold, and the Money divided between the Officer and Poor.

V. And be it further enacted by the Authority aforesaid, That every Person to whom any Lead, Iron, Copper, Brass, Bell-metal or Solder shall be brought and offered to be sold, pawned or delivered, shall and is hereby impowered and required (there being reasonable cause to suspect that such Lead, Iron, Copper, Brass, Bell-metal or Solder was stolen or unlawfully come by) to apprehend, secure and carry before a Justice of the Peace for the County, City, Riding, Division, Liberty or Place where the same shall be so brought or offered (having it in his or her Power so to do) the Person or Persons so bringing or offering the same, together with such Lead, Iron, Copper, Brass, Bell-metal or Solder; and such Person or Persons so apprehended shall be dealt with, and such Lead, Iron, Copper, Brass, Bell-metal or Solder, shall be deposited and disposed of, in the same Manner as if he, she or they had been apprehended by the Constable, Headborough, Tythingman, Beadle or Watchman as aforesaid; and if it shall appear upon the Oath of any Person, notwithstanding such Person or Persons was or were concerned in the stealing the same, if corroborated with other credible Circumstances, to the Satisfaction of two or more Justices of the Peace for the County, City, Riding, Division, Liberty or Place where the same shall be so brought or offered as aforesaid, that there was reasonable Cause to suspect such Lead, Iron, Copper, Brass, Bell-metal or Solder was stolen or unlawfully come by, and that the Person or Persons to whom such Lead, Iron, Copper, Brass, Bell-metal or Solder was so brought or offered, did not (having it in his, her or their Power so to do) apprehend, secure and carry before a Justice of the Peace as aforesaid, the Person or Persons who so brought or offered the same, that then the Person or Persons to whom such Lead, Iron, Copper, Brass, Bell-metal or Solder was so brought or offered shall be deemed and adjudged guilty of a Misdemeanor.

Person to whom any such Materials shall be brought, to be sold or pawned, may in any suspected Case stop and carry the Party before a Justice, &c.

otherwise, upon Proof of such reasonable Cause of Suspicion, he is guilty of a Misdemeanor.

Persons convicted of a Misdemeanor, in having in their Possession any of the said Materials, &c. and not accounting satisfactorily for the same,

VI. And be it further enacted, That every Person deemed and adjudged guilty of a Misdemeanor, in having in his, her or their Possession, any Lead, Iron, Copper, Brass, Bell-metal or Solder, suspected to be stolen or unlawfully come by, and not producing the Party or Parties of whom he, she or they bought or received the same, nor giving a satisfactory Account how he, she or they came by the same, or in having, carrying or conveying of Lead, Iron, Copper, Brass, Bell-metal or Solder, suspected to be stolen or unlawfully come by, and not producing the Party or Parties from whom he, she or they bought or received the same, nor any credible Witness to depose upon Oath the Sale or Delivery thereof, nor giving a satisfactory Account how he, she or they came by the same (as the Case shall be) shall, for every such Misdemeanor, forfeit for the first Offence the Sum of forty Shillings, and for the second Offence the Sum of four Pounds, and for every subsequent Offence the Sum of six Pounds; and that every Person deemed and adjudged guilty of the Misdemeanor of neglecting to apprehend, secure and carry before a Justice of the Peace, the Person or Persons (having it in his, her or their Power so to do) who brought or offered to sell, pawn or deliver any Lead, Iron, Copper, Brass, Bell-metal or Solder (as the Case shall be) suspected to be stolen or unlawfully come by, shall, for every such Misdemeanor, forfeit for the first Offence the Sum of twenty Shillings, and for the second Offence the Sum of forty Shillings, and for every subsequent Offence the Sum of four Pounds; all which said respective Forfeitures shall and may be levied by Distress and Sale of the Goods and Chattels of every such Offender (rendering to him or her the Overplus, after Charges of the said Distress and Sale deducted) by Warrant under the Hands and Seals of any two or more of such Justices, before whom such Offender was

to forfeit for the first Offence 40s. for the second 4 l. and for every subsequent one 6 l. and being guilty of a Misdemeanor, in not carrying suspected Persons before a Justice, to forfeit for the first Offence 20s. for the second 40 s. and for every subsequent 4 l.

Forfeitures how to be levied and applied.

was deemed and adjudged guilty; which Forfeiture shall be paid, one Moiety thereof to the Informer, and the other Moiety thereof to the Overseers of the Poor, for the Use of the Poor of the Parish or Place where such Offence was committed (if it is known where) or else where such Conviction shall be made; and if no sufficient Distress shall be found, whereon to levy the said respective Forfeitures, then the said Justices shall and may commit every such Offender, so respectively deemed and adjudged guilty as aforesaid, to the common Gaol or other Prison, or House of Correction, within their Jurisdiction, without Bail or Mainprize, for the Space of one Month for the first Offence, and for the second Offence for the Space of two Months, and for every subsequent Offence until such Offender shall be discharged by Order of the Court of General or Quarter Sessions.

For want of Distress, Offender to be committed.

Convictions to be certified to the Quarter-Sessions,

in the Form following.

VII. And be it further enacted, That every Conviction of any Offender, in any of the aforesaid Misdemeanors, shall be certified by two or more of the Justices of the Peace, making the same, to the next General or Quarter Sessions of the Peace, to be filed and entered amongst the Records of the said Sessions; and that such Conviction shall and may be drawn up on Parchment, and certified in the following Form of Words (as the Case shall happen) or in any other Form of Words to the like Effect, *mutatis mutandis*; that is to say,

'*Middlesex*, to wit. } BE it remembered, That on the Day of in the Year *A. B.* was convicted before us of the Justices of the Peace for the 'County, City, Riding, Division, Liberty or Place aforesaid (as the Case shall be) of a Misdemeanor, in having in his, her or their Possession, Lead, Iron, Copper, Brass, Bell-metal 'or Solder, suspected to be stolen or unlawfully come by, and not producing the Party or 'or Parties of whom he, she or they bought or received the same, nor giving a satisfactory 'Account how he, she or they came by the same, or in having, carrying or conveying of 'Lead, Iron, Copper, Brass, Bell-metal or Solder, suspected to be stolen or unlawfully 'come by, and not producing the Party or Parties from whom he, she or they bought or 'received the same, nor any credible Witness to depose upon Oath the Sale or Delivery thereof, 'or not giving a satisfactory Account how he, she or they came by the same, or of neglecting 'to apprehend and secure the Person or Persons who brought and offered to pawn, sell or 'deliver Lead, Iron, Copper, Brass, Bell-metal or Solder, suspected to be stolen or unlawfully come by (as the Case shall be).

'Given under our Hands and Seals the Day and 'Year aforesaid.'

Said Conviction not to be quashed, or removed by Certiorari.

Which said Conviction, in the same or the like Form of Words, shall be good and effectual in Law to all Intents and Purposes, and shall not be quashed, set aside, or adjudged void or insufficient for want of any other Form or Words whatsoever, nor be liable to be removed by *Certiorari* into his Majesty's Court of *King's Bench*, but shall be deemed and taken to be final to all Intents and Purposes whatsoever.

Felon convicting the Buyers or Receivers of such stolen Materials is intitled to his Majesty's Pardon;

VIII. And be it further enacted by the Authority aforesaid, That if any Person, being out of Prison, shall, after the said first Day of *October* one thousand seven hundred and fifty-six, commit any Felony, by stealing any Lead, Iron, Copper, Brass, Bell-metal or Solder, and afterwards discover two or more Persons who shall buy or receive any stolen Lead, Iron, Copper, Brass, Bell-metal or Solder, after the said first Day of *October* one thousand seven hundred and fifty-six, knowing the same to be stolen, so as two or more of the Persons discovered shall be convicted of such buying or receiving, he, she or they so discovering shall have, and be intitled to, the gracious Pardon of his Majesty, his Heirs and Successors, for all such Felonies by him or her committed, at any Time or Times before such Discovery made, which Pardon shall be likewise a Bar to any Appeal brought for such Felony.

and convicting any of a Misdemeanor, in not apprehending, &c. Offender offering to sell or pawn the same, is discharged from Prosecution for such Felony.

IX. And be it further enacted by the Authority aforesaid, That if any Person shall be concerned in the stealing any Lead, Iron, Copper, Brass, Bell-metal or Solder, and shall afterwards, being out of Prison, discover any Person to whom he, she or they shall have, after the said first Day of *October*, offered to sell, pawn or deliver any stolen Lead, Iron, Copper, Brass, Bell-metal or Solder, so as such Person be convicted of the Misdemeanor of not apprehending, securing and carrying him, her or them before a Justice as aforesaid, that then the Person making such Discovery shall not be liable to be prosecuted for stealing the Lead, Iron, Copper, Brass, Bell-metal or Solder, so offered as aforesaid.

Limitation of Actions.

General Issue.

Treble Costs.

X. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or brought against any Justice or Justices of the Peace, or other Officer or Person whatsoever, for doing or causing to be done any Thing in pursuance of this Act, concerning the said Offences, the same shall be commenced or brought within six Months after such Cause of Action has accrued; and the Defendant in such Case may plead the General Issue, and give the Special Matter in Evidence; and if upon such Action a Verdict shall be given for the Defendant, or the Plaintiff become nonsuited, or discontinue his Action, the Defendant shall have treble Costs.

Former Laws not vacated, nor Offenders liable to double Punishment.

XI. Provided always, That nothing herein contained shall extend, or be construed to extend, to repeal any former Law now in being, for the Punishment of such Offenders; and provided also, that such Offender, after having been punished by this Act, shall not for the same Offence be afterwards punished or be liable to be punished by any such former Law.

CAP.

CAP. XXXI.

An Act to enable Infants, Lunaticks and Femes Covert to surrender Leases in order to renew the same.

'WHEREAS divers Lands, Tenements and Hereditaments have been, and may be, granted by Lease for the Life of one or more Person or Persons, or for Terms of Years absolute, or determinable upon the Death of one or more Person or Persons or otherwise: And whereas in order to obtain a Renewal of such Leases, it is in many Cases necessary to surrender up the Estates thereby granted; which Surrenders cannot be effectually made by Persons under the Age of twenty one Years, nor Lunaticks, nor by Femes Covert without levying a Fine, to the manifest Detriment of them and their Families;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases where any Person under the Age of twenty-one Years, or any Lunatick or Feme Covert, is or shall become interested in or intitled to any Lease or Leases made or granted, or to be made or granted, by any Person or Persons, Bodies Politick, Corporate or Collegiate, Aggregate or Sole, for the Life or Lives of one or more Person or Persons, or for any Term of Years, either absolute or determinable upon the Death of one or more Person or Persons or otherwise, it shall and may be lawful for such Person under the Age of twenty-one Years, or for his or her Guardian or Guardians, or other Person or Persons on his or her Behalf, and for such Lunatick, or his or her Guardian or Guardians, Committee or Committees of the Estate, or other Person or Persons on his or her Behalf, and for such Feme Covert, or any other Person or Persons on her Behalf, to apply to the high Court of *Chancery* of *Great Britain*, the Court of *Exchequer*, the Courts of Equity of the Counties Palatine of *Chester*, *Lancaster* and *Durham*, or the Courts of Great Session of the Principality of *Wales* respectively, by Petition or Motion, in a summary Way, and by the Order and Direction of the said Courts respectively made, upon hearing all Parties concerned, such Person under the Age of twenty one Years, and such Lunatick, or Person or Persons appointed by the said Courts respectively, and also such Feme Covert, by Deed or Deeds only, without levying any Fine, shall and may be enabled, from Time to Time, to surrender such Lease or Leases, and accept and take, in the Name, and for the Benefit of such Person under the Age of twenty-one Years, or Lunatick, or Feme Covert, one or more new Lease or Leases of the Premisses comprised in such Lease or Leases surrendered by virtue of this Act, for and during such Number of Lives, or for such Term or Terms of Years, determinable upon such Number of Lives, or for such Term or Terms of Years absolute, as was or were mentioned or contained in such Lease or Leases so surrendered, at the making thereof respectively, or otherwise as the said Courts shall respectively direct.

Former Provisions concerning Leases, 21 *H.* 8. c. 15. 32 *H.* 8. c. 28. 1 *Eliz.* c. 9. 13 *Eliz.* c. 10. & 20. 14 *Eliz.* c. 11. & 14. 18 *Eliz.* c. 6. 43 *Eliz.* c. 9.

Guardians, &c. of Minors, Lunaticks and Femes Covert, in order to the Surrender and Renewal of Leases,

may apply to the Court of Chancery, &c. in a summary Way,

and by Order of Court,

may surrender by Deed such Leases, and renew the same, as the Court shall direct.

II. And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money, and other Consideration, paid or advanced by any such Guardian, Trustee, Committee or other Person, as and for a Fine or Income, or in the Nature of a Fine or Income, for or on account of the Renewal of any such Lease or Leases, and all reasonable Charges incident thereto, shall be paid out of the Estate or Effects of the Infant or Lunatick for whose Benefit the said Lease or Leases shall be renewed, or shall be a Charge and Incumbrance upon the Leasehold Premisses, together with Interest for the same, as the said Courts respectively shall direct and determine; and as for concerning Leases to be made upon Surrenders by Femes Covert, unless the Fine or Consideration of such Lease, and the reasonable Charges shall be otherwise paid or secured, the same, together with Interest, shall be a Charge or Incumbrance upon such Leasehold Premisses, for the Use and Benefit of such Person or Persons who shall advance the same.

Fine and Charges attending the Renewal, to be charged on the Estate, or the Leasehold Premisses, as the Court shall direct.

Fine for Femes Covert to be charged on the Leasehold Premisses.

III. And be it further enacted by the Authority aforesaid, That the respective Leases to be so renewed shall operate, and be to the same Uses, and be liable to the same Trusts, Charges, Incumbrances, Dispositions, Devises and Conditions, as the Leases to be, from time to time, surrendered as aforesaid, were or would have been subject to, in case such Surrender had not been made; any thing in this or any former Law to the contrary notwithstanding.

New Leases to be to the same Uses, as the former.

IV. And be it further enacted and declared, That every such Surrender, and such Lease or Leases granted thereupon, shall be, and be deemed as valid and legal, to all Intents and Purposes, as if such Surrender had been made by and on the Behalf of a Person of full Age, sane Mind, or not married; any thing in this or any former Law to the contrary notwithstanding.

Surrender and Renewal of such Leases deemed valid.

CAP. XXXII.

An Act to indemnify Persons who have omitted to qualify themselves according to the Directions of several Acts of Parliament within the Times limited by such Acts respectively, and for allowing further Time for that Purpose; and concerning the Admissions of Officers and Members of Cities, Corporations and Borough Towns; and the filing of Affidavits of Articles of Clerkship.

'WHEREAS divers Persons who on account of their Offices, Places, Employments or Professions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths or the Assurance respectively appointed to be by such Persons, in and by an Act made in the first Year of

1 Geo. 1. c. 13. the Reign of his late Majesty King GEORGE of glorious Memory (intituled, *An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abetters;*) or to have qualified themselves according to an Act made in the thirteenth
13 Car. 2. c. 1. Year of the Reign of King CHARLES the Second (intituled, *An Act for the well-governing and regulating Corporations*; or to have qualified themselves according to another Act made in the twenty-fifth Year of
25 Car. 2. c. 2. the Reign of King CHARLES the Second (intituled, *An Act for preventing the Dangers which may happen from Popish Recusants;*) by receiving the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*; and making and subscribing the Declaration against Transubstantiation therein men-
30 Car. 2. st. 2. tioned; or according to another Act made in the thirtieth Year of the Reign of King CHARLES the Second (intituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament;*) have through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to take and subscribe the said Oaths and Assurance, or otherwise to qualify themselves as aforesaid, within such Time, and in such Manner, as in and by the said Acts respectively, or by any other Act of Parliament in that Behalf made and provided, is required, whereby they may be in Danger of incurring divers Penalties and Disabilities:' For quieting the Minds of his Majesty's Subjects, and for preventing any Inconveniencies that might otherwise happen by Means of such Omissions,

Further Time to 28 Nov. 1756. allowed to Persons who have omitted to qualify themselves, as the Laws direct.

Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons who shall, on or before the twenty-eighth Day of *November* one thousand seven hundred and fifty-six, take and subscribe the said Oaths and Assurance respectively, in such Cases wherein by Law the said Oaths or Assurance ought to have been taken or subscribed, in such Manner and Form, and such Place and Places, as are appointed in and by the said Act made in the first Year of the Reign of his said late Majesty King GEORGE, or by any other Act or Acts of Parliament in that Behalf made and provided; and also receive the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*; and make and subscribe the said Declaration against Transubstantiation, in such Cases wherein the said Sacrament ought to have been received, and the said Declaration ought to have been made and subscribed, shall be, and are hereby indemnified, freed and discharged, from and against all Penalties, Forfeitures, Incapacities and Disabilities, incurred or to be incurred, for or by Reason of any former Neglect or Omission of taking or subscribing the said Oaths or Assurance, or receiving the Sacrament, or making or subscribing the said Declaration respectively, according to the above-mentioned Acts, or any of them, or any other Act or Acts, is and are and shall be fully and actually recapacitated and restored to the same State and Condition as such Person or Persons were before such Neglect or Omission, and shall be deemed and adjudged to have duly qualified him, her or themselves, according to the above-mentioned Acts, and every of them; and that all Acts done or to be done by any such Person or Persons, or by Authority derived from him or them, are and shall be of the same Force and Validity as the same, or any of them, would have been if such Person or Persons had taken the said Oaths or Assurance, and received the Sacrament of the Lord's Supper, and made and subscribed the said Declaration respectively, according to the Direction of the said Acts, and every of them; and that such Person or Persons qualifying themselves, in Manner and within the Time appointed by this Act, shall be, to all Intents and Purposes, as effectual as if such Person or Persons had respectively taken the said Oaths and Assurance, and received the Sacrament, and made and subscribed the said Declaration, within the Time and in the Manner appointed by the several Acts beforementioned.

Persons qualifying themselves within the Time recapacitated and indemnified.

Further Time allowed for providing and stamping Admissions into Corporations.

'II. And whereas Admissions of several Members and Officers into Cities, Corporations and Borough 'Towns, which by several Acts of Parliament are directed and required to be stamped, may not have 'been provided, or the same not duly stamped, or may have been lost or mislaid;' Be it further enacted by the Authority aforesaid, That for the Relief of such Persons whose Admissions may not have been provided, or not duly stamped as aforesaid, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons, on or before the twenty-eighth Day of *November* one thousand seven hundred and fifty-six, to provide, or cause to be provided, Admissions duly stamped; and such Persons so providing Admissions duly stamped as aforesaid, are and shall be hereby confirmed and qualified to act as Member or Members, Officer or Officers, of such Cities, Corporations and Borough Towns respectively, to all Intents and Purposes, and shall and may hold, enjoy and execute the same, or any other Office or Offices into which he or they have or hath been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors, in such Cities, Corporations or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties and Damages, by reason of any such Omission; and none of his or their Acts shall be questioned or avoided for or by reason of the same.

Officer signifying his Desire to have his Admission renewed or confirmed,

a publick Meeting to be summoned.

III. Provided always, and be it further enacted by the Authority aforesaid, That when and as often as any Member or Members, Officer or Officers of any City, Corporation or Borough Town, shall desire to have his or their respective Admissions renewed or confirmed in Manner aforesaid, the Mayor or other Chief Magistrate of such City, Corporation or Borough Town, shall, and he is hereby required, in every such Case, upon Notice given to him by any one or more Member or Members of such respective City, Corporation or Borough Town, to summon a Hall, Common Council, or other proper publick Meeting, within six Days after such Notice given to him, for the Purpose of admitting or granting Copies, and confirming the Admissions of such Person or Persons as aforesaid.

'IV. And

'IV. And whereas divers Persons, through Mistake, Absence, or some unavoidable Accident, to the 'Prejudice of Infants and others, have omitted to cause Affidavits to be made and filed in the proper Of- 'fices, of the actual Execution of several Contracts in Writing to serve as Clerks to Attornies and Soli- 'citors, within the Time limited and expressed by an Act passed in the twenty-second Year of his present 'Majesty's Reign, whereby many Persons may be in Danger of incurring the Disabilities in the said Act 'mentioned;' Be it enacted by the Authority aforesaid, That all and every Person and Persons who have omitted to cause such Affidavits to be made and filed as aforesaid, and who shall on or before the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, cause one or more Affidavit or Affidavits to be made and filed in such Manner as directed by the said Act, shall be, and are hereby indemnified, freed and discharged from and against all Penalties, Forfeitures, Incapacities and Disabilities in the said Act mentioned, incurred or to be incurred for or by reason of any Neglect or Omission in causing such Affidavit or Affidavits to be made and filed according to the Direction of the said Act; and such Affidavit or Affidavits so to be made and filed as aforesaid, shall be as effectual to all Intents and Purposes as if the same had been made and filed within the Time limited by the said Act.

Further Time allowed for the making and filing Affidavits of the Execution of Contracts to serve as Clerks. Persons thereupon recapacitated and indemnified.

V. Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to restore or intitle any Person or Persons to any Office or Employment, Benefice, Matter or Thing whatsoever, already actually avoided, by Judgment of any of his Majesty's Courts of Record, or already filled up or enjoyed by any other Person; but such Office, Employment, Benefice, Matter or Thing so avoided, or filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now intitled to the same, as if this Act had never been made.

Offices, &c. already avoided by Judgment, and filled up, excepted.

CAP. XXXIII.

An Act to render more effectual an Act passed in the twelfth Year of the Reign of his late Majesty King GEORGE, to prevent unlawful Combinations of Workmen employed in the Woollen Manufactures, and for better Payment of their Wages; and also an Act passed in the thirteenth Year of the Reign of his said late Majesty, for the better Regulation of the Woollen Manufacture, and for preventing Disputes among the Persons concerned therein; and for limiting a Time for prosecuting for the Forfeiture appointed by the aforesaid Act, in case of the Payment of the Workmens Wages in any other Manner than in Money.

'WHEREAS by an Act passed in the twelfth Year of the Reign of his late Majesty King GEORGE, intituled, *An Act to prevent unlawful Combinations of Workmen employed in the Woollen Manufactures, and for the better Payment of their Wages*, it is enacted, That if any Clothier, Serge-maker, Woollen or Worsted Stuff-maker, or Person concerned in making any Woollen Clothes, Serges or Stuffs, or any ways concerned in employing Wool-combers, Weavers, or other Labourers in the Woollen Manufactures, shall pay any Person or Persons employed by them their Wages, or other Price agreed on, or any Part thereof, either in Goods or by way of Truck, or in any other Manner than in Money, every Person so offending shall forfeit and pay the Sum of ten Pounds: And whereas several Prosecutions have been carried on against Offenders for Offences committed in Breach of the said Act, in Manner therein prescribed, but the Trials thereupon have been removed by *Certiorari* into some or one of his Majesty's Courts of Record at *Westminster*, and such Prosecutions have been dropt upon account of the Expence of carrying them on: And whereas by an Act passed in the thirteenth Year of the Reign of his said late Majesty, intituled, *An Act for the better Regulation of the Woollen Manufactures, and for preventing Disputes among the Persons concerned therein; and for limiting a Time for prosecuting for the Forfeitures appointed by an Act of the twelfth Year of his said late Majesty's Reign, in case of the Payment of the Workmens Wages in any other Manner than in Money*, it is enacted, That every Maker of mixed, medley or white Broad Cloth shall satisfy and pay the Weaver or Weavers employed by such Maker in or about the Weaving the same, according to the Number of Yards that the said Chains are laid on the Warping Bars, and not otherwise, on Pain of forfeiting and paying for every Offence, contrary to the true Meaning thereof, the Sum of five Pounds: And whereas by reason of the Smallness of the said Penalties, and the expensive Manner of recovering thereof, and the Want of proper Powers to regulate the Wages to be paid to Weavers, the good Purposes intended by the said Acts have been no ways answered:' For Remedy whereof, may it please your Majesty that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, it shall be lawful for the Justices of the Peace assembled at any of their General or Quarter-Sessions held next after *Michaelmas* yearly, to make Rates for the Payment of Wages to Weavers and others employed in the Woollen Manufactures, according to the Number of Yards that the Chains are laid upon the Warping Bars, and not otherwise, which Rates shall continue for one Year from the making thereof; and the said Justices shall yearly, in their said General or Quarter-Sessions, either continue such Rates for another Year, or alter them in such Manner as they shall think fit; always observing the Directions of the said Act for that Purpose as aforesaid; and if any Maker of mixed,

12 Geo. 1. c. 34.

13 Geo. 1. c. 23.

Justices at the Michaelmas Sessions to settle the Rates of Labour yearly.

This Clause is repealed by 20 *Geo.* 2. *c.* 12. §. 1.

mixed, medley or white Broad Cloth, shall not pay to the Weaver or Weavers employed by such Maker, according to such Rates, every Person so offending shall forfeit and pay the Sum of five Pounds.

Master not conforming, forfeits 5 l.

II. Provided always, That such Justices shall yearly order and direct that the Rates so made shall, within twenty Days after making thereof, be fixed upon all the Church Doors and Chapel Doors within their respective Jurisdictions, by the High Constables, Petty Constables or other Peace Officers, in Manner as the said Justices shall think fit.

Rates to be affixed upon the Church Doors, &c.

III. And be it further enacted, That if any Clothier, Serge-maker, Woollen or Worsted Stuff-maker, Worsted or Woollen Yarn Stocking-maker, or Person concerned in making any Woollen Clothes, Serges, Stuffs, Worsted or Woollen Yarn Stockings, or any other Person any ways concerned for himself or another in employing Weavers, Combers of Jersey or Wool, Worsted Combers, Spinners, Knitters or other Labourers in the Woollen Manufactures, shall pay or cause to be paid to any Person or Persons employed by him or them, his or their Wages, or other Price agreed on, or any Part thereof, either in Goods or by way of Truck, Bill or Note, or in any other Manner than in Money, every Person so offending shall forfeit and pay the Sum of twenty Pounds.

Masters paying Workmen in any other Manner than in Money, forfeit 20 l.

IV. And be it further enacted, That the respective Penalties and Forfeitures incurred and made payable by this Act, may be recovered by Action of Debt by any Person who shall sue for the same, or may be levied upon Conviction before any two or more Justices of the Peace for the County or Place where the Offence is committed, either by the Confession of the Party or Parties, or upon the Oath of one or more Witness or Witnesses, in case the same be not paid within fourteen Days after such Conviction, by Distress and Sale of the Goods of the Offender or Offenders, by Warrant under the Hands and Seals of such Justices (which Warrant or Warrants such Justices are hereby authorized to grant, and to administer such Oath or Oaths) returning the Overplus, if any be, after all Charges paid; and for want of sufficient Distress, the said Justices shall commit the Offender or Offenders to the House of Correction for any Time not exceeding three Months, or until Satisfaction shall be made by the Parties offending.

Penalties and Forfeitures, how to be recovered and applied.

For want of Distress Offender to be committed.

V. Provided always, That if any of the Penalties and Forfeitures aforesaid be levied upon Conviction before the Justices of the Peace, one Moiety thereof shall be paid to the Poor of the Parish where the Offence was committed, and the other Moiety to the Informer.

Application of Penalties upon Conviction before the Justices.

VI. Provided also, That in case any Action of Debt shall be brought against any Person for any of the Penalties and Forfeitures aforesaid, such Person shall not be liable to any Conviction before the Justices of the Peace for the same Offence, whereby such Penalties and Forfeitures shall be incurred and made payable; nor in case of Information laid before the Justices, and Conviction thereon, shall the Person offending be liable to an Action of Debt for the Penalties and Forfeitures incurred and made payable by the same Offence, for which such Person hath been convicted before the Justices.

None may be sued both Ways for the same Offence.

VII. Provided always, and be it further enacted, That it shall be lawful for any Person or Persons who shall think him, her or themselves aggrieved by any Order of such Justices, to appeal to the next General or Quarter-Sessions to be holden for the County, Division or Riding, where such Order shall be made; such Person or Persons so appealing, having first entered into a Recognizance with sufficient Security before such Justices, to prosecute and abide by the Order or Orders that shall be made on such Appeal, and giving eight Days Notice in Writing of such Appeal to the Party or Parties in whose Favour such Order hath been made; and the Justices in their General or Quarter-Sessions are hereby authorized and required to hear and determine the Matter of such Appeal, and to make such Order, and to award such Costs and Damages, as to them in their Discretion shall seem reasonable, and to levy by their Order or Warrants such Costs and Damages so awarded, by Distress and Sale of the Goods and Chattles of any Person or Persons who shall refuse to pay the same; and for want of sufficient Distress, to commit the Party or Parties to the common Gaol of the said County, Division or Riding for any Time not exceeding three Months, or until Satisfaction shall be made by the Party or Parties offending; and such Award or Order of the said Justices at their General or Quarter-Sessions shall be final; and no Proceedings of any such Justice or Justices out of Sessions, or of the Justices in their said General or Quarter-Sessions, in pursuance of this Act, shall be liable to be removed by *Certiorari* or other Form or Process of Law; any thing in this Act or in any other Act or Acts contained to the contrary notwithstanding.

Persons aggrieved by Order of Justices may appeal to next Quarter-Sessions, entering into Recognizance, and giving eight Days Notice.

Order of Justices to be binding.

Proceedings not to be removed by Certiorari.

VIII. Provided always, That all Prosecutions for Offences against this Act shall be commenced within three Months next after the Offence committed, and not afterwards.

Limitation of Prosecutions.

Concerning Woollen Manufactures, &c. see farther 30 *Geo.* 2. *c.* 12.

CAP. XXXIV.

An Act for the Encouragement of Seamen, and the more speedy and effectual Manning his Majesty's Navy.

For former Laws concerning Seamen, refer to 2 *R.* 2. *c.* 4. 5 *Eliz. c.* 5. 7 & 8 *W.* 3. *c.* 21. 8 & 9 *W.* 3. *c.* 23. 9 & 10 *W.* 3. *c.* 41. 2 *Ann. c.* 6. 4 & 5 *Ann. c.* 19. 10 *Ann. c.* 17. 1 *Geo.* 1. *c.* 25. 8 *Geo.* 1. *c.* 24. 1 *Geo.* 2. *st.* 2. *c.* 9. 1 *Geo.* 2. *c.* 14. 2 *Geo.* 2. *c.* 7. & 36. 6 *Geo.* 2. *c.* 25. 8 *Geo.* 2. *c.* 29. 11 *Geo.* 2. *c.* 30. 13 *Geo.* 2. *c.* 3, 4 & 17. 14 *Geo.* 2. *c.* 38. 17 *Geo.* 2. *c.* 34. 18 *Geo.* 2. *c.* 31. 20 *Geo.* 2. *c.* 38. 22 *Geo.* 2. *c.* 52. 24 *Geo.* 2. *c.* 47. 28 *Geo.* 2. *c.* 16.

'WHEREAS the unwarrantable Hostilities begun by the *French*, have necessarily engaged his 'Majesty in actual War with the *French* King in Defence of his Subjects, and the Rights and 'Possessions of his Crown: And whereas his Majesty has been pleased to notify the same by Proclama-'tion, and a publick Declaration thereof, on the seventeenth Day of *May* in the Year of our Lord

'one

'one thousand seven hundred and fifty-six:' Now for the better carrying on the said War with Vigour, and for the Encouragement of the Officers and Seamen of his Majesty's Ships of War, and the Officers and Seamen of all other *British* Ships and Vessels, having Commissions and Letters of Marque, and for inducing all *British* Seamen, who may be in any foreign Service, to return into this Kingdom, and become serviceable to his Majesty; and for the more effectual securing and extending the Trade of his Majesty's Subjects; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Flag Officers, Commanders and other Officers, Seamen, Marines and Soldiers, on Board every Ship and Vessel of War in his Majesty's Pay, shall have the sole Interest and Property of and in all and every Ship, Vessel, Goods and Merchandizes which they shall take, from and after the seventeenth Day of *May* in the Year of our Lord one thousand seven hundred and fifty-six, during the Continuance of this War against *France* (being first adjudged lawful Prize in any of his Majesty's Courts of Admiralty in *Great Britain*, or in his Majesty's Plantations in *America* or elsewhere) to be divided in such Proportions, and after such Manner, as his Majesty, his Heirs and Successors, shall think fit to order and direct by Proclamation or Proclamations hereafter to be issued for those Purposes.

Prizes made by the King's Ships to be divided between the Captors, in the Proportions his Majesty shall order by Proclamation.

II. And be it further enacted by the Authority aforesaid, That the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the time being, or any three or more of them, or any Person or Persons by him or them impowered and appointed, shall, at the Request of any Owner or Owners of any Ship or Vessel, giving such Bail and Security as have been usually taken upon granting Commissions, or Letters of Marque (except only for the Payment of the Tenths of the Value of Prizes which shall be taken to the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral for the Time being) cause to be issued forth, in the usual Manner, one or more Commission or Commissions to any Person or Persons whom such Owner or Owners shall nominate to be Commander; or in case of Death, successively, Commanders of such Ship or Vessel, for the attacking, surprizing, seizing and taking, by and with such Ship or Vessel, or with the Crew thereof, any Place or Fortress upon the Land, or any Ship or Vessel, Goods, Ammunition, Arms, Stores of War or Merchandize belonging to, or possessed by, any of his Majesty's Enemies, in any Sea, Creek, Haven or River; and that such Ship or Ships, Vessel or Vessels, Arms, Ammunition, Stores of War, Goods and Merchandizes whatsoever, with all their Furniture, Tackle or Apparel so to be taken by or with such private Owner or Owners Ship or Vessel, according to such Commission and Commissions (being first adjudged lawful Prize in any of his Majesty's Courts of Admiralty as aforesaid) shall wholly and entirely belong to and be divided between and among the Owner and Owners of such Ship or Vessel, and the several Persons which shall be on Board the same, and be aiding and assisting to the taking thereof, in such Shares and Proportions as shall be agreed on with the Owner or Owners of such Ship or Vessel as shall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattels of such Owner or Owners, and the Persons that shall be thus entitled thereto, by virtue of such Agreements among themselves; and that neither his Majesty, his Heirs or Successors, or any Admiral, Vice Admiral, Governor, or other Person commissioned by or claiming under his Majesty, his Heirs or Successors, or any Person or Persons whatsoever, other than the Owner or Owners of such Ship or Vessel, being the Captor of such Prize, Ship or Vessel, Arms, Ammunition, Stores of War, Goods and Merchandizes, and the Persons claiming under him or them, shall be entitled to any Part or Share thereof (except as to the Customs and Duties hereafter mentioned) any Custom, Statute or other Law to the contrary notwithstanding.

Admiralty to issue Commissions to Privateers, they giving the usual Security.

Repealed by 32 *Geo.* 2. *c.* 25.

Prizes to be divided according to Contract between Owners and Captors.

III. And for the more speedy proceeding to Condemnation, or other Determination of any Prize, Ship or Vessel, Goods or Merchandizes already taken, or hereafter to be taken as aforesaid, and for lessening of the Expences that have been usual in the like Cases, Be it further enacted by the Authority aforesaid, That the Judge or Judges of such Court of Admiralty, or other Person or Persons thereto authorized, shall, within the Space of five Days after Request to him or them for that Purpose made, finish the usual preparatory Examination of the Persons commonly examined in such Cases, in order to prove the Capture to be lawful Prize, or to enquire whether the same be lawful Prize or not; and that the proper Monition usual in such Cases, shall be issued by the Person or Persons proper to issue the same, and shall be executed in the usual Manner by the Person or Persons proper to execute the same, within the Space of three Days after Request in that Behalf made; and in case no Claim of such Capture, Ship, Vessel or Goods shall be duly entered or made in the usual Form, and attested upon Oath, giving twenty Days Notice after the Execution of such Monition; or if there be such Claim, and the Claimant or Claimants shall not within five Days give sufficient Security (to be approved of by such Court of Admiralty) to pay double Costs to the Captor or Captors of such Ship, Vessel or Goods, in case the same so claimed shall be adjudged lawful Prize; that then the Judge or Judges of such Court of Admiralty shall, upon producing to him or them the said Examinations or Copies thereof, and upon producing to him or them, upon Oath, all Papers and Writings which shall have been found, taken in or with such Capture; or upon Oath made that no such Papers or Writings were found, immediately, and without further Delay, proceed to Sentence, either to discharge and acquit such Capture, or to adjudge and condemn the same as lawful Prize, according as the Case shall appear to him or them upon Perusal of such preparatory Examinations; and also of the other last-mentioned Papers and Writings found, taken in or with such Capture, if any such Papers or Writings shall be found; and in case such Claim shall be duly entered or made, and Security given thereupon, according to the Tenor and true Meaning of this Act, and there shall appear no Occasion to examine any Witnesses, other than what shall be then near to such Court of Admiralty, that then such Judge or Judges shall

Judge to finish the preparatory Examination, with respect to Captures, within five Days.

Monition to be issued and executed within 3 Days after.

If no Claim be made within a limited Time, or Security given by the Claimant, the Judge to proceed to Sentence.

If Claim be entered, and Security given, and Witnesses be near, Determination to be made within ten Days.

shall forthwith cause such Witnesses to be examined within the Space of ten Days after such Claim made and Security given, and proceed to such Sentence as aforesaid, touching such Capture; but in case upon making or entering such Claim, and the Allegation and Oath thereupon, or the producing such Papers or Writings as shall have been found or taken in or with such Capture, or upon the said preparatory Examinations, it shall appear doubtful to the Judge or Judges of such Court of Admiralty, whether such Capture be lawful Prize or not; and it shall appear necessary, according to the Circumstances of the Case, for the clearing and determining such Doubt, to have an Examination, upon Pleadings given in by the Parties, and admitted by the Judge, of Witnesses that are remote from such Court of Admiralty, and such Examination shall be desired, and that it be still insisted on, on Behalf of the Captors, that the said Capture is lawful Prize, and the contrary be still persisted in on the Claimants Behalf; that then the said Judge or Judges shall forthwith cause such Capture to be appraised by Persons to be named by the Parties, and appointed by the Court, and sworn truly to appraise the same according to the best of their Skill and Knowledge; for which Purpose the said Judge or Judges shall cause the Goods found on Board to be unladen, and an Inventory thereof being first taken by the Marshal of the Admiralty or his Deputy, shall cause them to be put into proper Warehouses, with separate Locks of the Collector and Comptroller of the Customs; and where there is no Comptroller, of the Naval Officer; and the Agents or Persons employed by the Captors and Claimants, at the Charge of the Party or Parties desiring the same; and shall after such Appraisement made, and within the Space of fourteen Days after the making of such Claim, proceed to take good and sufficient Security from the Claimants, to pay the Captors the full Value thereof according to such Appraisement, in case the same shall be adjudged lawful Prize; and shall also proceed to take good and sufficient Security from the Captors, to pay such Costs as the Court shall think proper, in Case such Ship shall not be condemned as lawful Prize; and after such Securities duly given, the said Judge or Judges shall make an interlocutory Order for releasing or delivering the same to such Claimant or Claimants, or his or their Agents, and the same shall be actually released or delivered accordingly.

If the Legality of the Capture appear doubtful, and the Parties persist in litigating,

Judge to order the Capture to be appraised,

and the Goods to be unloaded and lodged in Warehouses, and an Inventory taken,

and upon Security for full Value taken of the Claimant, and for Costs of the Captors, to make Order for release of the Capture to Claimant.

IV. And it is hereby further enacted by the Authority aforesaid, That if any Claimant or Claimants shall refuse to give such Security, the Judge or Judges shall cause the Captor or Captors in like Manner to give good and sufficient Security, to be approved of by the Claimant or Claimants, to pay the said Claimant or Claimants the full Value thereof, according to the Appraisement, in case any such Capture or Captures shall be adjudged not to be lawful Prize; and the said Judge or Judges shall thereupon proceed to make an interlocutory Order for the releasing and delivering the same to the said Captor or Captors, or their Agents.

Claimant refusing, and Captor giving such Security, Judge to make order for Delivery of Prize to Captor.

V. And it is further enacted by the Authority aforesaid, That all such Captures as aforesaid, which shall be brought into any of his Majesty's Colonies or Plantations in *America*, shall, without breaking Bulk, stay there, and be under the joint Care and Custody of the Collector and Comptroller of the Customs, or where there is no Comptroller, of the Naval Officers of the Port or Place where the same shall be brought, and all the Captors thereof, and their Agents; subject to the Directions of the Court of Admiralty, until either the same shall by final Sentence have been either cleared and discharged, or adjudged and condemned as lawful Prize; or that such interlocutory Order as aforesaid, shall have been made for the releasing or delivering of the same; and upon the Condemnation or Adjudication thereof as lawful Prize, shall, in case the same were taken by any such private Ship or Ships commissioned as aforesaid, be immediately delivered unto the Captors thereof, and their Agents, to be by them disposed of as their Goods and Chattels; and in case the same were taken by any of his Majesty's Ships of War, unto such Person or Persons, and to be so divided and disposed of, as his Majesty, his Heirs and Successors shall, by Proclamation or Proclamations hereafter to be issued for those Purposes, order and direct.

Captures made in America, to be under the joint Care of the Officers of the Customs and Captors, till condemned or acquitted there.

Upon Condemnation, Prize to be delivered to the Captors.

VI. And be it further enacted by the Authority aforesaid, That if any Judge or Judges, or other Officer or Officers, in any of his Majesty's Plantations or Dominions abroad, to whom respectively it shall appertain, shall delay the doing, performing, making or pronouncing any of the several Proceedings, Matters or Things, for, towards or relating to condemning or discharging, releasing or delivering of any such Capture in Manner aforesaid, within the respective Times herein before limited, or as soon as the same or any of them, ought to be done, according to the Tenor and true Meaning of this Act, all and every such Judge and Judges, and other Officer and Officers, shall for every such Offence, forfeit the Sum of five hundred Pounds; one Moiety thereof to his Majesty, his Heirs and Successors, the other Moiety thereof, with full Costs of Suit, to such Person or Persons who shall inform or sue for the same, in any of the Courts in or for any of his Majesty's said Colonies or Plantations, or in any of his Majesty's Courts of Record within his Kingdom of *Great Britain*.

Judge or other Officer in America, guilty of Neglect or Delay,

forfeits 500 l

with Costs.

VII. And it is hereby further enacted by the Authority aforesaid, That there shall not be paid unto or among all the Judges and Officers of such Court of Admiralty in any of his Majesty's Plantations or Dominions abroad, for, towards or relating to the adjudging or condemning of such Capture as aforesaid, as lawful Prize, above the Sum of ten Pounds, in case such Prize, Ship or Vessel, be under the Burthen of one hundred Tons; nor above the Sum of fifteen Pounds, in case the same be of that or any greater Burthen; and that upon Payment of either of the said respective Sums, as the Case shall require, to the said Judge or Judges, or any of them, to be by him or them disposed or divided, as he or they shall think fit, among the Officers of such Court, such Judges and Officers, and every of them, shall be liable to all and every the several Penalties hereby imposed, for neglecting or delaying to do and perform their several and respective Duties or Offices in and relating to the several Proceedings aforesaid, within the respective Times herein for that Purpose limited.

Fees of Court on Condemnation of Prizes in America; for Vessels under 100 Tons, 10 l. for all above, 15 l.

Upon Payment of the Fees, Judge or Officer, liable to the above Penalties for Neglect or Delay of Duty.

VIII. Provided nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That if any Captor or Captors, Claimant or Claimants, ſhall not reſt ſatisfied with the Sentence given in ſuch Court of Admiralty in any of his Majeſty's Plantations or Dominions abroad, it ſhall and may be lawful for the Party or Parties thereby aggrieved to appeal from the ſaid Court of Admiralty, to the Commiſſioners appointed, or to be appointed, under the Great Seal of *Great Britain*, for receiving, hearing and determining Appeals in Cauſes of Prizes; ſuch Appeal to be allowed in the like Manner as Appeals to ſuch Commiſſioners are now allowed from the Court of Admiralty within this Kingdom; ſo as the ſame be made within fourteen Days after Sentence, and good Security be likewiſe given by the Appellant or Appellants, that he or they will effectually proſecute ſuch Appeal, and anſwer the Condemnation, and alſo pay treble Coſts, as ſhall be awarded, in caſe the Sentence of ſuch Court of Admiralty be affirmed; any Thing in this Act before contained to the contrary hereof in any wiſe notwithſtanding.

Judgment of the Court may be appealed from.

Appeal to be made within 14 Days after Sentence, and Security to be given to proſecute the ſame, &c.

IX. Provided always, That the Execution of any Sentence ſo appealed from as aforeſaid, ſhall not be ſuſpended by reaſon of ſuch Appeal, in caſe the Party or Parties appellate ſhall give ſufficient Security, to be approved of by the Court in which ſuch Sentence ſhall be given, to reſtore the Ship, Veſſel, Goods or Effects, concerning which ſuch Sentence ſhall be pronounced, or the full Value thereof, to the Appellant or Appellants, in caſe the Sentence ſo appealed from ſhall be reverſed.

Execution of Sentence not to be ſuſpended, if the Appellate give Security.

X. And be it enacted, That in caſe any Perſon, who was not a Party in the firſt Inſtance of the Cauſe, ſhall interpoſe an Appeal from a Sentence given in any Admiralty Court, ſuch Perſon or his or her Agent ſhall, at the ſame Time enter his or her Claim, otherwiſe ſuch Appeal ſhall be null and void.

Perſon who was not a Party in the firſt Inſtance, interpoſing an Appeal, is to enter his Claim.

XI. And be it further enacted by the Authority aforeſaid, That if any Commander or Commanders, Officer or Officers, Seamen, Marines, Soldiers or others, ſhall break Bulk on Board, or imbezil any of the Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture or Apparel of or belonging to ſuch Prize or Prizes ſo taken, ſuch Commander, Officer, Seaman, Marine, Soldier or others, ſhall forfeit treble the Value of all ſuch Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture or Apparel, as he or they ſhall imbezil; one third Part thereof to be to the Uſe of *Greenwich Hoſpital*, and the other two third Parts thereof to him or them that will ſue for the ſame by Action of Debt, Plaint or Information in any Court of Record in *Great Britain*; in which no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

Captors breaking Bulk, or imbeziling Effects, to forfeit treble Value.

One Third to Greenwich Hoſpital, and the other two to the Proſecutor.

XII. And be it further enacted by the Authority aforeſaid, That all Appraiſements and Sales of any Ship or Ships, Goods, Wares or Merchandizes, as ſhall be taken by any of his Majeſty's Ships of War, ſhall be made by Agents or Perſons nominated and appointed in equal Numbers by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ship's Company, and others intitled thereunto (that is to ſay) That if the Flag Officers or Flag Officer of any Fleet or Squadron of Ships as ſhall take any ſuch Prize or Prizes (or the Majority of ſuch Flag Officers, if more than one) ſhall nominate and appoint one or more Perſon or Perſons, Agent or Agents, to ſell or appraiſe the ſame as aforeſaid, then the Captains and Commanders or Captain and Commander intitled thereunto, or the Majority of them (if more than one) ſhall nominate and appoint the like Number of Perſons or Agents to act for them; and all the other Officers under the Degree of a Captain and Commander intitled thereto, or the major Part of them, ſhall alſo nominate and appoint the like Number of Perſons or Agents to act for them; and all the Crews of the ſeveral Ships Companies of the Fleet or Squadron, or Ship's Company and others intitled thereto, or the major Part of them, ſhall likewiſe nominate and appoint the ſame Number of Perſons or Agents to act on their Behalf in ſuch Appraiſement or Sale.

Appraiſements and Sales of Prizes taken by the King's Ships, to be made by the Agents for Officers and Crews.

Regulations concerning of Agents.

XIII. Provided, That nothing herein contained ſhall extend, or be conſtrued to alter or make void any Agreement or Agreements made or to be made in Writing between the Owners, Officers and Seamen of any private Ships or Veſſels of War.

Not to extend to Privateers.

XIV. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall be ſo nominated and appointed Agent or Agents as aforeſaid for any Prize or Prizes taken by any Ship or Ships, Veſſel or Veſſels of War, or by any Merchant Ship or Ships employed in his Majeſty's Service, or having Letters of Marque, or for receiving the Bounty herein after granted, and which Prize or Prizes ſhall be condemned in the High Court of Admiralty in *Great Britain*, or in any of the Courts of Admiralty in any of his Majeſty's Plantations in *America*, or in any other his Majeſty's Dominions, or elſewhere, where the ſaid Prize and Prizes, and every of them, ſhall be condemned, ſhall exhibit and cauſe to be regiſtered in the ſaid High Court of Admiralty in *Great Britain*, or in the reſpective Courts of Admiralty in *America*, or in any other his Majeſty's Dominions, or elſewhere, where the ſaid Prize and Prizes, and every of them, ſhall be condemned, his or their reſpective Letter or Letters of Attorney appointing him or them Agent or Agents for the Purpoſes aforeſaid; and if any Perſon or Perſons ſo appointed Agent or Agents as aforeſaid, ſhall refuſe or neglect ſo to do for the Space of ſix Calendar Months next after Sentence of Condemnation of any Prize ſhall be given in the ſaid High Court of Admiralty in *Great Britain*, or in *America*, or other his Majeſty's Dominions, for the Care and Diſtribution of which he or they ſhall be appointed Agent or Agents, ſuch Perſon or Perſons ſo refuſing or neglecting ſhall forfeit the Sum of five hundred Pounds, to be recovered by him or them who ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information in any Court of Record in *Great Britain*, *America* or in any other of his Majeſty's Dominions, or elſewhere; in which no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed.

Agents to exhibit and regiſter their Letters of Attorney in the Court where the Prize ſhall be condemned, on Penalty of 500 *l.*

XV.

Agent appointed after Condemnation to regiſter his Letters of Attorney in like Manner.

XV. Provided always, That if any Agent or Agents ſhall be appointed after the Time any Sentence of Condemnation in any of the ſaid Courts of Admiralty ſhall be given, ſuch Agent or Agents ſhall, under the aforeſaid Penalty, regiſter or cauſe to be regiſtered in Manner aforeſaid, his or their reſpective Letters or Letter of Attorney, appointing him or them Agent or Agents as aforeſaid within the Space of ſix Calendar Months after the Date of the ſaid Letter or Letters of Attorney.

Agents to give Notice of the Time appointed for Payment of the Shares.

XVI. And be it further enacted by the Authority aforeſaid, That after the Sale or Sales of ſuch Prize or Prizes, as ſhall be taken from the Enemy by any of his Majeſty's Ships of War, publick Notification ſhall be given by the Perſons or Agents appointed as aforeſaid, of the Day appointed for the Payment of the ſeveral Shares to the Captors aforeſaid; after which publick Notification, if any Mens Shares ſhall remain in the Hands of the Perſons or Agents appointed as aforeſaid, either belonging to ſuch Men as ſhall be run from his Majeſty's Service, or which ſhall not be legally demanded within three Years, then ſuch Share or Shares ſo remaining in the Perſons or Agents Hands, or belonging to ſuch Men as ſhall run from his Majeſty's Service, ſhall go and be paid to the Uſe of *Greenwich Hoſpital*.

Shares of run Men, and ſuch as ſhall not be demanded within 3 Years, to be paid to Greenwich Hoſpital.

Prize Goods not exempted from Cuſtoms.

XVII. Provided always, and be it declared and enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend or exempt any Ships, Goods, Wares or Merchandize already taken, and which ſhall be taken as Prize, and brought or imported into this Kingdom, or any of his Majeſty's Plantations in *America*, from the Payment of any Cuſtoms or Duties, or from being ſubject to ſuch Reſtrictions and Regulations to which the ſame now are or ſhall hereafter be liable by virtue of the Laws and Statutes of this Realm.

Prize Ships condemned, to be conſidered as Britiſh built Ships.

XVIII. And be it enacted by the Authority aforeſaid, That all Prize Ships or Veſſels which ſhall be legally condemned, ſhall to all Intents and Purpoſes whatſoever be conſidered as *Britiſh* built Ships or Veſſels, and be deemed and taken as ſuch, and ſhall be intitled to have and enjoy all and every the ſame Rights, Liberties, Privileges and Advantages, in all Reſpects whatſoever with *Britiſh* built Ships or Veſſels, and ſhall be ſubject and liable to all and every the Rules and Regulations that *Britiſh* built Ships or Veſſels are ſubject and liable to; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

12 Car. 2. c. 18. §. 8.

'XIX. And whereas by a Clauſe in an Act of Parliament paſſed in the twelfth Year of the Reign of 'King CHARLES the Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*, it is enacted, That no Goods or Commodities of the Growth, Production or Manufacture of *Muſcovy*, or of any the Countries, Dominions or Territories to the Great Duke or Emperor of *Muſcovy* or *Ruſſia* belonging; as alſo that no Sorts of Maſts, Timber or Boards, no foreign Salt, Pitch, Tar, Roſin, Hemp or Flax, Raiſins, Figs, Prunes, Olive Oils, no Sort of Corn or Grain, Sugar, Pot Aſhes, Wines, Vinegar, or Spirits called *Aqua Vitæ* or Brandy Wine, ſhould, from and after the firſt Day of *April* which was in the Year of our Lord one thouſand ſix hundred and ſixty-one, be imported into *England*, *Ireland*, *Wales*, or Town of *Berwick upon Tweed*, in any Ship or Ships, Veſſel or Veſſels whatſoever, but in ſuch as do truly and without Fraud belong to the People thereof, or ſome of them, as the true Owners and Proprietors thereof, and whereof the Maſter and three Fourths of the Mariners at leaſt are *Engliſh*; and that no Currans, nor Commodities of the Growth, Product or Manufacture of any of the Countries, Iſlands, Dominions or Territories to the *Othoman* or *Turkiſh* Empire belonging, ſhould, from and after the firſt Day of *September* which was in the Year of our Lord one thouſand ſix hundred and ſixty-one, be imported into any of the forementioned Places in any Ship or Veſſel but which is of *Engliſh* Built, and navigated as aforeſaid, and in no other, except only ſuch foreign Ships and Veſſels as are of the Built of that Country or Place of which the ſaid Goods are the Growth, Production or Manufacture reſpectively, or of ſuch Port where the ſaid Goods can only be, or moſt uſually are firſt ſhipped for Tranſportation, and whereof the Maſter and three Fourths of the Mariners at leaſt are of the ſaid Country or Place, under the Penalty and Forfeiture of Ship and Goods: And whereas the ſelling of *Britiſh* built Ships to Foreigners is a beneficial Branch of Trade, and ought therefore to be encouraged, and it is highly reaſonable that *Britiſh* Ships ſo ſold to, or being the Property of Foreigners, ſhould enjoy the ſame Privilege in theſe Kingdoms, as if they were of the built of the reſpective Countries or Places from whence ſuch Ships do come;' Now be it further enacted by the Authority aforeſaid, That from and after the ſaid ſeventeenth Day of *May* one thouſand ſeven hundred and fifty-ſix, and during the preſent War with *France*, and no longer, the ſaid recited Clauſe in the ſaid Act of the twelfth Year of the Reign of King CHARLES the Second, ſhall not extend or be conſtrued to extend to hinder or prevent any Perſon or Perſons whatſoever from importing into the Kingdom of *Great Britain* or *Ireland*, any of the Goods or Merchandizes mentioned and expreſſed in the aforeſaid Clauſe, in Shipping built in *Great Britain*, *Ireland*, the Iſlands of *Guernſey* or *Jerſey*, or in any of the Lands, Iſlands, Dominions and Territories to his Majeſty in *Africa*, *Aſia* or *America* belonging, or in his Poſſeſſion, ſo as the Maſter and three Fourths of the Mariners at leaſt, belonging to and navigating any ſuch Ship or Veſſel, are *Britiſh*, or of the ſame Country or Place of which the ſaid Goods are the Growth, Production and Manufactures reſpectively, and not otherwiſe.

The recited Clauſe not to prohibit the Importation in Britiſh built Veſſels, of the Goods mentioned therein, ſo as ſuch Ships are navigated as herein directed.

Goods imported in Britiſh built Ships, being the Property of Foreigners, to pay Aliens Duty.

XX. Provided always, That all Goods and Merchandizes imported into *Great Britain* or *Ireland*, in Ships belonging to, and the Property of Foreigners, although *Britiſh* built, ſhall pay Aliens and all other Duties, in the ſame Manner as if ſuch Ships were Foreign built.

XXI. And as a further Encouragement to the Officers, Seamen, Marines, Soldiers and others on Board his Majeſty's Ships of War, as alſo of Privateers, to attack, take and deſtroy any Ships of Force belonging to the Enemy; Be it enacted by the Authority aforeſaid, That there ſhall be paid by the Treaſurer

Treasurer of his Majesty's Navy, upon Bills to be made forth by the Commissioners of the Navy, to be paid according to the Course thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers or others that shall have been actually on Board any of his Majesty's Ship or Ships of War, or Privateer or Privateers, in any Action where any Ship or Ships of War or Privateers shall have been taken from the Enemy, sunk, burnt or otherwise destroyed, since his Majesty's Declaration of War against *France*, dated the said seventeenth Day of *May* one thousand seven hundred and fifty-six, five Pounds for every Man which was living on Board any Ship or Ships so taken, sunk, burnt or otherwise destroyed, at the Beginning of the Engagement between them: the Numbers of such Men to be proved by the Oaths of three or more of the Chief Officers or Men which were belonging to the said Ship or Ships of War, or Privateers of the Enemy, or belonging to any of them, at the Time of her or their being taken as Prize, sunk, burnt or otherwise destroyed, before the Mayor, or other Chief Magistrate of the Port within any of his Majesty's Dominions, whereunto any Prize, or Officers or Men of such Ships as were sunk, burnt or otherwise destroyed shall be brought, or before the *British* Consul or Vice Consul, residing at any neutral Port to which such Prize, or Officers or Men shall be brought: which Oaths the said Mayor, or other Chief Magistrate of any such Port, or Consul, or Vice Consul, are hereby respectively impowered and required to administer, and shall forthwith grant a Certificate thereof without Fee or Reward, directed to the Commissioners of the Navy; upon producing which Certificate to the Commissioners of his Majesty's Navy, together with an authentick Copy of the Condemnation of such Ship so taken, or if such Ship be sunk, burnt or otherwise destroyed, on producing only a Certificate from the Mayor, or other Chief Magistrate or Consul, or Vice Consul as aforesaid, the said Commissioners of his Majesty's Navy, or such Person or Persons as they shall appoint for that Purpose, shall, according to the Course of the Navy, within fifteen Days, make out Bills for the Amount of such Bounty, directed to the Treasurer of the Navy, payable to, and to be divided amongst the Officers, Seamen, Marines and Soldiers on board his Majesty's Ships of War, in Manner, Form and Proportion as by his Majesty's Proclamation to be issued for that Purpose shall be directed and appointed; and amongst the Owners, Officers and Seamen of any private Vessel or Ship of War, in such Manner and Proportion as by any Agreement in Writing they shall have entered into for that Purpose shall be directed.

Bounty Money payable to the Captors by the Navy Office, for all Men on Board the Enemies Ships of War taken or destroyed.

Numbers to be ascertained upon Oath;

and a Certificate to be granted thereof, and produced to the Commissioners of the Navy, with Copy of Ship's Condemnation; unless the Ship be sunk or destroyed.

Dividend to be made according to Proportion settled by Proclamation.

XXII. Provided nevertheless, That in all Cases where such Oath and Certificate cannot be administered and granted at the first Port whereunto any Prize, or Officers or Men of such Ships as shall be taken, sunk, burnt or otherwise destroyed shall be brought, such Oath or Oaths relating to any Prize or Prizes that shall be taken, or to any Ships of his Majesty's Enemies, that shall be sunk, burnt or otherwise destroyed as aforesaid, shall and may be administered and taken by and before the Mayor, or other Chief Magistrate of any Port within any of his Majesty's Dominions, or by or before the *British* Consul or Vice Consul, residing at any Neutral Port whereunto any Prize or Prizes, or Officers or Men of any Ships belonging to his Majesty's Enemies, as shall be taken, sunk, burnt or otherwise destroyed, shall at any Time afterwards be brought (Proof being first made by Affidavit before such Person or Persons of the Inability of making such Oath or Oaths, and obtaining such Certificate, at the said first Port) and the Mayor, or other Chief Magistrate, Consul or Vice Consul, shall thereupon grant such Certificate and Certificates as are herein before directed; which Certificate and Certificates shall be good and effectual to all Intents and Purposes, as if the same were granted by the Mayor, or other Chief Magistrate, Consul or Vice Consul of the Port to which such Prize or Prizes, Officers or Men as aforesaid shall be first brought; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Where such Oath and Certificate cannot be made and had at the first Port, the same may be made and had at any other Port;

Oath being made of such Inability at the first Port.

Certificate granted thereupon to be valid.

XXIII. And be it further enacted by the Authority aforesaid, That the Bill or Bills to be made out for the Bounty hereby granted to the Commanders, Officers, Seamen, Marines, Soldiers and others of his Majesty's Ships of War, for taking, sinking, burning or otherwise destroying any Ships of War or Privateers belonging to any of his Majesty's Enemies, shall be made payable to such Person or Persons as shall be authorized and appointed by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ship's Company and others intitled thereunto, in like Manner as herein before is directed for the nominating and appointing Agents for Appraisements and Sales to be made as aforesaid; the same to be distributed and divided by the said Person or Persons so authorized and appointed amongst the Captors, in such Manner, Form and Proportion as aforesaid; the several Shares of which Captors, if not legally demanded within three Years after publick Notification, and also of such as shall run from his Majesty's Service, shall be applied to the Use of *Greenwich Hospital*; and that the Bill or Bills to be made out for the Bounty hereby granted to Privateers for taking, burning, sinking or otherwise destroying any Ships of War or Privateers belonging to any of his Majesty's Enemies, shall be made payable to such Person or Persons as shall be nominated and appointed by the Owner or Owners, Officers and Seamen of such Privateer or Privateers, who shall have taken, sunk, burnt or otherwise destroyed the same, or the major Part of them; to be divided in such Manner and Proportions as shall have been agreed on by them as aforesaid.

Bills for Bounty Money to be paid to Agents.

and divided amongst the Captors.

Shares not demanded within three Years, to be paid to Greenwich Hospital.

Bounty Money to Privateers, to be divided as agreed.

XXIV. Provided always, and be it enacted, That if any Ship, Vessel or Boat taken as Prize, or any Goods therein shall appear and be proved in the Court of Admiralty to have belonged to any of his Majesty's Subjects of *Great Britain* or *Ireland*, or any of the Dominions and Territories remaining and continuing under his Majesty's Protection and Obedience, which were before taken or surprized by any of his Majesty's Enemies, and at any Time afterwards again surprized and retaken from his Majesty's Enemies by any of his Majesty's Ships of War, or any private Man of War or other Ship, Vessel or Boat under his Majesty's Protection and Obedience, that then such Ships, Vessels, Boats and Goods, and every such Part and Parts thereof as aforesaid, formerly belonging to such his Majesty's Subjects,

Ships or Goods belonging to his Majesty's Subjects taken by the Enemy, and retaken by the King's Ships or Privateers,

to be restored on paying Salvage in Proportion to the Time they were in the Enemy's Hand.

Subjects, shall in all Cases be adjudged to be restored, and shall be by Decree of the said Court of Admiralty accordingly restored to such former Owner or Owners or Proprietors, he or they paying for and in lieu of Salvage, if retaken from the Enemy by one of his Majesty's Ships of War, one eighth Part of the true Value of the Ships, Vessels, Boats and Goods respectively so to be restored; which Salvage shall be answered and paid to the Captains, Officers and Seamen in the said Man of War, to be divided in such Manner as before in this Act is directed, touching the Share of Prizes belonging to the Flag Officers, Captains, Officers, Seamen, Marines and Soldiers, where Prizes are taken by any of his Majesty's Ships of War; and if taken by a Privateer or other Ship, Vessel or Boat, before it has been in the Possession of the Enemy twenty-four Hours, one eighth Part of the true Value of the said Ships, Vessels, Boats and Goods; and if it has been in the Possession of the Enemy above twenty-four Hours, and under forty-eight Hours, a fifth Part thereof; and if above forty-eight Hours, and under ninety-six Hours, a third Part thereof; and if above ninety-six Hours, a Moiety thereof; all which Payments to be made to any Privateer or other Ship, Vessel or Boat shall be without any Deductions; and if such Ship so retaken by any of his Majesty's Ships of War, or by any private Man of War, shall appear to have been, after the taking by the Enemy, by them set forth as a Man of War, the former Owners and Proprietors, to whom the same shall be restored, shall be adjudged to pay, and shall pay for Salvage, the full Moiety of the true Value of the said Ship so taken and restored, without Deduction as aforesaid; any Law, Custom or Usage to the contrary notwithstanding.

Payment of Salvage to be without Deduction.

If the Ship retaken was fitted out by the Enemy as a Man of War, Owner to pay for Salvage the Moiety of the Value.

Ships or Merchandize taken by Collusion by Privateers, forfeited to his Majesty, with the Bond; one Moiety to the Crown, the other to the Prosecutor, and if so taken by a King's Ship, the Captain to forfeit 1000 l.

and be suspended for seven Years;

and the Ship and Goods forfeited.

XXV. And be it further enacted by the Authority aforesaid, That in case any Ship or Vessel, or any Goods or Merchandize, shall be taken by any Privateer through Consent, or clandestinely, or by Collusion or Connivance, such Ship and Vessel, and such Goods and Merchandizes, and also the Ship's Tackle, Furniture, Apparel and Ammunition of such Privateer, shall, upon Proof thereof to be made in his Majesty's Court of *Exchequer*, or in the Court of Admiralty, be declared and adjudged to be good Prize to his Majesty; and one Moiety thereof shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Use of such Person who shall discover and sue for the same; and the Bond given by the Captain of such Privateer shall be, and is hereby adjudged to be forfeited to his Majesty; and in case any such Ship or Vessel, or any Goods or Merchandizes as aforesaid, shall be taken by any Man of War, through Consent, clandestinely, or by Collusion or Connivance of the Commander or Captain, such Commander or Captain shall forfeit the Sum of one thousand Pounds; one Moiety thereof to the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Use of such Person who shall discover and sue for the same; to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record; wherein no Essoin, Protection, Privilege or Wager of Law, or any more than one Imparlance shall be allowed; and such Captain or Officer shall forfeit his Command and Employment, and shall be, and is hereby disabled and made incapable of any Office or Employment under his Majesty, during the Space of seven Years; and the said Goods and Merchandizes, and the Ship, Tackle, Apparel, Furniture, Guns and Ammunition so taken by Collusion, shall be and is hereby adjudged to be good Prize to his Majesty.

Run Men forfeit their Share of Prize and Bounty Money;

XXVI. And be it further enacted by the Authority aforesaid, That no Person or Persons belonging to any of his Majesty's Ships or Vessels of War, or to any Merchant Ship employed in his Majesty's Service, who shall run away, or withdraw him or themselves from the Ship or Vessel, by which any Prize or Prizes shall be taken from any of his Majesty's Enemies, or otherwise from his Majesty's Service, before or after Notification shall be given by the Persons or Agents appointed as aforesaid, of the Day appointed for the Payment of the several Shares to the Captors of the said Prize or Prizes, shall have, or be intitled to have, or claim any Interest in, or Benefit of the said Share or Shares of the said Prize or Prizes, or the Bounty Money aforesaid, or any Part thereof; but such Share and Shares of such Prize and Prizes and Bounty Money shall go and be paid to the Use of *Greenwich Hospital*.

to be paid to Greenwich Hospital;

and if they run, after Notification, to lose what then remains of their Share in the Agents Hands.

XXVII. Provided always, That if any Person or Persons shall or do run away, or withdraw him or themselves from any such Ship or Vessel as aforesaid, after Notification given as aforesaid, he or they shall forfeit and lose such Part of his and their Share and Shares of the said Prize or Prizes and Bounty Money as shall be remaining in the said Agent or Agents Hands, at the Time of his and their running away, or withdrawing him or themselves; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

Agents, within three Months after the Day appointed for first Payment, to transmit to the Treasurer of Greenwich Hospital an Account of the Produce of such Prize;

and Payments of Shares;

and also transmit a like Account of the Bounty Money;

XXVIII. And be it enacted by the Authority aforesaid, That all and every Person and Persons, Agent and Agents, and others who shall sell or otherwise dispose of any Prize or Prizes so to be taken as aforesaid from any of his Majesty's Enemies, shall, within the Space of three Calendar Months next after the Day to be appointed for the first Payment or Distribution to the Captors of such Prize or Prizes, made in pursuance of such publick Notification as aforesaid, make out and transmit, or deliver unto the Treasurer of the said Royal Hospital at *Greenwich* for the Time being, or to such Person or Persons as he shall for that Purpose depute or appoint, a true State and Account in Writing, under the Hand or Hands of such Agent or Agents, or Person or Persons so employed, of the Produce of all such Prize and Prizes as aforesaid, together with an Account of the Payments of the several Shares to the Captors, as shall then have been really and *bona fide* by him or them respectively paid; and also that all and every Person and Persons authorized and appointed by this present Act to receive Bills for the Bounty hereby granted, shall, within the like Space of three Calendar Months next after the Day appointed for the first Payment or Distribution of such Bills for the Bounty as aforesaid, in like Manner make out and transmit, or deliver to the Treasurer, for the Time being, of the said Hospital, or to his sufficient Deputy, a true State and Account in Writing, under his or their Hand or Hands, of the Payment and Distribution of such Bills; and further that all and every Person and Persons, Agents and others,

others, that by virtue of this Act shall sell or dispose of any Prize or Prizes, which shall at any Time or Times hereafter be taken from the said Enemy, by any of his Majesty's Ships or Vessels of War, or that shall receive or dispose of any Bill or Bills for Bounty, such Person and Persons, Agents and others so selling and disposing thereof, shall, within the Space of three Calendar Months next after the Expiration of the Term of three Years, limited by this Act, make out an exact Account in Writing of the Produce of such Prize and Prizes, Bill and Bills for Bounty; as also of the Payments of the several Shares to the respective Captors, together with a true and just Account upon Oath, to be taken before the Treasurer of the said Hospital for the Time being, or any other Person or Persons, by him for that Purpose deputed and authorized, in Writing under his Hand and Seal (which Oath the said Treasurer of the said Hospital, and his sufficient Deputy and Deputies authorized as aforesaid, is and are hereby authorized and impowered to administer) of all Sum and Sums of Money as shall be then remaining in such Agent or Agents or Persons Custody, Power or Possession, and shall at the same Time deliver, or cause to be delivered to the Treasurer of the said Hospital for the Time being, or to his sufficient Deputy or Agent, the said Accounts so attested upon Oath as aforesaid, together with all such remaining Sum and Sums of Money then so left and remaining in his or their Hands as aforesaid, taking from the said Treasurer, or his proper Deputy or Agent, his or their Acquittance or Acquittances for the same.

and within three Years after, to make out on Oath, and transmit a like Account of the Produce and Payments of such Prizes and Bounty Money, and of all Sums then remaining in their Hands, which are to be paid over at the same Time to the Treasurer of the said Hospital.

XXIX. And be it further enacted, That all and every the Person and Persons hereby directed to transmit or deliver all or any the Accounts before-mentioned, who shall neglect or refuse to transmit or deliver all or any such Account or Accounts to the Treasurer of the said Hospital, or his said Deputy or Agent, within the Time before limited and appointed, in Manner and Form as is herein before-mentioned, or who shall neglect or refuse to pay over all and every such Sum and Sums of Money, as shall remain in his or their Hand or Hands, Power, Custody or Possession, after the Term of three Years, to be accounted as aforesaid, shall for every such Offence, forfeit the Sum of one hundred Pounds, over and above the Money then in such Agents Hands; one third Part whereof shall belong to his Majesty, and the remaining two Thirds to the said Royal Hospital, to be recovered with Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record, in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

Agents neglecting to render such Accounts and Payments, to forfeit 100 l. over and above the Money then in their Hands; one Third to the King, and the rest to the Hospital.

XXX. And be it further enacted, That if any Fraud, Collusion or Deceit, shall be wittingly or willingly made, used, committed, permitted or done or suffered, in making, stating or ballancing any such Accounts, then every Person or Persons, who shall be thereof duly convicted, and his and their Aiders and Abettors, shall forfeit and pay for every such Offence, over and above the Penalties and Punishments inflicted by this Act, the Sum of one hundred Pounds; one third Part whereof to be to the Use of his Majesty, and one other Third to the Use of the said Hospital, and the other Third to the Informer who shall sue for the same, to be recovered with Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any Court of Record, in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

If there appear any Fraud in such Accounts, Persons concerned to forfeit 100 l. extra. One Third to the King, one to the Hospital, and one to the Prosecutor.

'XXXI. And whereas good and necessary Laws have been made and are still in Force within several 'of his Majesty's Colonies or Plantations in *America*, for preventing the carrying off from the said Colonies 'or Plantations any Servant or Slave without the Consent of the Owner, or the carrying off from thence 'any other Person or Persons whatsoever, until such Person shall have taken out his Ticket from the Se'cretary's Office, within such respective Colony or Plantation, in such Manner, and under such Penalties 'and Forfeitures, as in and by the said several Laws is declared and provided;' Be it therefore further enacted by the Authority aforesaid, That all Commanders of private Ships of War, or Merchants Ships having Letters of Marque, shall upon their going into any of those Ports or Harbours, be subject, and they are hereby determined to be subject to the several Directions, Provisions, Penalties and Forfeitures in and by such Laws made and provided; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Privateers subject to the Laws in British Colonies in going into the Ports there.

XXXII. Provided always, That nothing in this Act contained shall be construed to restrain his Majesty, his Heirs and Successors, from giving such further Rules and Directions to his respective Courts of Admiralty, for the Adjudication and Condemnation of Prizes, as by his Majesty, his Heirs and Successors, with the Advice of his or their Privy Council, shall be thought necessary or proper.

His Majesty impowered to give further Rules to the Courts of Admiralty.

'XXXIII. And whereas in all private Ships of War, or Merchant Ships, that shall take out Letters 'of Marque, it is expedient for the better Discipline and Government of such Ships, that all Persons 'who shall enter themselves on Board the said Ships should be under proper Regulations to pay Obe'dience to the lawful Commands of the Captains and Chief Commanders of the said Ships;' Be it therefore enacted by the Authority aforesaid, That all Offences committed by any Officer or Seaman on Board any Privateer or Merchant Ship taking Letter of Marque during the present War with *France* shall be punished in such Manner as the like Offences are punishable on Board his Majesty's Ships of War.

Offences committed on Board Privateers, punishable as in the King's Ships.

XXXIV. Provided always, That all Offenders who shall be accused of such Crimes as are cognizable only by a Court-martial, shall be confined on Board such Privateer or Merchant Ship, carrying Letter of Marque, on which such Offence shall be committed, until they shall arrive in some Port in *Great Britain* or *Ireland*, or can meet with such a Number of his Majesty's Ships of War abroad as are sufficient to make a Court-martial; and upon Application made by the Commander of such Privateer or Merchant Ship, carrying Letter of Marque, to the Lord High Admiral of *Great Britain*, or Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or the Commander in Chief of his Majesty's said Ships of War abroad, the said Lord High Admiral, or Commissioners

Crimes cognizable only by a Court-martial, to be tried by a Court-martial.

Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or such Commander in Chief abroad, are hereby authorized and required to call a Court-martial for trying and punishing the said Offences.

Registers, on Penalty of 500 l. to transmit yearly to the Treasurer of Greenwich Hospital, Copies of all Letters of Attorney registered in their Courts.

Judge to affix his Seal thereto.

Agents to pay the Expences.

XXXV. And be it further enacted by the Authority aforesaid, That the Register or Registers of all and every the Court and Courts of Admiralty in any of his Majesty's Plantations in *America*, or elsewhere in any other of his Majesty's Dominions, shall yearly and every Year upon the twenty-third Day of *October*, or within three Calendar Months next after the same, make out and transcribe true Copies of all and every such Letter and Letters of Attorney as shall be so registered in the said Court or Courts, to which the Judge and Judges of the said Court and Courts shall affix his and their Seal of Office, and then the said Register and Registers shall transmit the same to the Treasurer of the said Royal Hospital at *Greenwich*, to be there registered, and to be inspected by any Person *gratis*; the Charges of which Copies, and affixing the Seal or Seals thereto, and transmitting the same to the Treasurer of the said Hospital, shall be paid by the said Agent or Agents at the Time of making such Registry as aforesaid; and in case such Register or Registers shall neglect or refuse to transcribe and transmit such Copy and Copies of the said Letter and Letters of Attorney in Manner aforesaid (any Ship or Ships in that Time sailing from such Port or Place to any Port or Ports in *Great Britain*) such Register and Registers so neglecting or refusing, shall forfeit the Sum of five hundred Pounds, to be recovered by him or them who will sue for the same, by Action of Debt, Bill, Plaint or Information, in any Court of Record in *Great Britain* or *America*, or in any other of his Majesty's Dominions, or elsewhere, in which no Essoin, Protection or Wager of Law, or more than one Imparlance shall be allowed.

The Copies to be deemed Evidence of the Agency.

XXXVI. And for the more effectual making such Letters of Attorney Evidence of the Agency of the Person or Persons to whom the same shall be made; Be it further enacted by the Authority aforesaid, That true Copies of such Letter and Letters of Attorney, and of Transcripts, under Seal, transmitted by the said Register or Registers of the Court and Courts of Admiralty in his Majesty's Plantations in *America*, and elsewhere within his Majesty's Dominions, and registered by the said Treasurer of *Greenwich Hospital*, shall from Time to Time, and at all Times hereafter, be good and sufficient Evidence of the Agency of the Person or Persons to whom such Letter of Attorney is or shall be made; and from Time to Time, and at all Times hereafter, shall be admitted without further or other Proof thereof to be legal Evidence, in all his Majesty's Courts of Record of Law or Equity; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

Agent not liable to be sued by Run Men in the King's Service, till after three Years;

unless the R's be sooner taken off, and a Certificate produced,

and the Agent thereupon refuse to pay the Prize or Bounty Money.

XXXVII. And be it further enacted by the Authority aforesaid, That no Agent or Agents for Prizes or Bounty Money shall be liable to be sued, impleaded or arrested by any Person or Persons who shall be made Run from his Majesty's Service, in the Lists to be duly certified of the Names of the Officers, Seamen, Marines, Soldiers or others, who shall be actually on Board any of his Majesty's Ships of War at the taking of any Prize or Prizes, until the End of three Months next after the Expiration of three Years limited by this Act, for the claiming of Prizes and Bounty Money, unless the Person or Persons so made Run shall, before any Action brought, obtain a Certificate of his or their *R* or *R's* being taken off, and the Forfeiture of his or their Shares of such Prizes and Bounty Monies being discharged by the Commissioners of his Majesty's Navy who subscribed the said Lists, and shall produce such Certificate to the said Agent or Agents respectively; and unless the said Agent or Agents, on the producing of such Certificate or Certificates, shall refuse to pay the said Prize or Bounty Money (in case the same be due and payable according to the Directions in his Majesty's Declaration) within two Months after any such Demand made, and such Certificate produced.

Commissioners of the Navy may purchase, for the King's Use, Naval Stores on Board Neutral Ships brought into Port by the King's Ships.

12 Car. 2. c. 18. *Explained and amended by* 32 Geo. 2. c. 25.

'XXXVIII. And whereas great Numbers of Ships of Neutral Nations may pass the Seas laden with 'Naval Stores, intended to be carried to the Ports of *France*, whereby his Majesty's Enemies may not only 'be enabled and encouraged to fit out and arm Privateers to destroy the Trade of his Majesty's Subjects, 'but may also be supplied with Materials to build and fit out Ships of War to annoy and invade his Ma'jesty's Dominions: And whereas divers Ships of Neutral Nations laden as aforesaid, may be taken and 'brought into the Ports of *Great Britain*, and the Purchase of such Naval Stores laden on Board such 'Ships of Neutral Nations for the Service of his Majesty, may in many Cases be expedient without pro'ceeding to the Condemnation thereof;' Be it therefore further enacted by Authority aforesaid, That it shall and may be lawful to and for the Principal Officers and Commissioners of his Majesty's Navy for the Time being, or their Officers or Agents, during the Continuance of the present War with *France*, to purchase on the Account, or for the Service of his Majesty's Heirs and Successors only, all or any such Naval Stores as shall or may hereafter be brought into any of the Ports of this Kingdom, by any of his Majesty's Ships or Vessels, on Board any such Ships of Neutral Nations; and that the Commissioners and Officers of the Customs for the Time being shall and may permit and suffer such Naval Stores so purchased as aforesaid, to be entered and landed within any of the Ports of this Kingdom; any Thing in an Act of Parliament passed in the twelfth Year of his late Majesty King CHARLES the Second (intituled, *An Act for encouraging and increasing of Shipping and Navigation*) contained to the contrary thereof in any wise notwithstanding.

and farther provided for by 33 Geo. 2. c. 19. *and see* 31 Geo. 2. c. 10. 2 Geo. 3. c. 16.

CAP.

CAP. XXXV.

An Act for the better recruiting his Majesty's Forces on the Continent of *America*; and for the better Regulation of the Army, and preventing of Desertion there.

'WHEREAS the speedy and effectual recruiting his Majesty's Regiments of Foot, and other Land Forces in *North America*, is in the present Situation of Affairs of great Importance to the Security and Defence of the *British* Provinces and Colonies: And whereas there are in several of the said Provinces and Colonies, great Numbers of indented Servants, who may be willing to inlist as Soldiers, in such of his Majesty's Forces as now are, or hereafter may be, employed in the said Provinces or Colonies: But whereas Doubts may arise, whether such indented Servants can be legally inlisted;' For obviating whereof, May it please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for all or any of the Officers of any of his Majesty's Forces serving in *America*, to inlist as a Soldier or Soldiers, any such indented Servant or Servants, in any of the *British* Provinces or Colonies on the Continent of *America*, who shall be willing to enter and inlist in any of the said Forces; any Law, Custom or Usage to the contrary in any wise notwithstanding. 13 *Geo.* 2. *c.* 7. 29 *Geo.* 2. *c.* 5. Indented Servants may be inlisted as Soldiers.

II. Provided nevertheless, That if the Owner, Proprietor or Master of such indented Servant, shall object to the said Servant's inlisting as a Soldier, within six Months after such Inlistment, the Officer inlisting such indented Servant, or the Commanding Officer of the Regiment or Company in which such indented Servant shall serve, at the Time such Objection is made, shall either give him up to his said Owner, Proprietor or Master, on receiving back the inlisting Money, or shall pay such Sum as any two Justices of the Peace in the Province or Colony where the said Owner, Proprietor or Master of such indented Servant, so inlisting as aforesaid, doth reside, shall, on Application of either of the said Officers, adjudge to be a reasonable Recompence to him the said Owner, Proprietor or Master, in Proportion to the original Purchase Money given by the said Owner, Proprietor or Master, for the said indented Servant, and to the Time of Service yet remaining to be performed in Consequence of his Indenture. Master objecting thereto, within six Months; Servant to be restored, on returning the inlisting Money; or Satisfaction to be made him for Servant's Time.

III. And to prevent any unjust or fraudulent Arrests of Soldiers after they have inlisted in any of the said Forces; Be it further enacted by the Authority aforesaid, That no Person whatsoever who shall list and enter himself as a Volunteer, in any of his Majesty's said Forces, shall be liable to be taken out of his Majesty's Service, by any Process or Execution whatsoever (other than for some criminal Matter) unless for a real Debt, or other just Cause of Action; and unless before the taking out such Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons in his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court, out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, that to his or their Knowledge the original Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action, on which such Process shall issue, or the original Debt for which such Process or Execution shall be issued out, amounts to the Value of ten Pounds Sterling at least, over and above all Costs of Suit, in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ; for which Memorandum or Oath no Fee shall be taken; and if any Person so inlisting as a Soldier in his Majesty's said Forces, shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for any Judge or Judges of such Court, or any Justice or Justices of the Peace of the Province or Colony in which such Arrest shall be made, upon Complaint made by the Party arrested, or by any of his superior Officers, to examine into the same, by Oath of the Parties (which Oath he or they are respectively hereby impowered to administer) or otherwise, and by Warrant under his or their Hand and Seal, or Hands and Seals, to discharge such Soldier so arrested or detained contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Soldier so arrested or detained was legally inlisted as a Soldier in his Majesty's Service, and was arrested and detained contrary to the Intent of this Act; and also to award to the Party complaining such Costs, as such Judge or Judges, Justice or Justices, shall think reasonable: For the Recovery whereof, such Party shall have the like Remedy as the Person who made the said Arrest, or took out the Execution, might have had for his Costs, or as the Plaintiff in the said Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action. No Volunteer liable to Process, unless for some criminal Matter, or unless for a real Debt of the Value of 10*l.* Oath of the Debt to be made, and marked on the Process. Person arrested contrary hereto, to be set at Liberty; and Costs awarded to the Complainant.

IV. And to the End that honest Creditors, who aim only at the Recovery of their just Debts, may not be hindered from suing for the same, but may be able to proceed in a more speedy and cheap Method; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so inlisted, or left at his or their last Place of Residence before his or their inlisting, to file a common Appearance in any Action to be brought for or upon account of any Debt whatsoever, so as to intitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so inlisted as aforesaid; this Act, or any other Law or Statute to the contrary notwithstanding. Plaintiff may file a common Appearance.

V. Provided always, That if any Commission or Non-commission Officer or Soldier shall be accused of any capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of his Majesty's Subjects, which is punishable by the known Laws of the Colony or Province where such Crime Persons accused of Capital Crimes, &c.

to be delivered to the Civil Magistrate, &c.

Crime shall be committed; the Commanding Officer or Officers of the respective Regiment, Battalion, Company or Party in his Majesty's Service in *America*, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall be also aiding and assisting to the Officers of Justice in the seizing and apprehending such respective Offender, in order to bring him to his Trial; and if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender, every such Officer so offending, and being thereof convicted before any two or more Justices of the Peace for the Province or Colony where the Fact shall be committed, by the Oath of two credible Witnesses, shall be *ipso facto* cashiered, and utterly disabled to hold any Civil or Military Employment in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace or Gaol Delivery, to be held for the said Province or Colony, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby required to certify the same to the next Court-martial.

Justices may commit Deserters.

VI. And for preventing Soldiers from deserting his Majesty's Service, and encouraging the apprehending of Deserters in the said Province and Colonies; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Constable, Headborough, Tythingman, or any other Civil Officer, of the Town or Place where any Person who may be reasonably suspected to be a Deserter shall be found, to apprehend, or cause him to be apprehended, and to cause such respective Person to be brought before any Justice of the Peace living in or near such Town or Place, who shall examine such suspected Person; and if by his own Confession, or the Testimony of one or more credible Witness or Witnesses upon Oath (which Oath such Justice is hereby impowered to administer) it shall appear that such Person is a listed Soldier, and ought to be with the Regiment, Company or Battalion to which he belongs, such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the Town or Place where he shall be so apprehended, and transmit an Account thereof, either to the Commanding Officer of the said Regiment, Battalion or Company, or to the Governor or Commander in Chief of the Province or Colony in which such Deserter shall be apprehended, to the End such Person may be proceeded against according to Law; and the Keeper of the said Gaol shall receive the full Subsistence of such Deserter or Deserters, during the Time he or they shall continue in his Custody, for the Maintenance of such Deserter or Deserters, but shall not be intitled to any Fee or Reward on Account of the Imprisonment of such Deserter or Deserters; any Law or Custom to the contrary notwithstanding.

Reward for taking up Deserters.

VII. And for the better Encouragement of Persons to apprehend Deserters, Be it further enacted by the Authority aforesaid, That the Commanding Officer of the Regiment to which any such Deserter shall belong, shall pay, or cause to be paid, into the Hands of such Person who shall apprehend, or cause to be apprehended, any Deserter from his Majesty's Service, the Sum of twenty Shillings Sterling Money for every Deserter that shall be so apprehended and committed.

Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

VIII. And for the more effectual preventing any Person from harbouring Deserters, or buying their Arms, Clothes or Accoutrements, in the said Provinces or Colonies: Be it further enacted by the Authority aforesaid, That if any Person shall harbour, conceal or assist any Deserter from his Majesty's Service, knowing him to be such, each and every Person so offending shall forfeit for every such Offence, the Sum of five Pounds Sterling; and if any Person shall knowingly detain, buy or exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to his Majesty, from any Soldier or Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be changed, each and every Person so offending, shall forfeit for every such Offence the Sum of five Pounds Sterling, upon Conviction, by the Oath of one or more credible Witness or Witnesses, before any one or more of his Majesty's Justices of the Peace of the Colony or Province where the Offence shall be committed; which said respective Penalties shall be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders, by Warrant under the Hand or Hands of such Justice or Justices of the Peace, and shall be applied one Moiety to the Informer or Person by whose Means such Deserter shall be apprehended, and the other Moiety to the Commanding Officer of the Troop or Company to which such Deserter or Soldier shall respectively belong; and in case any such Offender who shall be convicted of harbouring or assisting any such Deserter or Deserters, or of having knowingly received any Arms, Clothes, Caps, or other Furniture belonging to his Majesty, or of having caused the Colour of such Clothes to be changed, shall not have sufficient Goods and Chattels to answer the Payment of the said respective Penalties, or shall not within four Days after Conviction pay the same, that then, and in every such Case, such Justice or Justices of the Peace shall and may by Warrant under his or their Hand and Seal, or Hands and Seals, either commit such Offender to the Common Gaol of the Place where the Offence shall be committed, there to remain without Bail or Mainprize for any Time not exceeding three Months, or cause such Offender to be publickly whipt.

Penalty on Officer breaking open House without Warrant.

IX. Provided always, That if any Officer shall break open, or forcibly enter any Dwelling-house or Out-house to search for Deserters, without a Warrant from one or more Justice or Justices of the Peace (which Warrant such Justice or Justices are hereby impowered to grant to a Commission Officer only) such Officer shall, for every such Offence, forfeit the Sum of twenty Pounds Sterling; to be recovered by any Person or Persons who shall sue for the same in any Court of Record in any Province or Colony on the Continent of *America*.

Clause for Relief of Persons hastily listing.

X. Provided always, and it is hereby enacted by the Authority aforesaid, That when and as often as any Person or Persons shall be inlisted as a Soldier or Soldiers in his Majesty's Land Forces on the Continent of *America*, he and they shall within the Space of four Days, but not sooner than twenty-four Hours after such inlisting, be carried before the next Justice of the Peace for the County, City or Place, or

or the chief Magistrate of any City or Town of the Province or Colony where such Person shall be so inlisted (not being an Officer of the Army) and before such Justice or chief Magistrate, he or they shall be at Liberty to declare his or their Dissent to such inlisting, and upon such Declaration, and returning the inlisting Money, and also each Person so dissenting paying the Sum of twenty Shillings Sterling for the Charges expended or laid out upon him, such Person or Persons so inlisted shall be forthwith discharged and set at Liberty in the Presence of such Justice or chief Magistrate; but if such Person or Persons shall refuse or neglect within the Space of twenty-four Hours to return and pay such Money as aforesaid, he or they shall be deemed and taken to be inlisted, as if he or they had given his or their Assent thereto before the said Justice or chief Magistrate; or if such Person or Persons shall declare his or their having voluntarily inlisted himself or themselves, then such Justice or chief Magistrate shall, and he is hereby required forthwith to certify under his Hand, that such Person or Persons is or are duly inlisted, setting forth the Place of the Birth and Calling of him or them respectively (if known) and that the second and sixth Sections of the Articles of War against Mutiny and Desertion were read to him or them, and that he or they had taken the Oath mentioned in the said Articles of War; and if any such Person or Persons so to be certified as duly inlisted, shall refuse to take the Oath of Fidelity before the said Justice or chief Magistrate, it shall and may be lawful for such Officer from whom he has received such Money as aforesaid, to detain or confine such Person or Persons until he or they shall take the Oath before required; and every military Officer who shall act contrary thereto, or offend herein, shall be forthwith cashiered and displaced from his Office, and shall be utterly disabled to have or hold any military Office or Employment in his Majesty's Service; and for every such Offence shall forfeit the Sum of fifty Pounds, to be recovered as any other Penalty is by this Act directed to be recovered.

Persons refusing the said Relief to be proceeded against, as if lifted.

XI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall receive the inlisting Money from any Officer (knowing it to be such) and shall abscond, or refuse to go before such Justice or chief Magistrate, in order to declare his Assent or Dissent as aforesaid; such Person or Persons shall be deemed and taken to be inlisted to all Intents and Purposes whatsoever, and shall and may be proceeded against, as if he or they had taken the Oath directed by the said Articles of War to be taken before such Justice or chief Magistrate.

Commencement and Continuance of this Act.

XII. And be it further enacted by the Authority aforesaid, That this Act, and every Clause, Article and Matter therein contained, shall have Continuance for the Space of three Years, from and after the twenty-fifth of *March* one thousand seven hundred and fifty-six, and from thence to the End of the then next Session of Parliament.

CAP. XXXVI.

An Act for inclosing by the mutual Consent of the Lords and Tenants, Part of any Common, for the Purpose of planting and preserving Trees fit for Timber or Underwood; and for more effectually preventing the unlawful Destruction of Trees.

Statute of Merton.

'WHEREAS by the Statute made at *Merton*, it was provided and granted, That Lords of Wastes, Woods and Pastures in which their Tenants have Common of Pasture, reserving to their Tenants sufficient Pasture, as much as belongeth to their Tenements, with sufficient Ingress and Egress to the same, may approve the Residue of such Wastes, Woods and Pastures: And whereas by a Statute made in the thirteenth Year of the Reign of King EDWARD the Third, commonly called *The Statute of* Westminster *the Second*, it was ordained, That the said Statute of *Merton* should hold Place between Lords of Wastes, Woods and Pastures, and their Neighbours, having Common Appurtenant therein; and Provision is thereby made against casting down Dikes and Hedges levied by such as have Right so to approve: And whereas by an Act made in the third and fourth Year of the Reign of King EDWARD the Sixth, intituled, *An Act concerning the Approvements of Moors and Waste Grounds*; the said Statutes, and all Articles thereof, then not repealed, were confirmed: And whereas the said Provisions for the Approvement of Wastes, Woods and Pastures, have been in many Cases rendered ineffectual, by the Contradiction and Dissent of a few Persons having Right of Common in the said Wastes, Woods and Pastures; who under Pretence that sufficient Pasture is not reserved to them, disturb the Lords of such Wastes, Woods and Pastures, or their Assigns, in the Possession of the Ground and Soil so approved, and discourage them from asserting their Right to make or continue such Approvement: And whereas the general Provisions made by an Act of the thirty-fifth Year of the Reign of King HENRY the Eighth, and by several other Acts of Parliament, for preserving Woods; and the particular Provisions made by two several Acts of Parliament of the twentieth Year of the Reign of King CHARLES the Second, intituled, *An Act for the Increase and Preservation of Timber within the Forest of* Dean; and the other of the ninth and tenth Year of the Reign of King WILLIAM the Third, intituled, *An Act for the Increase and Preservation of Timber in the New Forest, in the County of* Southampton; whereby Part of the Waste Lands of the said several Forests are directed to be inclosed and kept in Severalty for the Growth and Preservation of Timber, have not been duly put in Execution: And whereas, for want of a proper Supply of Timber of the Growth of this Kingdom, a great Quantity of foreign Timber is necessarily used for building Ships and Houses, and for other Purposes; and the general Price of Timber and Wood is greatly increased: And whereas many Tracts of Waste Land, unfit for Tillage or Pasture, but capable of producing different Kinds of Trees, may conveniently be inclosed for the Growth of Timber and Underwood, to the Advantage both of the Owners of the Ground and Soil of such Wastes, and also such as have Right of Common therein; and such

13 Ed. 3. c. 46.

3 & 4 Ed. 6. c. 3.

35 H. 8. c. 17.

20 Car. 2. c. 3.

9 & 10 W. 3. c. 36.

'Incloſure will alſo be of publick Utility;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for his Majeſty, his Heirs and Succeſſors, and all other Owners of Waſtes, Woods and Paſtures, in that Part of *Great Britain* called *England*, wherein any Perſon or Perſons, or Body or Bodies Politick or Corporate, hath or have Right of Common of Paſture, by and with the Aſſent of the major Part in Number and Value of the Owners and Occupiers of Tenements to which the ſaid Right of Common of Paſture doth belong, and to and for the major Part in Number and Value of the Owners and Occupiers of ſuch Tenements, by and with the Aſſent of the Owner or Owners of the ſaid Waſtes, Woods and Paſtures, and to and for any other Perſon or Perſons, or Body Politick or Corporate, by and with the Aſſent and Grant of the Owner or Owners of ſuch Waſtes, Woods and Paſtures, and the major Part in Number and Value of the Owners and Occupiers of ſuch Tenements, to incloſe and keep in Severalty, for the Growth and Preſervation of Timber or Underwood, any Part of ſuch Waſtes, Woods and Paſtures, for ſuch Time, and in ſuch Manner, and upon ſuch Conditions, as ſhall be agreed by them reſpectively.

Proprietors of Waſtes, &c. and Perſons having a Right of Common,

may by Conſent incloſe any Part thereof, for planting and preſerving Timber or Underwood.

II. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That in caſe any Recompence ſhall be agreed to be given for ſuch Incloſure, to or to the Benefit of the Owners and Occupiers of Tenements, to which the Right of Common in ſuch Waſtes, Woods and Paſtures doth belong, ſuch Recompence ſhall be made either by a Grant of a Share of the Profit which ſhall ariſe from the Sale of the Timber or Underwood growing on the Ground or Soil ſo incloſed, or by a Grant of other Lands, Tenements or Hereditaments; or by ſome Annuity or Rent-charge iſſuing out of the ſaid Ground or Soil ſo incloſed, or out of other Lands, Tenements or Hereditaments; or ſhall be paid in Money, to be placed out at Intereſt on publick Securities, or laid out in the Purchaſe of Lands, Tenements or Hereditaments, or of ſome Annuity or Rent-charge iſſuing out of Lands, Tenements or Hereditaments; and the Produce of ſuch Lands, Tenements or Hereditaments, or ſuch Annuity or Rent-charge, or the Intereſt of ſuch Money, until the ſame ſhall be laid out in ſuch Purchaſe as aforeſaid, ſhall be paid from Time to Time to the Overſeers or Overſeer of the Poor of the ſaid Pariſh or Townſhip, and ſhall be by them or him applied towards the Relief of the Poor of the Pariſh or Townſhip where ſuch Waſtes, Woods or Paſtures ſhall lie, and accounted for in ſuch Manner as the Rates for Relief of the Poor are by Law directed to be accounted for; and in caſe the Owner or Owners of any ſuch Waſtes, Woods or Paſtures, and the major Part in Number and Value of the Owners and Occupiers of the Tenements to which ſuch Right of Common doth belong, ſhall jointly agree to aſſign and grant their reſpective Right and Intereſt in any Part of the ſaid Waſtes, Woods or Paſtures, for the Purpoſe of making ſuch Incloſures as aforeſaid, to any other Perſon or Perſons, or Body Politick or Corporate; and the Owner or Owners of ſuch Waſtes, Woods and Paſtures, ſhall not have an Eſtate in Fee-ſimple therein, or ſhall be diſabled or reſtrained from alienating the ſame, the Recompence to be paid to any ſuch Owner or Owners, ſhall be either by a Grant of a Share of the Profit which ſhall from Time to Time ariſe from the Sale of the Timber or Underwood growing on the Ground or Soil ſo incloſed, or by a Grant of other Lands, Tenements or Hereditaments, or of an Annuity or Rent-charge iſſuing out of the ſaid Ground or Soil ſo incloſed, or out of other Lands, Tenements or Hereditaments; ſuch Equivalent to be held and enjoyed by the Owner or Owners of ſuch Waſtes, Woods and Paſtures, and ſuch as ſhall be intitled to the ſame in Reverſion, Remainder or Succeſſion, in like Manner as the Eſtate in ſuch Waſtes, Woods or Paſtures, is limited to be held and enjoyed; and in caſe the Inhabitants of any Pariſh or Townſhip ſhall be willing to acquire ſuch Right of Incloſure, for the Employment and Benefit of the Poor of the ſaid Pariſh or Townſhip, and any Recompence ſhall be agreed to be given for the ſame, it ſhall and may be lawful for the Overſeer or Overſeers of the Poor of ſuch Pariſh or Townſhip (by the Conſent and Direction of the major Part of the Inhabitants thereof, aſſembled at a Veſtry or publick Meeting to be held for that Purpoſe, publick Notice being firſt given of ſuch intended Veſtry or Meeting, in the Church or Chapel belonging to ſuch Pariſh or Townſhip, on three *Sundays* at the leaſt before ſuch Veſtry or Meeting ſhall be held) to pay or purchaſe ſuch Recompence out of any Monies ariſing from the Rates raiſed or to be raiſed, for the Relief of the Poor; and out of ſuch Monies to pay from Time to Time ſuch Charges and Expences as ſhall be neceſſary for incloſing and preſerving ſuch Grounds ſo incloſed; and ſuch Overſeers or Overſeer ſhall from Time to Time apply the Profit which ſhall ariſe from the Sale of the Timber or Underwood growing thereon, towards the Relief of the Poor of the ſaid Pariſh or Townſhip; and ſhall account for the ſame in like Manner as he and they is and are by Law obliged to account for the Rates collected for the Relief of the Poor.

If any Recompence be agreed to be given to the Tenant; in what Manner the ſame is to be made and applied.

If Lords and Tenants join in aſſigning their Rights of Incloſure to any other Perſons,

how Recompence is to be made to the Lord, if he have not the Fee-ſimple therein, or be diſabled to alien.

Pariſh willing to purchaſe ſuch Right for the Employment of their Poor,

Recompence and other Charges to be paid out of the Poors Rate, and the Profits to be applied in Aid thereof.

III. Provided always, That every Agreement for any ſuch Incloſure ſhall be in Writing, and ſigned by the Parties, and the ſame ſhall be regiſtered and inrolled by the Clerk of the Peace for the County, Riding or Diviſion where ſuch Waſtes, Woods or Paſtures, or the greater Part of them ſhall lie, within three Months next after the Execution of ſuch Agreement.

Agreements to be ſigned and regiſtered within three Months.

IV. Provided alſo, and be it enacted, That it ſhall and may be lawful to and for all Perſons or Bodies Politick or Corporate, who ſhall think themſelves injured or aggrieved by ſuch Agreement, or for any Perſons in their Behalf, within ſix Months next after any ſuch Agreement ſhall be regiſtered and inrolled in Manner aforeſaid, to make Complaint thereof by Appeal to the Juſtices of the Peace at any Quarter-Seſſions to be held for the ſame County, Riding or Diviſion, who are hereby authorized and required to hear and determine ſuch Appeal, and whoſe Determination therein ſhall be final; and if no ſuch Appeal ſhall be made, then the ſaid Agreement ſo regiſtered and inrolled as aforeſaid ſhall be for ever binding to all Perſons whatſoever, without any further or other Appeal.

Perſons aggrieved may appeal to the Quarter-Seſſions.

In caſe there be no Appeal, Agreement to ſtand good.

V. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick or Corporate, whether Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, Committees or other Trustees whatsoever, for and on the Behalf of any Infants, Femes Covert, Lunaticks, Ideots or other Persons whatsoever, and the Husbands of Femes Covert, who shall be seised, possessed of or interested in, any such Waste, Wood or Pasture, or any Right of Common in such Wastes, Woods or Pastures, to agree to any such Inclosure; and all such Agreements so made, shall be valid to all Intents and Purposes; and such Bodies Politick or Corporate, Feoffees in Trust, Executors, Administrators, Guardians, Committees and other Trustees and Husbands of Femes Covert, shall be indemnified for what they shall so do by virtue of this Act.

Bodies Politick, Guardians and Trustees, impowered to agree to such Inclosure.

VI. And be it further enacted by the Authority aforesaid, That if any Person, from and after the Time hereby limited for bringing such Appeal against any such Agreement for the Inclosure of any Part of such Wastes, Woods or Pastures, shall either by Day or by Night unlawfully cut, take, destroy, break, throw down, bark, pluck up, burn, deface, spoil or carry away, any Trees growing within any such Inclosure, without the Consent of the Owner or Owners thereof, such Owner or Owners shall have such Remedy, and have and receive such Satisfaction and Recompence of and from the Inhabitants of the Parishes, Towns, Hamlets, Villages or Places adjoining to such Inclosures, and recover such Damages against the Inhabitants of such Parishes, Towns, Hamlets, Villages or Places adjoining and in the same Manner and Form as is directed for Dikes and Hedges overthrown by the said Act made in the thirteenth Year of the Reign of King EDWARD the First, unless the Offender or Offenders shall be convicted of such Offence within the Space of six Months next after the Commission thereof.

If any Trees growing within such Inclosures shall be unlawfully cut or destroyed.

Damages to be made good by the adjoining Parishes; unless the Offender be convicted within six Months.

VII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any two Justices of the Peace of the County, Riding, Division, City, Town, Liberty or Place, wherein any such Offence shall be committed, or for the Justices of the Peace for such County, Riding, Division, City, Town, Liberty or Place, in open Sessions, upon Complaint to them made, to cause every such Offender to be apprehended for such Trespass, and to hear and determine the same, and to inflict the like Penalty and Punishment on every Offender by them convicted, as is directed to be inflicted on Offenders by an Act made in the sixth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act to explain and amend an Act passed in the first Year of his Majesty's Reign, intituled,* An Act to encourage the planting of Timber Trees, Fruit Trees, and other Trees for Ornament, Shelter or Profit; and for the better Preservation of the same; and for the preventing the burning of Woods; and for the better Preservation of the Fences of such Woods.

Offences to be determined by two Justices, or at the Sessions.

Penalty on Conviction, the same as by 6 Geo. 1. c. 6. *See further* 31 *Geo.* 2. c. 41. *by which this Act is amended.*

VIII. And be it further enacted by the Authority aforesaid, That if any Person from and after the first Day of *July* one thousand seven hundred and fifty-six, shall unlawfully cut, take, destroy, break, throw down, bark, pluck up, burn, deface, spoil or carry away any Tree growing in any Waste, Wood, or Pasture, in which any Person or Persons, or Body or Bodies Politick or Corporate, hath or have Right of Common, every such Offender shall and may be in like Manner convicted of such Offence, and shall incur the like Penalty.

and Persons unlawfully cutting or destroying Trees, on Commonable Grounds, to be in like Manner convicted and punished.

'IX. And whereas by an Act made in the ninth Year of the Reign of his late Majesty King GEORGE 'the First, intituled, *An Act for the more effectual punishing wicked and evil disposed Persons going armed in Dis-* 'guise, and doing Injuries and Violence to the Persons and Properties of his Majesty's Subjects, and for the more 'easy bringing Offenders to Justice'; it is amongst other Things enacted, That the Inhabitants of every 'Hundred within that Part of *Great Britain* called *England*, shall make full Satisfaction and Amends to all 'and every Person and Persons, their Executors and Administrators, for the Damages they shall have su-'stained or suffered by the cutting down or destroying any Trees which shall be done or committed by 'any Offender or Offenders against the said Act, to be recovered in Manner as by the Act is directed: And 'whereas Doubts have arisen whether the Provision made by the said Act made in the ninth Year of the 'Reign of his said late Majesty, has not repealed and annulled the Remedy given by the said Acts of the 'first and sixth Years of the Reign of his said late Majesty:' For obviating the said Doubt; Be it enacted, by the Authority aforesaid, That from and after the first Day of *July* one thousand seven hundred and fifty-six, it shall and may be lawful for any Person, or Body Politick or Corporate, to take Remedy for the before mentioned Damages either against the Parish, Town, Hamlet, Vill or Place, where any of the said Offences shall be committed, according to the Powers given by the said Acts of the first or sixth Years of his said late Majesty's Reign, or on the Hundred wherein any of the said Offences shall be committed, as to such Person, or Body Politick or Corporate shall seem most meet; any Thing in the said Act made in the ninth Year of the Reign of his late Majesty to the contrary notwithstanding.

Doubt arising on 9 Geo. 1. c. 22. §. 7. obviated,

and Remedy for Damages mentioned in the said Clause, may be taken according to the Acts of 1 Geo. 1. c. 8. & 6 Geo. 1. c. 16.

X. And be it further enacted by the Authority aforesaid, That if any Action shall be brought against any Person for any Matter or Thing done by virtue or in Execution of this Act, the Defendant or Defendants in every such Action shall and may plead the General Issue, and give this Act, and the special Matter in Evidence, on any Trial to be had in such Action; and if the Plaintiff or Plaintiffs shall discontinue such Action, or become nonsuit, or if Judgment shall be given against such Plaintiff, then the Defendant or Defendants, in every such Action, shall recover treble Costs of Suit.

General Issue.

Treble Costs.

CAP. XXXVII.

An Act for regulating the Proceedings in personal Actions in the Courts Baron of the Manors of *Sheffield* and *Eccleſall* in the County of *York*. PR.

'WHEREAS the Liberty or Diſtrict of *Hallamſhire* in the County of *York* is a large Diſtrict, extending itſelf over the Town and Pariſh of *Sheffield*, and ſeveral other Towns and Pariſhes in the ſaid County of *York*; and the moſt noble *Edward* Duke of *Norfolk*, Hereditary Earl Marſhal of *England*, claimeth a Franchiſe there, and to have the Execution and Return of all Writs within the ſame, as being ſeiſed of the ſaid Liberty to him and the Heirs Male of his body, with Remainder to his Nephew *Thomas Howard* of *Norfolk* Eſquire, and to the Heirs Male of the Body of the Honourable *Philip Howard* Eſquire, his late Father, deceaſed, with divers Remainders over; and the ſaid *Edward* Duke of *Norfolk* is ſeiſed to him and the Heirs Male of his Body, with like Remainders, of and in the ſaid Manor of *Sheffield*; and the Juriſdiction of the Court Baron belonging to the ſaid Manor of *Sheffield*, which has been uſually held every three Weeks from Time immemorial, extends over all the Parts of the ſaid Liberty, except over the Hamlet or Byerlow of *Eccleſall*: And whereas the moſt Honourable *Charles* Marqueſs of *Rockingham*, and *Mary* Marchioneſs of *Rockingham* his Wife, in the Right of the ſaid Marchioneſs, or their Truſtees, are ſeiſed for ſome Eſtate of Freehold or Inheritance of and in the Manor of *Eccleſall*; and the Juriſdiction of the Court Baron belonging to the ſaid Manor of *Eccleſall*, which has alſo been uſually held every three Weeks from like Time immemorial, extends over the ſaid Hamlet or Byerlow of *Eccleſall*, which is contiguous to the ſaid Town of *Sheffield*, and is within the ſaid Liberty of *Hallamſhire*: And whereas from Time immemorial Plea has been held in the ſaid ſeveral Courts Baron in all perſonal Actions ariſing within the aforeſaid ſeveral Juriſdictions, where the Debt and Damages have been under forty Shillings: And whereas a great Manufactory of Cutlery and other Hard Ware is now, and has been for ſome Time carried on in the ſaid Town of *Sheffield* and the Liberty of *Hallamſhire*, whereby, and by the late Increaſe of Trade in the ſaid Town, and other Parts of the ſaid Liberty or Diſtrict of *Hallamſhire*, the Number of Merchants, Traders and Artificers there is very great, and the ſaid Town and Diſtrict are becoming daily more populous: And whereas, although Juſtice hath for many Years been adminiſtered in the ſaid ſeveral Courts Baron in the moſt ſtrict and impartial Manner, yet the Method of compelling Debtors and other Perſons to appear to the Actions which are commenced in the ſaid Courts Baron, is in both the ſaid Courts by Summons and Diſtreſs infinite; which is a very dilatory, and often a very ineffectual Method for that End; and by reaſon thereof, and alſo by reaſon of the Expence which attends the Proſecution of Cauſes to Judgment in the ſaid Courts, and often afterwards, when ſuch Cauſes are removed up to ſome ſuperior Court, honeſt Creditors are many Times diſcouraged from attempting to recover the Debts due to them, and thereby many evil-diſpoſed Perſons, who have contracted ſmall Debts within the ſaid Liberty, are encouraged (though able) to refuſe or delay the Payment thereof, and do often ſet their Creditors at Defiance; therefore the Inhabitants of the ſaid Places which ſo lie within the Juriſdiction of the ſaid ſeveral Courts Baron have applied to the ſaid *Edward* Duke of *Norfolk*, and Charles Marqueſs of *Rockingham*, for their Conſent to ſome proper Method for regulating the Proceedings in, and amending the Defects which ſo reſpectively attend the ſeveral Juriſdictions of their ſaid ſeveral Courts Baron, and for preventing all unneceſſary Delays and Expences in the ſaid Proceedings, and for the providing from among the ſeveral Suitors of the ſaid ſeveral Courts Baron, fit, able, diſcreet and indifferent Homagors or Jurors to try all Iſſues which ſhall ſtand for Trial in any Plaint, Suit or Action to be depending in the ſaid ſeveral Courts, and the like fit, able, diſcreet and indifferent Homagors or Jurors for the finding of Inqueſts and the taking of Inquiſitions upon Proceſſes which may iſſue out of, or on any other Proceedings which may be had in the ſaid ſeveral Courts, in Nature of Writs of Inquiry of Damages at the Common Law; which the ſaid *Edward* Duke of *Norfolk*, and *Charles* Marqueſs of *Rockingham*, have readily conſented to, ſo far as the ſame can be done without ſubverting or derogating from the Juriſdictions of the ſaid ſeveral Courts Baron, or prejudicing the ſame:' Wherefore may it pleaſe your moſt Excellent Majeſty, that it may be enacted, *&c.*

" On Plaint or Suit entered for a Debt or Damage, not amounting to 40 *s.* Application to be made to the " Steward of the Court, to ſummon the Defendant. Steward to iſſue his Precept to the Bailiff, who is to " execute the ſame; and the Defendant not appearing thereto, Plaintiff may enter a common Appearance, " and proceed thereon. On Iſſue joined, Matter thereof to be tried by the Suitors ſummoned. Defendant " ſuffering an interlocutory Judgment, and Proceſs of Inquiry iſſuing thereupon, the Suitors of the Court " to take the Inquiſition; Steward upon Application to ſummon Witneſſes, who are required to attend and " give Evidence upon Oath; Witneſſes not attending, or refuſing to give Evidence, may be amerced by " the Steward; to be aſſeered by the Suitors, and applied to the injured Party, and Lord of the Manor; " and to be levied by Diſtreſs and Sale. For want of Diſtreſs, Offender to be committed. Defendant " pleading otherwiſe than the General Iſſue, and Court declaring the ſame to be merely dilatory, Plaintiff " may ſign Judgment for want of Plea; or if after Appearance entered, and Declaration made, Defendant " ſhall not plead thereto, Plaintiff may ſign Judgment by Default; and a Jury thereupon ſhall be ſummoned " to aſſeſs the Damages and Coſts. Plaintiff not declaring upon the Defendant's appearing, or not proceeding to Trial, or being nonſuited, *&c.* Court to award Defendant Coſts: Plaintiff may notwithſtanding renew his Suit. Ten Days Notice of Trial to be given, and Copy to be left with the Steward. " Plaintiff not being reſiant, is to bring before the Steward ſome Houſholder reſiding within the Juriſdiction " to enter into Recognizance to proſecute with Effect, *&c.* Plaintiff not procuring ſuch Recognizance, " Steward may forbear granting Precept againſt Defendant. If Proceedings ſhall be had on ſuch Suit,

" without

" without Recognizance being first entered into, the Suit to be discontinued, and Plaintiff disabled to renew " the same, till Costs be paid. Recognizance to be entered on a double Penny Stamp. Defendants may " pay the Money into Court, and plead the General Issue. Upon Issue joined, and Notice of Trial, Stew- " ard to issue Precepts for summoning a Jury of 24. Jurors Names to be wrote on distinct Pieces of Paper, " and rolled up and put up into a Vessel, and 12 of those present to be drawn, who are to be the Jury, &c. " Juror who has served six Times in the same Year, to be discharged upon his Request from future Service " for that Year. Precepts for summoning Jurors to be issued five Days before the Sitting of the Court. " Jury to be continued during the Sitting of the Court. The Names and proper Addition of the " Jurors to be entered in the Precepts. Where 12 of the Jurors shall not appear, Inquests may " be taken by any 12 Suitors. Steward of the Court may amerce Jurors for not attending. Amer- " ciament to be affeered, and levied by Distress and Sale, and to be applied for the Use of the " Lord of the Manor. Proceedings or Judgments of the Court not removeable, but to be final; " (Plaints in Replevin excepted). All Persons resiant within the Jurisdiction may plead and be impleaded. " Jurisdiction of the Courts not extended by this Act. Jurisdiction of the Lords of the Manors not prejudi- " ced by this Act. Proceeding of the Court in real Actions not altered by this Act. Person attached pay- " ing the Debt, and Fees, to be discharged. Execution not issuable on Default of Appearance of Defend- " ant, unless Notice be given him of Declaration. Persons affronting or disturbing the Court, while sitting, " to be taken into Custody; and may be fined, and committed for Non-payment. Persons obstructing Offi- " cer of the Court in the Execution of his Office, to be fined. Fine to be affeered, and levied by Distress " and Sale. Offender not being a Housholder within the Jurisdiction, may be committed on Non-payment. " None allowed to practise in the Courts, but such as are admitted Attornies or Solicitors of the Courts at " *Westminster*. Stewards to hold their Office at the Pleasure of their Lord. In Cases of Vacancy Utter " Barrister of three Years standing to be appointed to the Office of Steward. Stewards to take an Oath of " Office. Stewards may appoint Deputies. Declaration to be made in Court of Deputy's Name, &c. be- " fore his Appointment. Lord of the Manor to sign his Approbation. Deputy to take an Oath of Office. " In Cases of Vacancy Deputy to act till a new Steward is appointed. Steward or Officers of the Court " being sued, may plead the General Issue, and have treble Costs. Where any Action shall be brought in " any other Court, for a Debt recoverable in the Courts Baron, Plaintiff to be nonsuited, and Defendant " to recover treble Costs, unless the Judge certify there was a probable Cause for such Action, &c. Plaintiff " may afterwards sue in the Court Baron."

CAP. XXXVIII.

An Act to enable the Commissioners for building a Bridge cross the River of *Thames*, from the City of *Westminster* to the opposite Shore in the County of *Surry*, to purchase Houses and Grounds, and to widen the Ways, and make more safe and commodious the Streets, Avenues and Passages leading from *Charing Cross* to *The two Houses of Parliament*, *Westminster-Hall*, and the Courts of Justice there, and *Westminster Bridge*; and to enable a less Number of Commissioners to execute the several Acts relating to the said Bridge, than at present are required by Law; and for Relief of *George* and *James King*, with regard to a Lease taken by their late Father, from the said Commissioners. PR.

' WHEREAS the Commissioners for building a Bridge cross the River *Thames*, from the *Woolstaple*, 9 *Geo.* 2. *c.* 29.
' or thereabouts, in the Parish of *Saint Margaret* in the City of *Westminster*, to the opposite Shore 10 *Geo.* 2. *c.* 16.
' in the County of *Surry*, are by virtue of several former Acts of Parliament passed in the Reign of his pre- 11 *Geo.* 2. *c.* 25.
' sent Majesty, or by virtue of some or one of them, impowered to make, open, design, assign and lay out 12 *Geo.* 2. *c.* 33.
' such new Ways, Streets and Passages, as they shall find proper to be opened and made on each Side the 13 *Geo.* 2. *c.* 16.
' River *Thames*, to and from the said Bridge, the Courts of Justice, both Houses of Parliament, and the 14 *Geo.* 2. *c.* 40.
' Parts adjacent, and to agree for and purchase such Houses and Grounds as they shall find necessary for 15 *Geo.* 2. *c.* 26.
' them to be possessed of, and to be removed, rebuilt, pulled down, or employed for those Purposes, com- 17 *Geo.* 2. *c.* 32.
' prized within certain Bounds and Limits particularly mentioned and described in the said respective Acts, 18 *Geo.* 2. *c.* 29.
' or some or one of them: And whereas the Ways, Streets, Avenues and Passages leading from *Charing* ' *Cross* in the Parish of *Saint Martin in the Fields*, in the Liberty of *Westminster* in the County of *Middlesex*, ' to *The two Houses of Parliament*, *Westminster-Hall*, and the Courts of Justice there, and *Westminster Bridge*, ' might be rendered more open, safe and commodious, for the Ease of Passengers and the publick Benefit, ' than they are at present, in case the said Commissioners were enabled to open and widen the said last-men- ' tioned Ways, Streets, Avenues and Passages, and to purchase, pull down and remove such Buildings, ' Houses, Grounds and Estates (not comprized within the Bounds or Limits prescribed by any of the said ' former Acts of Parliament) as they should think proper and necessary for those Purposes:' Wherefore for promoting a Design so useful and beneficial to the Publick; May it please your most Excellent Majesty, that it may be enacted, &c.

" Commissioners impowered to widen the Streets, &c. leading from *Charing Cross* to *The two Houses of* " *Parliament*, &c. Commissioners may agree with the Owners of Buildings for the Purchase of any " Grounds within the Limits herein described, as they shall think necessary to be removed, &c. Commis- " sioners to observe all such Rules and Directions in order for purchasing the several Buildings, &c. as by " any former Acts passed in his present Majesty's Reign they are enabled to use and observe. All the Pow- " ers mentioned in the former Acts relating to the Commissioners purchasing Houses, &c. to be in Force. " His Majesty may convey Buildings, &c. to the Commissioners. Commissioners may sell any Piece of " Ground.

" Ground. Act 18 *Geo.* 2. *c.* 29. to be in Force, relating to the preserving of Ways, *&c.* intended to be " widened by this Act. 10,000 *l.* to be paid to the Commissioners for purchasing of Houses for widening " the Streets, *&c.* leading from *Charing Cross* to *The two Houses of Parliament*, *&c.* Commissioners to " lay an Account of the Application of the 10,000 *l.* *&c.* before both Houses of Parliament. In all Cases " where seven Commissioners are impowered to put the former Acts in Execution, the same may be done by
See farther, " any five. Commissioners to accept a Surrender of a Building Lease made by *James King* in 1741, and to
30 *Geo.* 2. *c.* 34. " discharge *James* and *George King* from the same."

CAP. XXXIX.

An Act for explaining, amending, and rendering more effectual an Act made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for making a free Market for the Sale of Fish in the City of* Westminster; *and for preventing the forestalling and monopolizing of Fish; and for allowing the Sale of Fish under the Dimensions mentioned in a Clause contained in an Act of the first Year of his late Majesty's Reign, in case the same are taken with a Hook.*

22 Geo. 2. c. 49. *This Act is in Part repealed by* 33 *Geo.* 2. *c.* 27.

' WHEREAS by an Act made in the twenty-second Year of his Majesty's Reign, intituled, *An Act for making a free Market for the Sale of Fish in the City of* Westminster; *and for preventing the forestalling and monopolizing of Fish; and for allowing the Sale of Fish under the Dimensions mentioned in a Clause contained in an Act of the first Year of his late Majesty's Reign, in case the same are taken with a Hook*; it is amongst other Things therein enacted, That if any Fisherman or other Person or Persons whatsoever, Natives or Foreigners, should keep any Fish at *Queenborough*, *Gravesend*, or other Place or Places, in any Well-boat, Store-boat, or any other Manner whatsoever, so as not to sell off their whole Cargo of Fish within the Space of eight Days from their Arrival on the *British* Coast, between *North Yarmouth* and *Dover*, after their first Arrival, at the respective Place or Places as aforesaid, every Person or Persons so offending, and being thereof lawfully convicted by the Confession of the Party, or the Oath of one or more credible Witness or Witnesses, should for every such Offence forfeit the whole Cargo of Fish belonging to him, and also the Vessel, with her Tackle, Apparel and Furniture, to be levied by Distress and Sale by Warrant under the Hand and Seal of any one or more of his Majesty's Justices of the Peace for the respective County where the Offence should be committed; which Warrant or Warrants the said Justice or Justices was and were thereby impowered and required to make, upon the Information on Oath of one or more credible Witness or Witnesses (which Oath the said Justice or Justices was and were thereby impowered and required to administer) and that the Produce thereof should go and be applied, one Moiety to the Use and Benefit of the Informer or Informers, and the other Moiety to the Poor of the Parish where the Offence should be committed: And whereas many Difficulties have arose in putting the said Act in Execution, which have hitherto not only obstructed the Establishment of the said free Market at *Westminster*, but hath rendered ineffectual the other good Purposes of the said Act, and more particularly the preventing the forestalling and monopolizing of Fish in general: And whereas the said limited Time of eight Days for selling off the whole Cargo of Fish, as in the said Act mentioned, is found too short, in Consideration of the great Distance between *North Yarmouth* and *Dover*, and the said Towns of *Queenborough* and *Gravesend*, where the said Store-boats and Well-boats do usually lie to receive the Fish from the Fishing Ships, as it may often happen, that from the common Accidents of Wind and Weather so much of the said Time may be spent from the Time of their first Arrival, before the said Vessels can afterwards arrive at the said Places for unloading their said Cargoes into the said Store-boats or Well-boats, and for Sale thereof, that the said Fishermen may unavoidably incur the Penalty in the said Act mentioned for not selling off their whole Cargoes within that Time, and for that the Fishermen and others employed in the Lobster Fishing or Lobster Trade, do require an Enlargement of the Time for selling off their Cargoes, after their Arrival in the said River of *Thames*, the said limited Time of eight Days not being sufficient for that Purpose: And whereas, for the rendering more effectual the good Ends and Purposes of the said Act, it is necessary that a proper Officer be appointed to inspect and search the said Fishing Vessels, and the said Store-boats and Well-boats, for the better Discovery of such Persons who shall make Default in selling off their Cargoes within the Times limited for that Purpose, as it may be also very difficult, from the great Extent of the said Limits appointed for the first Arrival between *North Yarmouth* and *Dover*, to ascertain such Arrival, so as duly to bring the Offenders therein to Justice, without a continual Inspection: And whereas it is also necessary for the Purposes aforesaid to impower the several Mayors of *Queenborough* and *Gravesend*, and any other Persons acting as Justices, who are Members of the said Corporations, and any other his Majesty's Justices of the Peace between the said Towns and the Cities of *London* and *Westminster*, to act as Justices in levying the Penalties in the said Act, as well as such Justices of the Peace for the respective County where the Offence is committed: And whereas by the said recited Act it is enacted, That the several Kinds of Fish therein particularly named and mentioned, may be exposed to Sale, or exchanged for other Goods, provided such Fish are taken with a Hook, and so not fit or capable of being preserved alive, although the
1 Geo. 1. c. 18. said Fish should be under the Dimensions prescribed by an Act passed in the Reign of his late Majesty, intituled, *An Act for the better preventing fresh Fish taken by Foreigners being imported into this Kingdom*; *and for the Preservation of the Fry of Fish*; *and for the giving Leave to import Lobsters and Turbet in foreign Bottoms*; *and for the better preserving of Salmon within several Rivers in that Part of this Kingdom called* England; in the said recited Act mentioned; which Liberty was so allowed, that the Market might be the more plentifully supplied with such Sorts of Fish, and that the Publick might be served therewith at more reasonable Rates: And whereas such Liberty hath not been attended with such good Effects as was ex-

' pected,

'pected, for that the Markets being supplied with such smaller Fish, doth enhance the Price of the largest 'Sort, and under Colour of the said recited Act under-sized Fish are sold, though not taken with a Hook, 'which may tend greatly to the Destruction of the Fry of Fish, and consequently the said Fishery in general 'for such Kinds of Fish; and that it will be more for the Benefit and Service of the Publick to revive the 'said Restraint for the Preservation of the Fry and smaller Sort of such Fish, and not to permit the Sale or 'Exchange of such several Kinds of Fish so catched with a Hook under the Dimensions in the said last re-'cited Act mentioned: And whereas for such several Purposes, as well as for others herein after mentioned, 'it is become necessary to explain and amend the said Act;' May it therefore please your most Excellent Majesty, that it may be enacted, and be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Fisherman or any other Person or Persons whatsoever, Master or Owner of any fishing Ship, Sloop, Smack or fishing Vessel coming from Sea, or other Person having the Conduct of such fishing Ship, Sloop, Smack or fishing Vessel, Natives or Foreigners, employed either in catching, bringing or vending of Fish for the Supply of the Cities of *London* and *Westminster*, shall break Bulk or make Sale of their Fish, or any Part thereof, between *Harwich* and the *Nore*, or between *Margate* and the *Nore*, to any Person or Persons to sell again, or shall not enter their Ship, Sloop, Smack or other fishing Vessel, at such Place or Places, and within such Time, as herein after mentioned, or shall keep any Shell Fish or other Fish whatsoever in such their Ship, Sloop, Smack or other their fishing Vessel or Vessels, or in any Well-boat or Store-boat, after such their Arrival, so as not to sell off their whole Cargo of Fish within the Space of eight Days, to be reckoned from the Day of such their Arrival at the *Nore* as aforesaid, and thereof shall be convicted before one or more of his Majesty's Justices of the Peace for the Counties of *Kent* or *Essex*, or before the Mayor, Recorder or such Aldermen for the Time being, who have Power to act as Justices of the Peace within the Corporations of *Queenborough* or *Gravesend*, on his, her or their own Confession or Confessions in Writing under his, her or their Hand or Hands, or on the Oath of one or more credible Witness or Witnesses, which Conviction shall be final and without any Appeal whatsoever, such Ship, Sloop, Smack or fishing Vessel, Boat, Store-boat or other Boat into which the said Fish, or any Part thereof, shall be unloaded or delivered, with all Tackle, Apparel and Furniture to the same belonging, together with the whole Cargo of such Fish, shall be forfeited by the Owners thereof, and disposed of as hereafter mentioned; such Forfeitures to be levied by Distress and Sale by Warrant under the Hand and Seal of any one or more of his Majesty's Justices of the Peace within the said Counties of *Kent* or *Essex*, or of the said Mayor, Recorder or Aldermen acting for the Time being as Magistrates within the Towns of *Queenborough* and *Gravesend*, or such Mayor, Recorder or Aldermen of any other Corporate Town between the said Towns of *Queenborough* and *Gravesend*, and the City of *Westminster*, as aforesaid; which Warrant or Warrants the said Justice or Justices, Mayors, Recorders or Aldermen, is and are hereby impowered and required to make and issue accordingly, and to be directed to the High Constable, Petty Constable, Headborough or Tithingman of either of the said Towns of *Queenborough* or *Gravesend*, or any other Towns as aforesaid near unto where any such Offences shall be committed, or where such Ship, Sloop, Smack or fishing Vessel, Boat, Store-boat or other Boat shall then be, to take and seize the same, and sell and dispose thereof within fourteen Days accordingly; and one Moiety or Half Part of the Produce of such Sale, after reasonable Charges deducted, shall go and be paid to the Informer or Informers, as the said Justices shall appoint, and the other Moiety to the Trustees appointed to put the said recited and this present Act in Execution, to be placed by them, or any five or more of them, or their Order, to the general Account of Surplus of Profits arising from the Fish Market, in the said recited Act mentioned, and to be appropriated as the said Surplus in the said Act is directed; any thing in the said Act contained to the contrary notwithstanding.

Penalty on fishing Vessels employed for the Supply of London and Westminster Markets breaking Bulk, or vending their Fish, before their Arrival in the River, or not entering their Arrival, or not selling their Fish within 8 Days.

Penalty, how to be levied.

Application thereof.

II. Provided nevertheless, That in case any such fishing Vessel is freighted or loaded with Lobsters, or whose Part-loading may be made up with Lobsters, and the Fishermen or other Person or Persons whatsoever, Natives or Foreigners, who shall be Owners of such Lobsters or have the Power to sell or dispose of the same, shall sell off her whole Cargo of such Lobsters within twelve Days after the Arrival of such Vessel at the Place or Places herein before appointed for that Purpose, and in all other Respects conform to the Directions of the said recited and this present Act; then and in such Case the Sale of the whole Cargo of such Lobsters shall be and is hereby declared to be as good a Sale thereof, as if such Sale had been completed and made within the said limited Time of eight Days before-mentioned.

12 Days allowed for the Sale of Lobsters.

III. Provided also nevertheless, That it shall and may be lawful to and for every such Fisherman or other Person or Persons whatsoever, Master or Owner of any fishing Sloop, Smack or fishing Vessel coming from Sea, and to and for every other Person or Persons having the Conduct of any such fishing Ship, Sloop, Smack or fishing Vessel as aforesaid, and they are hereby impowered at any Time and Times, and as often as Need shall be or require, during their respective Voyages at Sea, and before their Arrival at the *Nore*, to shift and remove any Part of their Cargoes of Fish into any other Ship, Sloop, Smack, Vessel or Vessels, for the Ease of their Wells, the Preservation of their Fish, and the better separating such as are dead, dropt or sickly, from those which are sound and healthy; so that no Part of such Cargo of Fish be sold or disposed of, until their Arrival at or above the *Nore* as aforesaid; any Thing herein before contained to the contrary notwithstanding.

Fishing Vessels may remove their Cargoes before their Arrival at the Nore, so as not to make Sale thereof.

IV. Provided also nevertheless, That it shall and may be lawful to and for any Fisherman or Owner of any Peter-boat, or other small fishing Vessel used and employed for serving and supplying the Inhabitants of any City, Town or Village, or the Neighbourhood thereof, on or near the Banks of the said River, between the Mouth of the said River and the said Towns of *Queenborough* or *Gravesend*, to sell or dispose of their Fish in such Manner as hath been heretofore used, in case such Boats or Fishing Vessels are only used and employed for the Consumption of such Fish within such City, Towns or Villages, and the Inhabitants thereof, or of the Neighbourhood thereof.

Peter-boats, &c. employed for serving Towns, &c. near the Banks of the River, may dispose of their Fish as heretofore.

Trustees to appoint Inspectors of the Fishing Vessels.

V. And be it further enacted by the Authority aforesaid, That the Trustees for putting the said former and this present Act in Execution, or any nine or more of them, shall and may, by Writing under their Hands and Seals, appoint one or more fit Person or Persons, to be called *The Inspector* or *Inspectors of the Fishing Vessels*, to inspect and search all and every Fishing Vessel and Vessels, Well-boat or Store-boat, Well-boats or Store-boats, belonging to any Fisherman or other Person or Persons whatsoever, Natives or Foreigners, at any Time after the Arrival of any Fishing Vessel at the *Nore*, or in any Part of the River *Thames* between the *Nore* and *Billingsgate Dock*, to examine and take Account, as well of the Arrival of such Vessel or Vessels within the said Limits, as of the Time of selling the whole Cargo of Fish, brought in such Vessel, and of the breaking Bulk, and unloading such Vessel, and shifting the Cargo, or any Part thereof, into such Well-boats or Store-boats, and of the Delivery or selling off such Cargo, in such Manner as directed by the said recited or this present Act; and remove such Officer or Officers at their Pleasure; which Inspector or Inspectors, when so appointed, is and are hereby authorized and impowered to enter into, inspect and examine such Fishing Vessels, Well-boats and Store-boats accordingly; and all and every such Person or Persons on Board the said Vessels are hereby required to give to the said Inspector such Account thereof, according to the best of their Knowledge; and in case any Person or Persons, being the Master, Owner or Owners of such Vessel or Vessels, or their Cargo, or any of their Agents or Servants or other Person or Persons there found as aforesaid, shall refuse to give such Account, or shall molest, obstruct or otherwise hinder such Inspector or Inspectors in the Execution of his or their said Office, or prevent or endeavour to prevent, any Person or Persons on Board such Vessel or Vessels, Boat or Boats, from giving such Account as aforesaid; every such Person so offending, being thereof lawfully convicted before one or more of his Majesty's Justices of the Peace, as in this Act particularly described as aforesaid, by the Confession of the Party, or on the Oath of one or more credible Witness or Witnesses, shall for every such Offence forfeit and pay the Sum of ten Pounds, to be recovered and applied in the same Manner as the other Penalties in this Act.

Inspector's Duty and Power.

10 l. Penalty on Persons on Board not giving him the Information he wants, or obstructing him in his Office.

2 s. to be paid to the King's Searcher for every Fishing Vessel, on certifying their Arrival at Gravesend; 6 d. thereof to go to the Searcher for his Certificate; and 1 s. 6 d. to the Trustees; *Repealed by* 33 *Geo.* 2. *c.* 27. to be applied for Charges of a Boat, and Service of Inspector; and the Surplus as the Duties are directed.

VI. And for the Support and Maintenance of such necessary Officer or Officers, whereby the good Purposes of the said recited and this present Act may be effected, and the forestalling and monopolizing of Fish in general prevented, and to defray such Charges as may attend the Execution of his or their Office, as hereafter mentioned; Be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, there shall be paid to his Majesty's Searcher or Searchers at *Gravesend*, for the Certificate of the Entry of the Arrival of any such Fishing Ship, Sloop, Smack or other Vessel or Vessels as aforesaid, the Sum of two Shillings, to be paid and applied in Manner following, that is to say, There shall be kept and retained by and to the Use of the said Searcher or Searchers, for making out such Certificate, six Pence; and the remaining one Shilling and six Pence is hereby vested in the said Trustees, and shall be paid by such Searcher or Searchers, from Time to Time, to the said Trustees, or such other Person or Persons, as the said Trustees, or any five or more of them, shall by Writing for that Purpose, under their Hands and Seals, direct and appoint, whose Receipt shall be, and is hereby declared to be, at all Times, a full Discharge to such Searcher or Searchers for the same, which said Payment of one Shilling and six Pence on each Fishing Vessel as aforesaid, shall be applied by the said Trustees, or any five of them, in the first Place, to pay such Inspector or Inspectors of the Fishing Vessels for his or their said Service, and for the Charges of a Boat, such yearly Sum as the said Trustees, or any nine of them, shall think is fit and reasonable for such Service; and if any Surplus arises, over and above, then to apply such Surplus in the same Manner as the Surplus arising from the Tolls and Duties of the said recited Act are directed to be applied.

Master to give Notice within three Days of his Vessel's Arrival at the Nore, to the Searcher at Gravesend; *Repealed by* 33 *Geo.* 2. *c.* 27. Entry to be made thereof, and a Certificate given.

VII. And be it further enacted by the Authority aforesaid, in order the better to discover any Offenders against this Act, That the Master, Owner, Chief Officer or Mariner, who shall have the Care or Conduct of any such Fishing Ship, Sloop, Smack or other Vessel or Vessels, made use of for the catching or importing of Fish as aforesaid, shall within three Days after the Arrival of such Fishing Ship, Sloop, Smack or other Vessel or Vessels, at the *Nore* as aforesaid, truly report the Time of such Arrival to his Majesty's said Searcher or Searchers, at their Office at *Gravesend*, or to the Chief Officer of his Majesty's Customs there, who is hereby directed and required to take Notice of, and enter the same in a Book to be kept for that Purpose, and to give a Certificate thereof to such Master, Owner, Chief Officer or Mariner, belonging to the said Fishing Ship, Sloop, Smack or other Vessel.

Warrant of Distress may be executed in any Part of the Rivers Medway or Thames, &c.

VIII. And the better to prevent the Removal of the said Fishing Vessels and Cargoes out of the Limits of the County, City and Liberty, or Town Corporate, where the Offence shall be committed, before such Distress can be made, whereby the Effect of such Convictions as aforesaid may be defeated; Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the High Constable, Petty Constable, Headborough or Tythingman, of *Queenborough*, *Gravesend* or any other Towns being Corporations, or of any County, City or Liberty, to whom such Warrant of Distress shall be directed, to execute the same in any Part of the River *Medway* or River *Thames*, or any Creek or Water thereof between the *Nore* and the City of *Westminster*; and that such Warrant or Warrants, or other Act or Acts of the said Mayors, Recorders, Aldermen or such Justice or Justices of the Peace, and the Act or Acts of the Constable, Headborough, Tythingman or other Person or Persons, in Obedience to such Warrant or Warrants, shall be as valid, good and effectual in Law, to all Intents and Purposes, as if the same were executed within the proper Limits of their own Town, Liberty, Precinct or Jurisdiction.

5 l. Penalty on selling or exposing to Sale any Fish within 500 Yards of the Fish Market, without a Licence.

IX. And be it further enacted by the Authority aforesaid, That if any Fisherman, Fishmonger or other Person or Persons shall sell, or expose to Sale, in any House, Shop, Stall or Standing, any Fish of any Kind whatsoever, within five hundred Yards of the said Free Fish Market, appointed to be held in the City of *Westminster*, or the Bounds or Limits of such Ground as hath been appointed or assigned by or by virtue of the said recited Act for holding the same, without the Licence and Consent of the said Trustees appointed or to be appointed to put the said recited and this present Act in Execution, or any five or more of

of them, in Writing under their Hands and Seals first had and obtained for that Purpose, such Fisherman, Fishmonger or other Person or Persons, shall for every such Offence forfeit the Sum of five Pounds; to be paid on the Conviction of such Offender, before any two or more of his Majesty's Justices of the Peace for the said City and Liberty of *Westminster*, on the Confession of the Party, or on the Oath of one or more credible Witness or Witnesses who shall prove the same, and this without further Appeal, with Power nevertheless to such Justice or Justices of mitigating the same; and on refusing Payment on such Conviction, then such Justice or Justices, or any other of his Majesty's Justices of the Peace, shall and may grant their Warrant of Distress, to levy the same upon such Offender's Goods and Chattles, and divide the Sum wherein such Offender shall so stand convicted, as follows; to wit, one Half to the Informer, and the other Half to the Trustees appointed in and by the said recited Act, to be applied to the same Use as the Surplus Monies arising by the Profits of the Market are in and by the said recited Act directed to be paid and applied.

Justice may mitigate the Penalty.

Application of the Penalty.

'X. And whereas the said Trustees, for the greater Accommodation of the Inhabitants of *Westminster* in 'resorting to the said Fish Market, have granted a Lease to *Richard Hughes*, of Part of the assigned Ground 'for holding the said Fish Market, wherein the said *Richard Hughes* hath built eight Houses, with Conveni- 'encies fit for Fishmongers to sell Fish by Retail: And whereas the said *Richard Hughes* is restrained by the 'said Lease from letting the said Houses to any other than Fishmongers, whereby several of the Houses are 'uninhabited, and great Loss hath accrued to the said *Richard Hughes* thereby, and still further Loss may 'accrue to the said *Richard Hughes*, in case he shall be obliged strictly to comply therewith; and even such 'Fishmongers who may settle there are in Danger of incurring the Penalties against Regrators, should they 'expose to Sale again in their Shops, any Fish bought by them at or in the said Free Fish Market;' Be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any nine of them, by any Writing under their Hands and Seals for that Purpose, as they may see Occasion, to dispense with such Restraint, and to defeazance the Covenant of the said *Richard Hughes* in that Respect, so far as it respects to two End Houses of the said eight Houses; the Clause in the said recited Act, whereby the Commissioners for building a new Bridge cross the River *Thames*, from the *New Palace Yard* in the City of *Westminster*, to the opposite Shore in the County of *Surry*, are authorized and impowered to grant the Ground therein mentioned, to be made Use of for holding the intended Market in the said Act mentioned, or any other Clause in the said recited Act notwithstanding; and that it shall and may be lawful to and for any Fishmongers holding Shops for the Sale of Fish in any of the said eight Houses, to sell and expose to Sale any Fish whatever in their said Shops, although they shall have bought the same in the said Free Fish Market at *Westminster*.

Restraining Conditions in a Building Lease granted to Richard Hughes.

Trustees may dispense with the said Restraint, with respect to the two End Houses.

Fishmongers indemnified for selling in their Shops Fish bought in the Market.

'XI. And whereas *William Hanington* Fishmonger hath, at a considerable Expence, purchased and fitted 'up for the carrying on his Trade and Business, a certain Messuage or Tenement situate in *Bridge Street* in 'the City of *Westminster*, and within the Distance of five hundred Yards from the said Free Fish Market, 'and will be a great Sufferer if he should be restrained from carrying on and exercising his said Trade and 'Business in the said House, without receiving a proper Recompence and Satisfaction for such Damages and 'Expences as he may thereby sustain and be put unto;' Be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall be, and are hereby authorized, directed and impowered, to pay to the said *William Hanington*, his Executors or Administrators, before *Michaelmas Day* next, the Sum of two hundred Pounds, being a proper Recompence and Satisfaction for the Loss, Damages and Expences, he may sustain or be put unto as aforesaid.

Trustees to pay William Hanington 200l. in lieu of Damages for being restrained from selling Fish within a certain Distance of the Market.

XII. And be it further enacted by the Authority aforesaid, That the said *William Hanington* shall not be subject or liable unto any the Penalties or Forfeitures inflicted by this Act on such Person and Persons as shall sell, or expose to Sale, in any House, Houses, Shops, Stalls or Standings, any Kind of Fish whatsoever, within five hundred Yards of the said Free Fish Market, until *Michaelmas Day* next, and until such Time as the said Sum of two hundred Pounds shall be paid unto him as is herein directed to be paid as aforesaid; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Hanington exempted from Penalty of selling Fish near the Market, until the 200l. be paid him.

'XIII. And whereas the said Trustees appointed by the said recited Act were impowered and authorized 'by the said Act, to assign over the Tolls and Duties made payable thereby, as a Security for such Sum or 'Sums of Money, as the said Trustees might have Occasion to borrow to discharge the Expences of laying 'out, making and erecting a commodious Place for the said Market, and other necessary Expences that 'should attend the Execution of the said Act: And whereas the said Tolls and Duties have not produced 'any Sum or Sums sufficient in any wise to pay or discharge the Principal or Interest-Money borrowed by 'the said Trustees, upon the said Tolls and Duties, and they have Power and Authority only to apply the 'Money that shall arise by such Tolls and Duties, in paying the same;' Be it therefore further enacted, That it shall and may be lawful to and for the said Trustees, or any seven or more of them, from Time to Time, at a publick Meeting to be held by them for that Purpose, by any Writing under their Hands and Seals, to assign over all or any annual or other Rent or Rents, Sum or Sums of Money, Profit or Produce whatsoever, which have been or may be, reserved or made payable, in or by any Grant, Lease, Contract or Agreement, made or to be made, by and between the said Trustees, and any Person or Persons whatsoever, for the Ground and Premisses assigned by virtue of the said recited Act, for holding the said Fish Market, or any Part of such Ground and Premisses, or from, by or out of, any Building or Erection, Buildings or Erections, thereon erected and built, or to be erected and built, as a Security for such Sum or Sums of Money, as the said Trustees shall have Occasion to borrow, for the Purposes of the said recited and this present Act, to such Person or Persons who shall advance and lend the same, to secure the Payment thereof, with such Interest as shall be agreed upon, not exceeding five Pounds *per Centum per Annum*; and the said Trustees shall apply the Money which they shall so borrow, to the Discharge of such Debts, as have been contracted by the said Trustees, in executing the said rec ted Act, and in paying to the said *William Hanington*, his Executors or Administrators, such Sum of two hundred Pounds as aforesaid; and for such Uses, Intents and Purposes, as the said Trustees, or any Number of them, are impowered by this or the said recited

Trustees may assign over any reserved Rents or Profits, as a Security for any Money they shall borrow on this or the recited Act.

Application of the Monies borrowed.

cited Act, to apply such Monies as might arise by such Tolls and Duties as aforesaid; any Thing in the said Act to the contrary notwithstanding.

Part of the recited Act, with respect to the Sale of Fish under Size, repealed. 22 Geo. 2. c. 49. §. 21.

XIV. And be it further enacted, That so much of the said recited Act, as gives Allowance or Liberty for the exposing to Sale, or exchanging for any other Goods, any of the several Kinds of Fish therein described, and under the Dimensions as are prohibited by the Statute in the said recited Act for that Purpose, and herein before-mentioned, in case the same are taken with a Hook, and so not fit or capable of being preserved alive, be repealed, and the same is hereby repealed accordingly; the said recited Act, or any Clause, Matter or Thing therein contained to the contrary in any wise notwithstanding.

Penalties payable by the recited Act to the Poor of the Parish, to be paid for the future to the Trustees, and to be applied in put ing out Apprentices.

XV. And be it further enacted by the Authority aforesaid, That such Part of the Penalties which by the said recited Act, are to be paid to the Poor of the Parish where the Offence is committed, be paid to the Trustees mentioned in the said recited Act, or such Person or Persons as they, or any five of them shall appoint, to the Increase of the Surplus of the Tolls and Profits thereby appropriated to the putting out of Apprentices to Fishermen, Masters of Ships, or some other Person or Persons employed in the Sea Service; any Thing in the said recited Act to the contrary thereof notwithstanding: And further, That all and every the Trustees appointed and to be appointed under the Authority of the said recited Act, shall and are hereby impowered to execute this, as well as the said recited Act, and all and every the Clause and Clauses contained in the said recited Act, shall stand in full Force, except such Parts thereof as are altered by this present Act.

Trustees of the former Act, to put this Act in Execution, &c.

Limitation of Actions.

General Issue.

XVI. Provided always, and be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, every such Action or Suit shall be brought within six Months next after the Fact committed, and not afterwards; and shall be laid or brought in the County or Place where such Offence shall be committed, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit so to be brought, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, or that such Action or Suit shall be brought after the Time limited for bringing the same as aforesaid, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any Case by Law.

Treble Costs.

Concerning Fishery see farther 30 *Geo.* 2. *c.* 21 & 30. 33 *Geo.* 2. *c.* 27. *and* 2 *Geo.* 3. *c.* 15.

CAP. XL.

An Act to improve, widen and enlarge the Passage over and through *London Bridge*.

See 2 *Geo.* 3. *c.* 30.

'WHEREAS the Passage over and through *London Bridge* is very dangerous and incommodious, 'and it is absolutely necessary immediately to widen and enlarge the same, and the widening and enlarging the said Bridge, and one or more of the Arches thereof, will be of Publick Utility, of great Benefit to Trade and Commerce, make the Navigation upon the River *Thames* more safe and secure, and greatly tend to the Preservation of the Lives of his Majesty's Subjects passing over and through the said Bridge: And whereas in order to the same, it is necessary that the Houses, Edifices and Buildings on the said Bridge, and some Houses and Edifices contiguous thereto, should be taken down and removed:' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, shall with all convenient Speed after the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, contract and agree for the purchasing (if they can) of all Houses, Tenements, Edifices, Erections and Buildings, now standing or being on the said Bridge, or contiguous or adjoining thereto (which do not belong to the Mayor and Commonalty and Citizens of *London*) which the said Mayor, Aldermen and Commons, in Common Council assembled, shall judge necessary to be taken down and removed, for the Enlargement and Improvement of the Passage over, and the Avenues leading to and from the said Bridge; and that upon Payment of such Sum or Sums of Money as shall be agreed to be paid for the same, and in case no Agreement shall be made for the same, on making Satisfaction in Manner herein after mentioned, to all Owners of, and Persons interested in such Houses, Tenements, Edifices, Erections and Buildings, not belonging to the said Mayor and Commonalty, and Citizens of *London*; and to the Lessees and Occupiers of all Houses or Tenements which shall be ordered or deemed necessary to be taken down, and of all Ground which shall be deemed necessary to be laid to the said Bridge for the Enlargement thereof; the said Mayor, Aldermen and Commons, in Common Council assembled, are hereby authorized and required with all convenient Speed, afterwards to cause to be taken down all such Houses, Tenements, Edifices, Erections and Buildings, and also such Houses, Tenements and Buildings on and contiguous to the said Bridge, which belong to the said Mayor and Commonalty and Citizens, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall deem necessary and proper to be taken down for the Purposes aforesaid; and also to cause the Materials thereof to be removed and taken away, after any such Houses, Tenements, Edifices, Erections and Buildings shall be taken down; and likewise to widen or enlarge one or more of the Arches of the said Bridge, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall from Time to Time judge necessary and direct; and this Act shall be sufficient Authority to indemnify them and all Persons authorized by them for so doing, as well against the said Mayor and Commonalty and Citizens, as against the Heirs, Executors, Administrators and Assigns, of all and every the Owners of, and all other Persons

The Mayor and Common Council, are impowered to purchase and remove the Buildings on, and contiguous to, the Bridge,

and to widen one or more of the Arches;

Persons interested in any such Houses, Buildings and Ground, and the Lessees and Occupiers thereof, as if the same had been sold by Deed of Feoffment, Bargain and Sale, or other Assurance in the Law whatsoever.

and to design how the Passage may be rendered more safe and commodious, and the Bridge preserved.

II. And be it further enacted by the Authority aforesaid, That the said Mayor, Aldermen and Commons, in Common Council assembled, shall also, from Time to Time, design, assign, and lay out how and in what Manner, and with what Materials, the Passage over and through the said Bridge shall be widened, enlarged, and rendered more safe and commodious, and how the same, and the said Bridge, may and shall, from Time to Time, be preserved and kept in good Repair and Order, and shall make Contracts, and do all other Matters and Things requisite for carrying on and effecting the Purposes directed by this Act to be done, and for causing the same to be effectually perfected, as to them shall seem meet.

A Balluſtrade to be erected on each Side of the Bridge; and a Passage of 31 Feet to be opened for Carriages, and of seven Feet for Foot Passengers.

III. And it is hereby further enacted by the Authority aforesaid, That the Passage over the said Bridge shall be secured and preserved by a proper and uniform Balluſtrade to be erected on each Side thereof, and that the said Passage shall be forty-five Feet wide, if it will admit thereof, and laid out in Manner herein after-mentioned; that is to say, The Passage for Carriages, Horses and other Cattle, shall be thirty-one Feet wide; and the Foot-ways for Passengers on each Side of the said Bridge, shall be seven Feet wide; and the said Passage shall be made and continued safe and commodious in all Respects, by such Ways, and in such Manner, as the Mayor, Aldermen and Commons, in Common Council assembled, shall order or direct.

Lamps to be set up,

IV. And be it further enacted by the Authority aforesaid, That such convenient and sufficient Number of Glass Lamps, of such Sort and Fashion, and put up in such Parts and Places of the said Bridge, as to the said Mayor, Aldermen and Commons of the said City, in Common Council assembled, shall seem meet and expedient, shall be with all convenient Speed, after the said Bridge shall be widened, enlarged and repaired, in Manner as herein before is directed, erected and fixed upon proper Parts or Places of the said Bridge; and the same shall yearly and every Year be kept lighted and burning from Sun-setting to Sun-rising throughout the Year; and that the said Mayor, Aldermen Commons, in Common Council assembled, shall from Time to Time, after any Houses on the said Bridge shall be taken down in pursuance of this Act, nominate and appoint such a Number of able-bodied Watchmen as they shall judge necessary and proper to be kept upon the said Bridge, for the Safety and Protection of Persons passing over the same, which Watchmen so to be appointed, shall be subject to such Rules, Orders and Directions, as shall from Time to Time be made by the said Mayor, Aldermen and Commons, in Common Council assembled, and removeable at their Will and Pleasure; and the Expence of buying and erecting of such Lamps or Lights, and also the yearly Charges of supplying, maintaining and repairing the same, and the Charges and Expences of watching the said Bridge, shall be borne and paid out of the Estate and Revenues belonging to the said Bridge.

to be kept lighted from Sun-setting to Sun-rising; and a Watch to guard the Bridge;

to be defrayed out of the Bridge Estate.

Penalty of breaking, &c. the Lamps,

V. And be it enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the erecting and placing the said Lamps, wilfully or maliciously break, throw down, or extinguish any Lamp that shall be set up to light the said Bridge, or wilfully damage the Posts, Irons or other Furniture thereof, every Person so offending therein, and being thereof convicted by the Oath of one or more Witness or Witnesses, before one or more Justice or Justices of the Peace for the City of *London*, or the Borough of *Southwark*, or the County of *Surry*, as the Case may happen, shall be subject to such Pains, Penalties and Forfeitures, as are inflicted by an Act of the seventeenth Year of his present Majesty, intituled, *An Act for making more effectual Provision for enlightening the Streets of the City of* London.

the same as inflicted by Act 17 Geo. 2. c. 29.

Destroying, &c. the Bridge, or any of the Works, Felony.

VI. And for the preventing wilful and malicious damaging or destroying the said Bridge, or any Part thereof, or hindering or interrupting the repairing thereof, or the widening and enlarging the Passage over and through the same; Be it enacted by the Authority aforesaid, That if any Person or Persons shall unlawfully, wilfully and maliciously blow up, pull down or destroy the said Bridge, or any Part thereof, or remove, destroy or take away, any Works which now do or shall belong thereto, or in any wise direct or procure the same to be done, whereby the said Bridge or the Works thereof shall be damaged, or the Lives of Passengers endangered; every such Offender or Offenders, being lawfully convicted thereof, shall be adjudged guilty of Felony, and shall suffer as a Felon.

Materials of the Buildings taken down, vested in the City, and to be applied as herein directed.

VII. And be it enacted by the Authority aforesaid, That all Timber, Stones, Bricks, Tiles, Slates, Planks, Iron, Lead, Glass and all other Materials belonging or appertaining to the several Houses or Tenements, Edifices and Buildings, that shall be taken down by virtue of this Act, shall be, and the same are hereby vested in the Mayor and Commonalty, and Citizens of the said City of *London*; and the said Mayor, Aldermen and Commons, in Common Council assembled, are hereby required with all convenient Speed, after any such Houses or Buildings shall be taken down, to cause such Timber, Stones, Bricks, Tiles, Slates, Planks, Iron, Lead, Glass or other Materials to be removed from off the Premisses, and to use and employ such thereof as they shall see fitting towards widening, enlarging and rendering more commodious the Passage over the said Bridge, and under the same, and what thereof shall afterwards remain, shall either be employed towards Reparation of the other Estates belonging to the said Bridge-house, or else shall be sold and disposed of for as much Money as can be had or gotten for the same, as they shall from Time to Time deem best; and the Money arising by and from the Sale of such Part thereof as shall be sold, shall go and be applied to and for the Purposes of this Act.

Bodies Politick, &c. Trustees, and others impowered to sell

'VIII. And whereas it may happen that some Persons or Bodies Politick, Corporate or Collegiate, Feoffees in Trust, Femes Covert, or others, who are seised of some Houses, Edifices or Grounds, which 'may be necessary to be pulled down or purchased, and set out or assigned, for widening and enlarging the 'Passage over the said Bridge, or the Avenues thereto, as aforesaid, may be willing to treat and agree to 'sell such Houses, Edifices and Grounds, to perfect so useful and necessary a Work, but are incapable of 'selling, granting or conveying the same;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians or other Trustees whomsoever, and for all

their Property in any of the Buildings.

all Femes Covert, and every other Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Houses, Edifices, Tenements or Ground, to sell and convey all or any such Houses, Edifices, Tenements and Ground, or any Part thereof, and all their Estates, Rights, Titles and Interests whatsoever, of, in and to the same, to the said Mayor and Commonalty, and Citizens, and their Successors, or to such Persons, and their Heirs for ever, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall direct, in Trust for the said Mayor and Commonalty and Citizens, and their Successors, for the Purposes in this Act contained; and that all Contracts, Agreements, Sales and Conveyances, which shall be so made by virtue and in pursuance of this Act as aforesaid, shall without any Fine or Fines, Recovery or Recoveries, or other Conveyance or Assurance in the Law whatsoever, be good, valid and effectual, to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in any wise notwithstanding: And that all such Persons are and shall be hereby indemnified for what they shall do by virtue of or in pursuance of this Act.

Where any Persons shall refuse to treat, or are prevented from treating, &c.

IX. And be it further enacted by the Authority aforesaid, That if any Body Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Femes Covert, or other Person or Persons whatsoever, in and by this Act impowered and qualified to contract, sell, convey and dispose of, any Part of the Premisses for the Purposes herein before-mentioned, shall refuse to treat and agree as aforesaid, or by reason of Absence shall be prevented from treating and agreeing, or shall decline or refuse to sell, convey and dispose of, the Premisses, whereof, wherein, or whereunto, they respectively shall be so seised, possessed, interested or intitled as aforesaid, or their respective Rights, Titles, Claims or Interests, to, in or upon the same, or any Part thereof, unto the said Mayor and Commonalty, and Citizens, and their Successors, or such Persons as the

or shall not make out a Title, the Court of Aldermen to issue a Precept for the summoning a Jury,

said Mayor, Aldermen and Commons, in Common Council assembled, shall appoint, for the Purposes, and according to the Tenor, true Intent and Meaning of this present Act, or shall not produce or make out a clear Title to the Premisses they are in Possession of, or to the Interest they claim thereto, to the Satisfaction of the Court of Mayor and Aldermen of the City of *London*, it shall and may be lawful to and for the said Court, and they are hereby impowered and authorized to issue a Warrant or Warrants, Precept or Precepts, to the Sheriffs of the said City of *London*, or to the Bailiff of the Borough of *Southwark*, as the Case shall require, who are, and every of them is, hereby authorized, directed and required accordingly, to impanel and return a competent Number of substantial disinterested Persons, qualified to serve on Juries, and not less than forty-eight; and out of such Persons so to be impanelled, summoned and returned, a Jury of twelve Persons shall be drawn by some Person by the said Court of Mayor and Aldermen to be appointed,

who are to be drawn as Act 3 Geo. 2. c. 25. directs,

in such Manner as Juries for the Trial of Issues joined in his Majesty's Courts at *Westminster*, by an Act made in the third Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; which Persons so to be impanelled, summoned and returned, as aforesaid, are hereby required to come and appear before the said Court of Mayor and Aldermen, if the Premisses in Dispute lie in *London*, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend there, from Day to Day, until discharged by the said Court; and if the Premisses lie in the County of *Surry*, before the Justices of the Borough of *Southwark*, at some General Quarter-Sessions of the Peace to be held for the said Borough, or some Adjournment thereof; and all

Jury may be challenged, Court may summon and examine Witnesses on Oath, and direct the Jury to view the Places in Question, &c.

Persons concerned shall have their lawful Challenges (but not challenge the Array of the Panel) against any of the said Jurymen when they come to be sworn; and the said Court of Mayor and Aldermen, or Justices, as aforesaid, are hereby respectively authorized and impowered, by Precept or Order, from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whomsoever, who shall be thought necessary to be examined as Witnesses before them, and to examine them on their Oath or Oaths touching and concerning the Premisses; and the said Court of Mayor and Aldermen, and Justices, as aforesaid respectively, if they think fit, shall and may likewise authorize the said Jury to view the Place or Places, or Matters in Question, in such Manner as they shall direct; and the said Court of Mayor and Aldermen, or Justices as aforesaid, shall have Power to adjourn such Meeting from Day to Day, as Occasion shall require; and such Jury, Witnesses and Parties, shall attend until all such Affairs for which they were summoned shall be concluded: And the said Jury, upon their Oaths, shall enquire of the Value of such Houses,

Jury to assess the Value,

Ground, Tenements, Edifices, Erections and Buildings, which shall be necessary to be purchased, and of the respective Estate and Interest of every Person seised or possessed of, or interested therein, or in any Part thereof; and such Jury shall assess the Sum and Sums to be paid to every such Person or Persons for the Purchase of such their Estates and Interests which shall be necessary to be so purchased; and the said Court of Mayor and Aldermen, or Justices, as aforesaid, shall and may respectively give Judgment for such Sum and Sums of Money so to be assessed; which said Verdict or Verdicts, and the said Judgment, Decree and

and the Court to give final Judgment.

Previous Notice to be given to the Parties interested,

Determination thereon (Notice in Writing being given to the Person or Persons interested, at least fourteen Days before the Time of such Assessment, declaring the Time and Place of the Meeting of the said Court of Mayor and Aldermen, or Justices as aforesaid, and Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his, her or their usual Place or Places of Abode, or with some Tenant or Occupier of some of the said Houses, Ground, Tenements, Edifices, Erections or Buildings, intended to be valued and assessed, in case such Party cannot otherwise be found out, to be served with such Notice) shall be binding and conclusive to all Intents and Purposes whatsoever, as well against the King's Majesty, his Heirs and Successors, and all and every other Person and Persons, Bodies Politick and Corporate, claiming any Estate, Right, Title, Trust, Use or Interest in, to or out of the same, either in Possession, Reversion, Remainder or Expectancy, as well Infants, and Issue unborn, Lunaticks, Ideots and Femes Covert, and Persons under any other legal Incapacity or Disability, and all other Cestuique Trusts, his, her and their Heirs, Successors, Executors and Administrators, as against all other Persons whomsoever; and the said Verdicts, Judgments and Decrees, and all other Proceedings of the said Court of Mayor and Aldermen, or Justices as aforesaid, and Juries, so to be made, given and pronounced as aforesaid, shall be fairly written on Parchment, and signed and sealed by the said Mayor for the Time being; and such Verdicts, Judgments

Verdict of the Jury and Judgment and Proceedings of the Court to be

and

nd Decrees, and other Proceedings, as relate to, or concern Houſes, Grounds, Tenements, Edifices, Erections and Buildings in *London*, ſhall be entered in the Town Clerk's Office of the City of *London*; and ſuch as relate to or concern any Houſes, Grounds, Tenements, Edifices, Erections or Buildings in the County of *Surry*, ſhall be tranſmitted to the Clerk of the Peace of the ſaid County, and kept amongſt the Records of the Quarter-Seſſions of the ſaid County; and the ſaid Verdicts, Judgments and Decrees, and all other Proceedings, ſhall be deemed and taken to be Records to all Intents and Purpoſes whatſoever; and the ſame, or ſome Copy thereof, ſhall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatſoever, and all Perſons may have Recourſe to the ſame *gratis*, and take Copies thereof, paying for every Copy not exceeding two hundred Words, Sixpence; and ſo proportionably for any greater or leſſer Number of Words.

ſigned and ſealed by the Mayor, and recorded.

Copies may be taken thereof; the ſame deemed good Evidence.

X. And it is hereby further enacted and declared, That upon Payment of ſuch Sum or Sums of Money ſo to be aſſeſſed and decreed as aforeſaid, the Perſon or Perſons to whom the ſame ſhall be ſo aſſeſſed and decreed for the Purchaſe of the Houſes, Tenements and Hereditaments, or for the Purchaſe of any Eſtate or Intereſt therein, ſhall make and execute, or procure to be made and executed, good, valid and legal Conveyances and Aſſurances in the Law, to the ſaid Mayor and Commonalty and Citizens of the ſaid City, or to any Perſon or Perſons whom the ſaid Mayor, Aldermen and Commons, in Common Council aſſembled, ſhall direct and appoint, and their Heirs, in Truſt, for the ſaid Mayor and Commonalty, and Citizens of the ſaid City, of ſuch Houſes, Ground, Tenements, Edifices, Erections and Buildings, or of ſuch Eſtate or Intereſt, for which ſuch Sum or Sums of Money ſhall be ſo awarded; and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments and Aſſurances, and ſhall do all Acts, Matters and Things, neceſſary or requiſite to make a clear, good and perfect Title to ſuch Premiſſes, to the ſaid Mayor and Commonalty and Citizens of the ſaid City; and ſuch Conveyances, Aſſignments and Aſſurances, ſhall contain all ſuch reaſonable and uſual Covenants as ſhall, on the Part of the ſaid Mayor and Commonalty and Citizens, be required; and in caſe ſuch Perſon or Perſons to whom any ſuch Sum or Sums ſhall be ſo awarded or due as aforeſaid, ſhall not be able to evidence their Title to the Premiſſes, to the ſaid Mayor, Aldermen and Commons in Common Council aſſembled, and to make, or procure to be made, good, valid and legal Conveyances thereof to the ſaid Mayor and Commonalty and Citizens, or to ſuch Perſon or Perſons as the ſaid Mayor, Aldermen and Commons in Common Council aſſembled, ſhall appoint, or ſhall refuſe ſo to do, being thereto required, and ſuch Sum or Sums ſo aſſeſſed and awarded, or due as aforeſaid, being produced and tendered to be paid to them, on their making ſuch Title, and executing, and procuring to be executed, ſuch Conveyances, Aſſignments or Aſſurances as aforeſaid; or if in caſe ſuch Perſon or Perſons, to whom ſuch Sum or Sums of Money ſhall be ſo aſſeſſed or due as aforeſaid, cannot be found in the City or County where the Houſes, Ground, Tenements, Edifices, Erections and Buildings, for which the Sums ſhall be ſo aſſeſſed and awarded, or are due, lie; or in caſe that by reaſon of Diſputes depending in any Court of Law or Equity, or for Defect of Evidence, it ſhall not appear to the ſaid Mayor, Aldermen and Commons of the ſaid City, in Common Council aſſembled, what Perſon or Perſons is or are intitled; or if any Mortgagee ſhall refuſe to take in his or her Mortgage Money due on the Premiſſes, after Notice given to him or her for that Purpoſe as herein before is provided; that then, and in all and every ſuch Caſe and Caſes, it ſhall and may be lawful to and for the ſaid Court of Mayor and Aldermen to order the Sum or Sums ſo aſſeſſed and awarded as aforeſaid, as the Value of and Purchaſe Money for, ſuch Houſes, Ground, Tenements, Edifices, Erections and Buildings, or as ſhall be due on any ſuch Mortgage, to be paid into the Bank of *England*, for the uſe of the Parties intereſted in the ſaid Premiſſes, to be paid to them, and every of them, according to their reſpective Eſtates and Intereſts in the ſaid Premiſſes, as the ſaid Court of Mayor and Aldermen ſhall, by any Order to be made to them, direct; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum and Sums, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums, mentioning and ſpecifying for what Premiſſes, and for what Uſe the ſame is and are received, to ſuch Perſon as ſhall pay ſuch Sum or Sums into the Bank of *England* as aforeſaid; which Receipt or Receipts ſhall be entered on Record, and regiſtered in ſuch Place, and in ſuch Manner, as the ſaid Verdict, Judgment and other Proceedings, are herein before required to be kept; and immediately on ſuch Payment and Regiſtry, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim and Demand in Law and Equity, of the Perſon or Perſons for whoſe Uſe the ſame was paid, in, to and out of ſuch Houſes, Ground, Tenements, Edifices, Erections and Buildings, ſhall veſt in the ſaid Mayor and Commonalty and Citizens; and they ſhall be deemed in Law to be in the actual Poſſeſſion thereof, to all Intents and Purpoſes, as fully and effectually as if every Perſon having any Eſtate in the ſaid Premiſſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery and Seiſin, Fine and Recovery, or any other legal Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim and Demand, of the Perſon and Perſons to whoſe Uſe ſuch Payment was made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon or Perſons, and all Eſtates Tail in Reverſion or Remainder, againſt the Iſſue and Iſſues of ſuch Perſon and Perſons, and every Perſon claiming under them, as effectually as a Fine or Recovery would do, or would have done, if levied or ſuffered by the proper Parties in due Form of Law.

Upon Payment of the Purchaſe-money, Conveyance to be executed of the Premiſſes, in Truſt for the City.

Where a good Title cannot be made out, or legal Conveyance executed, &c.

or the Parties are not to be found, &c.

or Mortgagee ſhall refuſe to take his Mortgage Money,

Court may pay the Money into the Bank.

Receipt to be given for the ſame, ſpecifying for what Premiſſes and Uſes, which are to be regiſtered;

Premiſſes thereupon to veſt in the City abſolutely,

XI. Provided always, That it ſhall and may be lawful to and for the ſaid Court of Mayor and Aldermen, after ſuch Payment into the Bank, and Regiſtry as aforeſaid, at the Petition of any Perſon or Perſons intereſted in ſuch Houſes, Ground, Tenements, Edifices, Erections and Buildings, or the Monies ſo paid into the Bank for the Purchaſe thereof, or in reſpect of any Right or Intereſt therein, to place out or inveſt, or cauſe to be placed out or inveſted, ſuch Sum or Sums of Money, or any Part thereof, in ſome of the publick Funds, or on Government Securities, at Intereſt, in the Name of any Perſon or Perſons, authorized and appointed by the ſaid Court of Mayor and Aldermen for that Purpoſe, in Truſt, to transfer and aſſign the ſame to ſuch Perſon or Perſons to whom the Money ſo paid in ſhall belong, on their executing proper Conveyances thereof; and in the mean Time in Truſt to pay the Intereſts and Dividends ariſing therefrom,

Court, at the Petition of the Party intereſted, may order the Purchaſe money to be inveſted in the publick Funds in Truſt;

to such Person or Persons who was or were in Possession of the said Premisses, at the Time of the said Payment into the Bank.

and the Persons intitled to the mesne Profits, to recover the Interest of Purchase-money.

XII. Provided always, and it is hereby enacted, That all and every Person and Persons, who would be intitled to recover the mesne Profits of the Premisses, against the Person or Persons in Possession, in case the same had not been so conveyed to the said Mayor and Commonalty and Citizens, or by their Directions as aforesaid, shall be intitled to recover the Sum or Sums arising, or to arise from such Interest and Dividend as aforesaid, by Action of Debt against the Person or Persons who shall receive the same; and the said Court of Mayor and Aldermen are hereby impowered and authorized to make such Order as aforesaid, on the Bank, for the Payment of such Sum or Sums of Money, or any Part thereof, as shall be necessary, in order to their being so invested in publick Securities; and the said Mayor and Commonalty and Citizens, shall be quieted in the Possession of the Houses, Ground, Tenements, Edifices, Erections and Buildings, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable in any Court of Law or Equity, for the Money to be so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport and true Meaning of this Act.

Court of Aldermen to make an Order on the Bank for that Purpose, on which they are to be quieted in their Possession.

Mortgagee on six Months Notice,

XIII. And be it further enacted by the Authority aforesaid, That every Mortgagee and Mortgagees of any Houses, Lands, Tenements and Hereditaments, which shall be purchased in pursuance of this Act, his, her and their Heirs, Executors, Administrators or Assigns, on having six Months Notice in Writing given to him, her or them, from the said Mayor, Aldermen and Commons in Common Council assembled, or any Person authorized by them, that they will pay off and discharge the Principal and Interest Money, which at the Expiration of the said six Months shall be due on any such Mortgage, shall at the End of the said six Months, after every such Notice, on Payment or Tender of the Principal and Interest Money, which shall be then due, convey and assign his, her and their respective Estates and Interests, in and to the said Mortgaged Premisses, to the said Mayor and Commonalty and Citizens, or such Person or Persons, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall appoint, in Trust for the said Mayor, and Commonalty and Citizens, and their Successors; and if any such Mortgagee or Mortgagees, his, her or their Heirs, Executors, Administrators or Assigns, shall refuse so to do, then all Interest on every such Mortgage, from the Expiration of the said six Months, after any such Notice given as aforesaid, shall cease and determine.

is to assign over the Premisses, on Tender or Payment.

On his Refusal, Interest to cease.

After Purchase made, Tenants to deliver up Possession within a Year after Notice.

XIV. And be it further enacted by the Authority aforesaid, That in case the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, or any Person authorized by them, shall, after any Houses or Tenements shall be purchased by them in pursuance of this Act, give twelve Months Notice in Writing, to the Tenants or Occupiers of any such Houses or Tenements, which shall be so purchased, who shall have no greater Interest therein respectively, than as Tenants at Will, or as Lessees by Parole for Year, or from Year to Year, to quit or deliver up the Possession of such Houses or Tenements, at the Expiration of such twelve Months; then every such Tenants or Occupiers shall, at the End of the said twelve Months after every such Notice, peaceably and quietly deliver up the Possession of the Premisses, so by him, her or them respectively occupied, to the Person or Persons who shall be appointed by the said Mayor, Aldermen and Commons, in Common Council assembled, to take Possession thereof; and if any Person so in Possession thereof, shall refuse to give up the Possession thereof, at the Expiration of such twelve Months, after every such Notice as aforesaid, it shall be lawful for the said Court of Mayor and Aldermen, from Time to Time, to issue a Precept or Precepts to the Sheriffs of the City of *London*, if the Premisses shall be within the said City, and if in the County of *Surry*, to the Bailiff of the Borough of *Southwark*, to cause Possession thereof to be delivered to such Person or Persons, who shall be in such Precept or Precepts nominated to receive the same; and the Sheriffs of the said City of *London*, if the Premisses shall be within the said City, and if within the County of *Surry*, the Bailiff of the Borough of *Southwark*, are hereby respectively required to deliver Possession according to such said Precept or Precepts, of the Premisses therein mentioned, and to levy such Costs as shall accrue by Means of the issuing and execution of every such Precept or Precepts, by Distress and Sale of the Goods and Chattles of any Person or Persons, who shall neglect or refuse to pay the same.

On Refusal, Court to issue a Precept to the Sheriff to take Possession,

and levy the Charges.

Court may fine the Sheriff, his Deputy or Officer, Jury and Witnesses, making Default;

XV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Court of Mayor and Aldermen, or Justices as aforesaid, from Time to Time, to impose any reasonable Fine, not exceeding the Sum of ten Pounds, on any Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs or Agents respectively, who shall make any Default in the Premisses, and on any Persons who shall be summoned and returned on any such Jury or Juries, who shall not appear, and also on any Witness or Witnesses who shall not attend, or who shall attend and refuse to be sworn, or who being sworn shall refuse to give Evidence, and on any Person summoned and returned on such Jury or Juries, who shall refuse to be sworn on any such Jury or Juries, or being sworn thereon shall not give his or their Verdict, or shall in any other Manner wilfully neglect his or their Duty, in or touching the Premisses, contrary to the true Intent and Meaning of this Act, and from Time to Time to levy such Fine or Fines, by Order of the said Court of Mayor and Aldermen, or Justices as aforesaid, as the Case may require, by Distress and Sale of the Offenders Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus, if any, to the Owner; and all such Fines which shall be so recovered and received, shall be applied towards the Purposes of this Act.

and levy the same by Distress and Sale.

Purchase-money to be paid to the Nominee in Trust, and to be re-invested in purchase of other Messuages, &c. subject to like Uses,

XVI. And it is hereby further enacted and declared by the Authority aforesaid, That the Principal Money arising from the Sale of any Houses, Edifices, Lands, Tenements and Hereditaments, which shall be purchased for the Purposes contained in this Act, of any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees or other Trustees, or from any Feme Coverts, shall be paid to such Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed, to be reinvested in the Purchase of other Messuages, Lands, Tenements and Hereditaments, to be conveyed and settled to and upon, and subject to the like Uses, Trusts, Limitations, Remainders and Contingencies,

Contingencies, as the Houses, Edifices, Lands, Tenements and Hereditaments, which shall be purchased from them respectively, by the said Mayor, Commonalty and Citizens as aforesaid, were respectively settled, limited or assured, at the Time of such the purchasing of the same, or so many thereof, as at the Time of making such Conveyances and Settlements shall be existing, and capable of taking Effect.

XVII. And to the Intent the Passage over the said Bridge may always be kept open and rendered more safe and commodious, and be clear of all Buildings (except as herein is mentioned) Be it further enacted by the Authority aforesaid, That after the Houses and Tenements intended as aforesaid, to be taken down, shall be taken down, the Ground and Soil on which the same now stand, shall lie open, and be deemed and used as a common and publick Highway for ever; and that no House or other Building shall be erected on the said Bridge (except such Gates and Toll houses as are herein provided and directed) and that all Carriages passing over the said Bridge from *London* shall go on the East Side thereof as near as may be, and that all Carriages passing over the said Bridge to *London* shall go on the West Side thereof as near as may be; and that no Coachman or Driver shall stand or ply for Hire with any Coach or other Carriage whatsoever upon the said Bridge, or leave any empty Coach or Carriage there; and that no Carman, Carter, Drayman or Driver of any Carriage whatsoever, shall wilfully remain with any Cart, Carr, Dray, Waggon or other Carriage whatsoever on the said Bridge, longer than shall be necessary for going over the same, or leave any empty Cart, Dray or other Carriage upon the said Bridge; and that no Person shall put any Filth, Dung, Ashes or Rubbish on the said Bridge, or do any Act which may be an Annoyance there; and if any Coachman, Carman, Carter, Drayman, Waggoner or Driver, shall offend herein, or any Person shall annoy any Part of the said Bridge by putting or leaving any Filth, Dung, Ashes or Rubbish there or otherwise, it shall and may be lawful for any Person or Persons to apprehend and take, or cause to be apprehended and taken, every such Person or Persons so offending before the said Mayor of the City of *London*, or some other Justice of the Peace for the said City, or before some Justice of the Peace for the Borough of *Southwark*, or for the County of *Surry*; and every such Offender being of any of the said Offences convicted by the Oath of one or more credible Witness or Witnesses, before the Mayor or any other such Justice, or by his or her Confession, shall for every such Offence forfeit and pay a Sum not exceeding twenty Shillings, nor less than two Shillings and six Pence; to go and be applied between the Parties informing against, and apprehending every such Offender and Offenders, as the Mayor or Justice before whom the Party or Parties offending shall be convicted, shall direct; and in Default of immediate Payment thereof, the Offender or Offenders shall be committed by the Mayor or Justice before whom he, she or they were convicted, if in *London*, to the *London* Workhouse, and if in the County of *Surry*, to a House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding three Days, as the Mayor or such Justice shall think fit to order, or until he, she or they shall have paid the Money directed by the Mayor or such Justice to be paid.

After the Houses on the Bridge are taken down, the Ground to be laid open, and Carriages passing over from London, to go on the East Side; and to London to go on the West Side.

Carriages not to ply for Hire on the Bridge; nor Rubbish, &c. to be thrown there

Offender in either Case to be carried before a Justice, and fined.

Fine to go to the Informer and Apprehender.

On Non-payment Offender to be committed,

'XVIII. And forasmuch as by the taking down of the Houses and Building which are now standing upon 'London Bridge, or near adjoining thereto, the Rector of the united Parishes of Saint *Magnus* and Saint *Margaret's, New Fish-street, London*, will be deprived of recovering the Tithes belonging to him, and which 'are now charged on such of the Houses on *London Bridge*, as are in the said Parish of Saint *Magnus*; and 'the Rector of the Parish of Saint *Olave, Southwark*, will be deprived of the customary Payments in lieu of 'Tithes which are now charged on or payable by the Occupiers of such of the said Houses and Buildings 'now standing on *London Bridge*, as are in the said Parish of Saint *Olave, Southwark*: And whereas there 'are Emoluments yearly arising from Surplice Fees and *Easter* Offerings to the Rector of the said united Pa'rishes of Saint *Magnus* and Saint *Margaret, New Fish-street*, and to the Rector of the said Parish of Saint 'Olave, from the Occupiers of such Houses on *London Bridge*, as are in the said respective Parishes;' Be it therefore enacted by the Authority aforesaid, That immediately after the pulling down any Houses, Buildings or Tenements, on or contiguous to the said Bridge, which are in the said Parish of Saint *Magnus*, under the Authority of this Act, all Tithes now payable to the Rector of the said united Parishes of Saint *Magnus* and Saint *Margaret, New Fish-street*, from any such Houses, Buildings or Tenements, shall be for ever charged on all and singular the Lands, Tenements and Hereditaments, belonging or in the Account of the Bridge-House of the City of *London*, and that immediately after the pulling down any Houses, Buildings or Tenements, on or contiguous to the said Bridge, which are in the said Parish of Saint *Olave, Southwark*, under the Authority of this Act, all customary Payments in lieu of Tithes now payable to the Rector of Saint *Olave* in *Southwark*, from any such Houses, Buildings or Tenements, on or near the said Bridge, which shall be so pulled down, or the Occupiers thereof, shall likewise for ever be charged upon all and singular the said Lands, Tenements and Hereditaments belonging to or in the Account of the Bridge-house Estate of the said City of *London*; and that all Sums of Money payable as aforesaid, for or in lieu of Tithes, shall be paid to the Rectors of the said Parishes of Saint *Magnus* and Saint *Margaret, New Fish-street*, and Saint *Olave* in *Southwark* respectively, for the Time being, for ever, clear of all Taxes and Deductions by the said Mayor, Commonalty and Citizens of the said City of *London*, or such Person or Persons as the said Mayor, Aldermen and Commons, in Common Council assembled, shall appoint, out of the Rents and Profits of the said Bridge-house Estates, at the two most usual Feasts; that is to say, The Annunciation of the Blessed Virgin *Mary*, and the Feast of Saint *Michael* the Archangel, by equal Payments in every Year; the first Payment thereof to begin and commence on such of the Feast Days as shall first happen after the pulling down any of such Houses or Tenements; and that the yearly Sum of seven Pounds fifteen Shillings and one Penny, shall be likewise paid as aforesaid, out of the said Bridge-house Estate to the Reverend Master *Robert Gibson*, during the Time he shall continue Rector of the said Parishes of Saint *Magnus* and Saint *Margaret*, from and immediately after the pulling down the said Houses, in lieu of Surplice Fees and *Easter* Offerings, clear of Taxes; and the yearly Sum of four Pounds eleven Shillings and four Pence, shall likewise be paid out of the said Bridge-house Estate to the Reverend Master *Simon Hughes* Rector of the said Parish of Saint *Olave*, in lieu of Surplice Fees and *Easter* Offerings, clear of all Taxes, during such Time as he shall continue Rector of the said Parish of Saint *Olave*.

After pulling down the Houses, the Tithes and customary Payments due from thence, to be charged on the Bridge House Lands.

Tithes to be paid Half yearly, and free of Taxes.

7 l. 15 s. 1 d. to be paid yearly to Rector of Saint Magnus and Saint Margaret, in lieu of Surplice Fees and Easter Offerings; and 4 l. 11 s. 4 d. to the Rector of Saint Olave,

'XIX. And

to such Person or Persons who was or were in Possession of the said Premisses, at the Time of the said Payment into the Bank.

and the Persons intitled to the mesne Profits, to recover the Interest of Purchase-money.

XII. Provided always, and it is hereby enacted, That all and every Person and Persons, who would be intitled to recover the mesne Profits of the Premisses, against the Person or Persons in Possession, in case the same had not been so conveyed to the said Mayor and Commonalty and Citizens, or by their Directions as aforesaid, shall be intitled to recover the Sum or Sums arising, or to arise from such Interest and Dividend as aforesaid, by Action of Debt against the Person or Persons who shall receive the same; and the said Court of Mayor and Aldermen are hereby impowered and authorized to make such Order as aforesaid, on the Bank, for the Payment of such Sum or Sums of Money, or any Part thereof, as shall be necessary, in order to their being so invested in publick Securities; and the said Mayor and Commonalty and Citizens, shall be quieted in the Possession of the Houses, Ground, Tenements, Edifices, Erections and Buildings, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable in any Court of Law or Equity, for the Money to be so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport and true Meaning of this Act.

Court of Aldermen to make an Order on the Bank for that Purpose, on which they are to be quieted in their Possession.

Mortgagee on six Months Notice,

XIII. And be it further enacted by the Authority aforesaid, That every Mortgagee and Mortgagees of any Houses, Lands, Tenements and Hereditaments, which shall be purchased in pursuance of this Act, his, her and their Heirs, Executors, Administrators or Assigns, on having six Months Notice in Writing given to him, her or them, from the said Mayor, Aldermen and Commons in Common Council assembled, or any Person authorized by them, that they will pay off and discharge the Principal and Interest Money, which at the Expiration of the said six Months shall be due on any such Mortgage, shall at the End of the said six Months, after every such Notice, on Payment or Tender of the Principal and Interest Money, which shall be then due, convey and assign his, her and their respective Estates and Interests, in and to the said Mortgaged Premisses, to the said Mayor and Commonalty and Citizens, or such Person or Persons, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall appoint, in Trust for the said Mayor, and Commonalty and Citizens, and their Successors; and if any such Mortgagee or Mortgagees, his, her or their Heirs, Executors, Administrators or Assigns, shall refuse so to do, then all Interest on every such Mortgage, from the Expiration of the said six Months, after any such Notice given as aforesaid, shall cease and determine.

is to assign over the Premisses, on Tender or Payment.

On his Refusal, Interest to cease.

After Purchase made, Tenants to deliver up Possession within a Year after Notice.

XIV. And be it further enacted by the Authority aforesaid, That in case the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, or any Person authorized by them, shall, after any Houses or Tenements shall be purchased by them in pursuance of this Act, give twelve Months Notice in Writing, to the Tenants or Occupiers of any such Houses or Tenements, which shall be so purchased, who shall have no greater Interest therein respectively, than as Tenants at Will, or as Lessees by Parole for Year, or from Year to Year, to quit or deliver up the Possession of such Houses or Tenements, at the Expiration of such twelve Months; then every such Tenants or Occupiers shall, at the End of the said twelve Months after every such Notice, peaceably and quietly deliver up the Possession of the Premisses, so by him, her or them respectively occupied, to the Person or Persons who shall be appointed by the said Mayor, Aldermen and Commons, in Common Council assembled, to take Possession thereof; and if any Person so in Possession thereof, shall refuse to give up the Possession thereof, at the Expiration of such twelve Months, after every such Notice as aforesaid, it shall be lawful for the said Court of Mayor and Aldermen, from Time to Time, to issue a Precept or Precepts to the Sheriffs of the City of *London*, if the Premisses shall be within the said City, and if in the County of *Surry*, to the Bailiff of the Borough of *Southwark*, to cause Possession thereof to be delivered to such Person or Persons, who shall be in such Precept or Precepts nominated to receive the same; and the Sheriffs of the said City of *London*, if the Premisses shall be within the said City, and if within the County of *Surry*, the Bailiff of the Borough of *Southwark*, are hereby respectively required to deliver Possession according to such said Precept or Precepts, of the Premisses therein mentioned, and to levy such Costs as shall accrue by Means of the issuing and execution of every such Precept or Precepts, by Distress and Sale of the Goods and Chattles of any Person or Persons, who shall neglect or refuse to pay the same.

On Refusal, Court to issue a Precept to the Sheriff to take Possession,

and levy the Charges.

Court may fine the Sheriff, his Deputy or Officer, Jury and Witnesses, making Default;

XV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Court of Mayor and Aldermen, or Justices as aforesaid, from Time to Time, to impose any reasonable Fine, not exceeding the Sum of ten Pounds, on any Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs or Agents respectively, who shall make any Default in the Premisses, and on any Persons who shall be summoned and returned on any such Jury or Juries, who shall not appear, and also on any Witness or Witnesses who shall not attend, or who shall attend and refuse to be sworn, or who being sworn shall refuse to give Evidence, and on any Person summoned and returned on such Jury or Juries, who shall refuse to be sworn on any such Jury or Juries, or being sworn thereon shall not give his or their Verdict, or shall in any other Manner wilfully neglect his or their Duty, in or touching the Premisses, contrary to the true Intent and Meaning of this Act, and from Time to Time to levy such Fine or Fines, by Order of the said Court of Mayor and Aldermen, or Justices as aforesaid, as the Case may require, by Distress and Sale of the Offenders Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus, if any, to the Owner; and all such Fines which shall be so recovered and received, shall be applied towards the Purposes of this Act.

and levy the same by Distress and Sale.

Purchase-money to be paid to the Nominee in Trust, and to be re-invested in purchase of other Messuages, &c. subject to like Uses,

XVI. And it is hereby further enacted and declared by the Authority aforesaid, That the Principal Money arising from the Sale of any Houses, Edifices, Lands, Tenements and Hereditaments, which shall be purchased for the Purposes contained in this Act, of any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees or other Trustees, or from any Feme Coverts, shall be paid to such Persons as they shall respectively nominate to receive the same, in Trust, with all convenient Speed, to be reinvested in the Purchase of other Messuages, Lands, Tenements and Hereditaments, to be conveyed and settled to and upon, and subject to the like Uses, Trusts, Limitations, Remainders and Contingencies,

Contingencies, as the Houses, Edifices, Lands, Tenements and Hereditaments, which shall be purchased from them respectively, by the said Mayor, Commonalty and Citizens as aforesaid, were respectively settled, limited or assured, at the Time of such the purchasing of the same, or so many thereof, as at the Time of making such Conveyances and Settlements shall be existing, and capable of taking Effect.

XVII. And to the Intent the Passage over the said Bridge may always be kept open and rendered more safe and commodious, and be clear of all Buildings (except as herein is mentioned) Be it further enacted by the Authority aforesaid, That after the Houses and Tenements intended as aforesaid, to be taken down, shall be taken down, the Ground and Soil on which the same now stand, shall lie open, and be deemed and used as a common and publick Highway for ever; and that no House or other Building shall be erected on the said Bridge (except such Gates and Toll houses as are herein provided and directed) and that all Carriages passing over the said Bridge from *London* shall go on the East Side thereof as near as may be, and that all Carriages passing over the said Bridge to *London* shall go on the West Side thereof as near as may be; and that no Coachman or Driver shall stand or ply for Hire with any Coach or other Carriage whatsoever upon the said Bridge, or leave any empty Coach or Carriage there; and that no Carman, Carter, Drayman or Driver of any Carriage whatsoever, shall wilfully remain with any Cart, Carr, Dray, Waggon or other Carriage whatsoever on the said Bridge, longer than shall be necessary for going over the same, or leave any empty Cart, Dray or other Carriage upon the said Bridge; and that no Person shall put any Filth, Dung, Ashes or Rubbish on the said Bridge, or do any Act which may be an Annoyance there; and if any Coachman, Carman, Carter, Drayman, Waggoner or Driver, shall offend herein, or any Person shall annoy any Part of the said Bridge by putting or leaving any Filth, Dung, Ashes or Rubbish there or otherwise, it shall and may be lawful for any Person or Persons to apprehend and take, or cause to be apprehended and taken, every such Person or Persons so offending before the said Mayor of the City of *London*, or some other Justice of the Peace for the said City, or before some Justice of the Peace for the Borough of *Southwark*, or for the County of *Surry*; and every such Offender being of any of the said Offences convicted by the Oath of one or more credible Witness or Witnesses, before the Mayor or any other such Justice, or by his or her Confession, shall for every such Offence forfeit and pay a Sum not exceeding twenty Shillings, nor less than two Shillings and six Pence; to go and be applied between the Parties informing against, and apprehending every such Offender and Offenders, as the Mayor or Justice before whom the Party or Parties offending shall be convicted, shall direct; and in Default of immediate Payment thereof, the Offender or Offenders shall be committed by the Mayor or Justice before whom he, she or they were convicted, if in *London*, to the *London* Workhouse, and if in the County of *Surry*, to a House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding three Days, as the Mayor or such Justice shall think fit to order, or until he, she or they shall have paid the Money directed by the Mayor or such Justice to be paid.

After the Houses on the Bridge are taken down, the Ground to be laid open, and Carriages passing over from London, to go on the East Side; and to London to go on the West Side.

Carriages not to ply for Hire on the Bridge; nor Rubbish, &c. to be thrown there

Offender in either Case to be carried before a Justice, and fined.

Fine to go to the Informer and Apprehender.

On Non-payment Offender to be committed,

'XVIII. And forasmuch as by the taking down of the Houses and Building which are now standing upon 'London Bridge, or near adjoining thereto, the Rector of the united Parishes of Saint *Magnus* and Saint *Margaret's, New Fish-street, London*, will be deprived of recovering the Tithes belonging to him, and which 'are now charged on such of the Houses on *London Bridge*, as are in the said Parish of Saint *Magnus*; and 'the Rector of the Parish of Saint *Olave, Southwark*, will be deprived of the customary Payments in lieu of 'Tithes which are now charged on or payable by the Occupiers of such of the said Houses and Buildings 'now standing on *London Bridge*, as are in the said Parish of Saint *Olave, Southwark*: And whereas there 'are Emoluments yearly arising from Surplice Fees and *Easter* Offerings to the Rector of the said united Pa-'rishes of Saint *Magnus* and Saint *Margaret, New Fish-street*, and to the Rector of the said Parish of Saint 'Olave, from the Occupiers of such Houses on *London Bridge*, as are in the said respective Parishes;' Be it therefore enacted by the Authority aforesaid, That immediately after the pulling down any Houses, Buildings or Tenements, on or contiguous to the said Bridge, which are in the said Parish of Saint *Magnus*, under the Authority of this Act, all Tithes now payable to the Rector of the said united Parishes of Saint *Magnus* and Saint *Margaret, New Fish-street*, from any such Houses, Buildings or Tenements, shall be for ever charged on all and singular the Lands, Tenements and Hereditaments, belonging or in the Account of the Bridge-House of the City of *London*, and that immediately after the pulling down any Houses, Buildings or Tenements, on or contiguous to the said Bridge, which are in the said Parish of Saint *Olave, Southwark*, under the Authority of this Act, all customary Payments in lieu of Tithes now payable to the Rector of Saint *Olave* in *Southwark*, from any such Houses, Buildings or Tenements, on or near the said Bridge, which shall be so pulled down, or the Occupiers thereof, shall likewise for ever be charged upon all and singular the said Lands, Tenements and Hereditaments belonging to or in the Account of the Bridge-house Estate of the said City of *London*; and that all Sums of Money payable as aforesaid, for or in lieu of Tithes, shall be paid to the Rectors of the said Parishes of Saint *Magnus* and Saint *Margaret, New Fish-street*, and Saint *Olave* in *Southwark* respectively, for the Time being, for ever, clear of all Taxes and Deductions by the said Mayor, Commonalty and Citizens of the said City of *London*, or such Person or Persons as the said Mayor, Aldermen and Commons, in Common Council assembled, shall appoint, out of the Rents and Profits of the said Bridge-house Estates, at the two most usual Feasts; that is to say, The Annunciation of the Blessed Virgin *Mary*, and the Feast of Saint *Michael* the Archangel, by equal Payments in every Year; the first Payment thereof to begin and commence on such of the Feast Days as shall first happen after the pulling down any of such Houses or Tenements; and that the yearly Sum of seven Pounds fifteen Shillings and one Penny, shall be likewise paid as aforesaid, out of the said Bridge-house Estate to the Reverend Master *Robert Gibson*, during the Time he shall continue Rector of the said Parishes of Saint *Magnus* and Saint *Margaret*, from and immediately after the pulling down the said Houses, in lieu of Surplice Fees and *Easter* Offerings, clear of Taxes; and the yearly Sum of four Pounds eleven Shillings and four Pence, shall likewise be paid out of the said Bridge-house Estate to the Reverend Master *Simon Hughes* Rector of the said Parish of Saint *Olave*, in lieu of Surplice Fees and *Easter* Offerings, clear of all Taxes, during such Time as he shall continue Rector of the said Parish of Saint *Olave*.

After pulling down the Houses, the Tithes and customary Payments due from thence, to be charged on the Bridge House Lands.

Tithes to be paid Half yearly, and free of Taxes.

7l. 15s. 1d. to be paid yearly to Rector of Saint Magnus and Saint Margaret, in lieu of Surplice Fees and Easter Offerings; and 4l. 11s. 4d. to the Rector of Saint Olave,

'XIX. And

'XIX. And whereas by means of pulling down and taking away the Houſes upon the ſaid Bridge, and 'contiguous thereto, a great Deficiency will happen in the Poor's Rates of the ſaid Pariſhes of Saint *Magnus* 'and Saint *Olave*'s, and the Land Tax heretofore aſſeſſed upon Account of ſuch Houſes, muſt be raiſed and 'paid by the Owners and Occupiers of ſuch Houſes and Lands who ſhall remain in the ſaid Pariſhes, unleſs 'ſome Proviſion be made by this Act for the future Payment of the ſame;' Be it therefore enacted by the Authority aforeſaid, That ſuch Share and Proportion which any Houſe or Houſes (now ſtanding on the ſaid Bridge, or contiguous thereto, and which ſhall hereafter be pulled down and taken away from the ſame) uſed to contribute and pay or be charged towards the Quota of the Land Tax aſſeſſed upon the ſaid Pariſhes, ſhall from and after the pulling down of ſuch Houſe and Houſes, be for ever paid to the Collector or Collectors authorized to receive the ſame, by the Mayor, Commonalty and Citizens of the ſaid City of *London*, out of the Revenues and Eſtate belonging to the ſaid Bridge; and that there ſhall likewiſe be paid by the ſaid Mayor, Commonalty and Citizens, out of the ſaid Revenues and Eſtates, to the Overſeers of the Poor of the ſaid Pariſhes of Saint *Magnus* and Saint *Olave*'s reſpectively, for the Time being, towards the Relief of the Poor of the ſaid Pariſhes yearly and every Year, all ſuch Sum and Sums of Money as the ſaid Pariſhes ſhall be chargeable with on Account of any Perſon or Perſons who already have gained or hereafter ſhall gain any Settlement, or become chargeable in the ſaid Pariſhes, or either of them, on account of ſuch Part of the ſaid Pariſhes wherein the Houſes which ſhall be pulled down by virtue of this Act now ſtand.

City to make good out of the Bridge Eſtate, the Deficiency in the Poor's Rates and Land Tax, occaſioned by pulling down the Houſes.

"XX. And whereas by an Act made in the tenth Year of the Reign of his preſent Majeſty, intituled, *An* 'Act *for rebuilding the Church of the Pariſh of Saint* Olave *in the City of* London, *and in the Borough of* South-'wark, *in the County of* Surry, all Lands, Houſes, Tenements and Hereditaments, within the ſaid Pariſh, 'were charged, and are ſtill chargeable, with Aſſeſſments to be made thereon, not exceeding ſix Pence in the 'Pound in any one Year, of the yearly Rent of ſuch Lands, Houſes, Tenements and Hereditaments, as the 'ſame ſhould be aſcertained and rated by the Land-Tax, payable for the ſame; two third Parts of which Aſ-'ſeſſments were to be paid by the Landlords or Owners, and the other third Part was to be paid by the Te-'nants or Occupiers of ſuch Lands, Houſes, Tenements and Hereditaments, for and towards the Expence 'of rebuilding the ſaid Pariſh Church, and until the ſame ſhould be finiſhed: And whereas the ſaid Pariſh 'Church is not yet finiſhed; and there remain ſeveral Debts unpaid, which have been contracted by the 'ſaid Pariſh, on account of the rebuilding the ſaid Church, which the ſaid Pariſh is now charged with, and 'liable to pay: And whereas ſeveral of the Houſes charged and chargeable with the ſaid Aſſeſſment, will be 'taken down, and the Ground whereon they ſtand will be applied to the Uſe of the ſaid Bridge, whereby 'the ſaid Pariſh of Saint *Olave* will loſe the Aſſeſſments charged and chargeable thereon;' Be it therefore enacted by the Authority aforeſaid, That the ſaid Mayor and Commonalty and Citizens of the ſaid City of *London*, ſhall out of the Rents of the ſaid Bridge-houſe Eſtate pay or cauſe to be paid, to the Church-wardens of the ſaid Pariſh of Saint *Olave*, all ſuch Rates and Sums of Money as might or would be chargeable upon the ſaid Houſes ſo to be taken down in purſuance of the ſaid Act, as if the ſaid Houſes were ſtanding.

10 Geo. 2. c. 18.

and alſo the Rates chargeable thereon, to the Pariſh of Saint Olave.

Reſervation of Rights to the Proprietors of the Bridge Water-works.

XXI. Provided always, and it is hereby further enacted by the Authority aforeſaid, That nothing in this preſent Act contained ſhall extend, or be conſtrued, deemed or taken to extend, to impower the ſaid Mayor Aldermen and Commons of the ſaid City, in Common Council aſſembled, to remove or alter any of the Arches under the ſaid Bridge, or any Engines fixed up therein, which now belong to the Proprietors of the *London Bridge* Water-works, or to take away any Right which the ſaid Proprietors of the ſaid *London Bridge* Water-works now have to the Uſe or Enjoyment of any of the Arches of the ſaid Bridge, by Grant or Leaſe from the ſaid Mayor and Commonalty and Citizens of *London*, for raiſing Water therefrom.

If the City ſhall remove any of the Water Pipes,

the Proprietors may lay down others, where agreed on;

and repair the ſame,

XXII. Provided further, and it is hereby alſo enacted, That if for the enlarging or altering the ſaid Bridge, or any of the Arches thereof, in purſuance of this Act, the ſaid Mayor, Aldermen and Commons, in Common Council aſſembled, ſhall cauſe to be amoved, or taken away, any of the Leaden Pipes which belong to the ſaid Proprietors of the ſaid *London Bridge* Water-works, and now lie on, or contiguous to the ſaid Bridge, for conveying Water from their Water-works, then and in ſuch Caſe, the ſaid Proprietors of the ſaid *London Bridge* Water-works ſhall have Liberty, and they are hereby authorized, at all Times then after, at their Coſts, to place or lay down, in lieu of ſuch Pipes, which ſhall be ſo amoved or taken away, other Lead or Iron Pipes upon and over ſuch Part and Parts of the ſaid Bridge, and contiguous thereto, as ſhall be agreed on between them and the ſaid Mayor, Aldermen and Commons, in Common Council aſſembled; and that until the Pipes which now lie on, or contiguous to the ſaid Bridge, ſhall be amoved or taken away, the ſaid Proprietors of the ſaid *London Bridge* Water-works are hereby authorized, from Time to Time, as Occaſion ſhall require, to repair or amend the ſame; and after the amoval or taking away any of the Leaden Pipes now lying on, or contiguous to the ſaid Bridge, from Time to Time, to amend or repair as Occaſion ſhall require, all other Lead or Iron Pipes which ſhall then after be placed or laid down on, or contiguous to the ſaid Bridge, by the Proprietors of the ſaid *London Bridge* Water-works, with the Approbation of the ſaid Mayor, Aldermen and Commons, in Common Council aſſembled, ſo as by the doing thereof the ſaid Bridge, or any of the Arches thereof, be not prejudiced, and ſo as the Proprietors of the ſaid *London Bridge* Water-works for the Time being do and ſhall, at all Times hereafter, make good all Damage which ſhall at any Times be done to the ſaid Bridge, or the Pavement thereon, or any of the Arches thereof, by the taking up, laying down or repairing, any of ſuch Pipe or Pipes, and forthwith after any ſuch Damage ſhall at any Time be done.

ſo as they make good Damages.

If in altering the Piers, a Deficiency of Water for the Water-works ſhall enſue,

XXIII. And for preventing any Damage to the *London Bridge* Water-works, Be it further enacted by the Authority aforeſaid, That if it ſhall be found neceſſary to take down or alter any of the Piers of the ſaid Bridge, in order to enlarge any of the Arches thereof, and thereby the raiſing of Water by the ſaid Works ſhall be prejudiced; that then and in every ſuch Caſe the ſaid Mayor, Aldermen and Commons of the ſaid City, in Common Council aſſembled, ſhall, and they are hereby required on Complaint and Proof of ſuch Damage, to ſtop or pen up, or cauſe to be ſtopped or pent up, a like Body of Water as ſhall be diſcharged

by

by the taking down or altering any of the said Piers, for the Use of the Proprietors of the said Water-works. a Body of Water for that Purpose to be pent up.

'XXIV. And forasmuch as the widening and enlarging the Passage over and through the said Bridge be-'fore-mentioned, and the purchasing such Houses, Edifices and Ground as aforesaid, and the making Satis-'faction herein before directed, will be attended with considerable Charge and Expence:' Be it therefore enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* there shall be due and paid to the Receiver or Receivers, Collector or Collectors to be nominated and appointed as herein after is mentioned, for Pontage, or in the Nature of a Toll, for passing over the said Bridge, over and above the Toll now paid and payable for loaded Waggons, Carts, Drays and Carriages passing over the said Bridge, the following Sums of Money (that is to say) Additional Toll to be paid by Carriages and Horses passing over the Bridge.

For every Horse drawing any Coach, Chariot, Hearse, Berlin, Landau, Calash, Chaise or Chair, over the said Bridge, the Sum of one Half-penny. The Tolls.

And for every such Coach, Chariot, Hearse, Berlin, Landau, Calash, Chaise or Chair, one Penny.

And for every Horse not drawing, passing over the said Bridge, one Half-penny.

XXV. Provided always, That no Hackney Coach which shall pass over the said Bridge empty, or the Horses drawing the same, shall pay any Toll whatsoever; nor shall any Horse or any Coach or Carriage whatsoever pay more than once a Day for passing over the said Bridge: Which said respective Sums of Money shall and may be demanded and taken in the Name of Pontage, or as a Toll or Duty; and the Monies to be raised thereby, and all other Monies to be received by Authority of this Act, are hereby vested in the said Mayor and Commonalty and Citizens of the said City of *London*, and their Successors; and the same and every Part thereof shall be paid, applied, disposed of and assigned to and for the several Uses, Intents and Purposes, and in such Manner as is herein mentioned and directed; and the said Mayor, Aldermen and Commons, in Common Council assembled, or such Persons as they shall depute, are hereby impowered to levy the Toll or Duty hereby required to be paid, upon any Person or Persons who shall, after Demand thereof made, neglect or refuse to pay the same as aforesaid, or to deny or hinder any Passage over the said Bridge, until Payment thereof; which said Toll or Duty shall or may be levied by Distress of any Horse or Horses, or Carriage upon which such Toll or Duty is by this Act imposed, or upon any other of the Goods and Chattels of such Person or Persons as ought to pay the same; and all such Horses or Goods may be detained till such Toll or Duty, with the reasonable Charges of such Distress, shall be paid; and it shall be lawful for the Person or Persons so distraining, after the Space of four Days after such Distress made and taken, to sell such Horse or Horses, or other Goods or Chattels so distrained, for Payment of the said Toll or Duty, rendering to the Owner or Owners thereof the Overplus upon Demand, after Satisfaction of the said Toll or Duty, and the reasonable Charges in or about making such Distress, detaining, keeping and selling the same, shall be deducted and paid. Hackney Coaches empty, exempted. Tolls to be paid but once a Day; which are vested in the City; and may be levied by Distress and Sale.

XXVI. And be it enacted by the Authority aforesaid, That the said Mayor, Aldermen and Commons, in Common Council assembled, or such Person or Persons as they shall appoint, shall and may erect or cause to be erected a Gate or Gates, and also a Toll-house or Toll-houses, upon, in or near the said Bridge. Gates and Toll-houses may be erected on or near the Bridge.

XXVII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-six there shall be due and paid to the Receiver or Receivers, Collector or Collectors, who shall be appointed by the said Mayor, Aldermen and Commons, in Common Council assembled, by the Owner or Owners of every Hoy, Barge, Vessel, Lighter or other Craft having any Goods on Board, every Time any such Hoy, Barge, Vessel, Lighter or other Craft shall pass through any of the Arches of the said Bridge, the several Tolls or Sums of Money following (that is to say) Tolls to be paid by loaded Vessels passing under the Bridge.

For every Hoy, Barge, Vessel, Lighter or other Craft having any Goods on Board not exceeding five Tons Burthen, the Sum of two Pence. The Tolls.

For every such Hoy, Barge, Vessel, Lighter or other Craft not exceeding ten Tons, the Sum of three Pence.

For every such Hoy, Barge, Vessel, Lighter or other Craft not exceeding twenty-five Tons, six Pence.

And for every such Hoy, Barge, Vessel, Lighter or other Craft above the Burthen of twenty-five Tons, one Shilling.

Save and except out of such Tolls all such Crafts as shall be loaded only with Straw, Manure, Dung, Compost or Lime, to be used for Tillage. Exemptions from Tolls.

All which Tolls or Sums of Money shall from Time to Time be paid within the Space of three Months after every such Hoy, Barge, Vessel, Lighter or other Craft shall have passed through the said Bridge; and if any Owner or Owners of any such Hoy, Barge, Vessel, Lighter, or other Craft which shall so pass through the said Bridge, shall for the Space of three Months neglect or refuse to pay the Tolls or Rates herein before appointed to be paid for every such Hoy, Barge, Vessel, Lighter or other Craft which shall so pass through the said Bridge, he and they shall forfeit and pay for every Offence the Sum of five Pounds, to be levied from Time to Time by Distress and Sale of the Goods and Chattels of the respective Owner or Owners of any such Hoy, Barge, Lighter, Vessel or other Craft which shall so pass through the said Bridge, together with the reasonable Charges of every such Distress and Sale; all which Forfeitures, when recovered, shall go and be applied to the Uses of this Act. Payment of the said Tolls to be made within 3 Months, on Penalty of 5l.

XXVIII. Provided always, and be it further enacted by the Authority aforesaid, That it may and shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, from Time to Time to compound or agree by the Year or otherwise with the Owner or Owners of any Hoy, Barge, Vessel, Lighter or other Craft having Goods on Board, to pass through the Arches of the said Bridge for such Sum of City may compound with Owners of Vessels for Tolls.

of Money, and to be paid in such Manner as the said Mayor, Aldermen and Commons, in Common Council assembled, shall think fit or reasonable; any thing herein before contained to the contrary notwithstanding.

Owner's Name and Tonnage to be painted on the Vessel,

XXIX. And be it further enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-six the Owner or Owners of every Hoy, Barge, Vessel, Lighter or other Craft (other than such Crafts as are herein before excepted) which shall pass with Goods on board through any of the Arches of the said Bridge, shall cause his, her or their Name or Names and Place or Places of Abode, together with the Tonnage of such Hoy, Barge, Vessel, Lighter or other Craft to be painted on some conspicuous Place or Part thereof; and the Owner or Owners of every such Hoy, Barge, Vessel, Lighter or other Craft (except as aforesaid) who shall omit so to do, shall, over and besides the Toll herein before appointed to be paid for passing through any of the Arches of the said Bridge, and the Penalty herein before inflicted in case of Non-payment thereof, forfeit the Sum of twenty Shillings every Time any such Hoy, Barge, Vessel, Lighter or other Craft (other than such Crafts as are herein before excepted) shall pass with Goods on Board through any of the Arches of the said Bridge, without having the Name or Names and Place or Places of Abode of the Owner or Owners thereof painted on some conspicuous Place or Part of such Hoy, Barge, Vessel, Lighter or other Craft, as also the Tonnage thereof; and every such Forfeiture shall be paid on the Conviction of every such Offender or Offenders by his, her or their Confession, or on the Oath of one or more credible Witness or Witnesses before any Justice of Peace of the City, County, Division or Place where such Owner or Owners shall live or be found, to the Person or Persons who shall make Information or Complaint to such Justice of any such Omission or Default as aforesaid; and on the Offender or Offenders on such Conviction refusing or neglecting to pay the Money which shall be forfeited as aforesaid, the same may and shall be levied by Distress and Sale of the Offenders Goods, rendering to the Owner or Owners thereof the Overplus, if any, after the reasonable Charges of every such Distress and Sale shall be paid.

on Penalty of 20 s.

to be paid on Conviction to the Informer,

and may be levied by Distress and Sale.

Justice may summon Defaulter for Non-payment of Tolls, and issue his Warrant for levying thereof, &c.

XXX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Justice or Justices of the Peace of any County, City or Liberty, within whose Jurisdiction any Person or Persons subject and punishable by this Act for neglecting or refusing to pay any of the Tolls or Sums of Money herein before appointed to be paid for any such Hoy, Barge, Vessel, Lighter or other Craft which shall pass through any of the Arches of the said Bridge with Goods on Board, or who shall neglect or refuse to pay any Composition Money agreed to be paid by him, her or them, in lieu of such Tolls, shall reside or be found, to summon before him or them the Party or Parties accused of Neglect or Refusal to pay the same Tolls or Sums of Money or Composition Money; and on Appearance of the Parties accused, or on his, her or their Contempt in not appearing, upon Proof on Oath by one or more credible Witness or Witnesses of the Service of such Summons or Summonses on the Party or Parties against whom the same was or were granted, or of leaving the same at his, her or their usual Place of Abode, with some Person there, of his, her or their Family, every such Justice and Justices is and are hereby required to proceed to the Examination of the Witness or Witnesses upon Oath (which Oath every such Justice is hereby authorized to administer) and thereupon to hear, adjudge and determine concerning the Matters complained of, and to issue Warrants for recovering the Money forfeited or due, by Distress and Sale of the Offenders Goods, so as the Offender or Offenders be thereof first duly convicted by any such Justice in like Manner as Justices may do for any Offences committed within their respective Jurisdictions; and every such Warrant and Act done by any such Justice, and by any Constable, Headborough, Tythingman or other Person, in Obedience to the Warrant of any such Justice, shall be as effectual in Law, as if the same had been granted or done within the proper Limits of their own Jurisdiction.

Tolls not rateable to any Tax.

XXXI. And be it further enacted by the Authority aforesaid, That the Tolls and Duties payable by this Act shall not be rated or taxed for or towards the Land Tax, Church, Poor, or any other Rates or Taxes, Ward or Parochial, or for or towards the Repairs of any Highways.

Tolls, &c. vested in the City, and to be applied for the Purposes of this Act.

XXXII. And be it further enacted by the Authority aforesaid, That all and singular the Tolls and Duties raised and imposed by this Act, and all other Money which shall be levied or recovered, or received by virtue hereof, shall, from and after the said twenty-fourth Day of *June*, be and the same are hereby vested in the said Mayor, Commonalty and Citizens of *London*, and their Successors; and the Money arising therefrom shall be recovered, accounted for, paid and applied in such Manner, for such Time, and for such Purposes, as by this Act is directed.

Common Council may borrow Money on the Credit of the Tolls.

'XXXIII. And forasmuch as the borrowing Money upon the Credit of this Act will be the most effectual 'Method to accomplish the Ends designed thereby:' Be it further enacted by the Authority aforesaid, That the said Mayor, Aldermen and Commons of the said City, in Common Council assembled, shall and may, and they are hereby impowered from Time to Time to borrow under the Common Seal of the said City, upon the Credit of the said Tolls and Duties created by this Act, any Sum or Sums of Money at a Rate or Rates of Interest not exceeding four Pounds *per Centum per Annum*, which said Money so to be borrowed shall be applied to the Purposes of this Act.

Clerk and other Officers to be appointed.

XXXIV. And to the End the said Tolls and Duties may be duly accounted for, Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, to nominate and appoint a proper Person or Persons to be their Clerk or Clerks, and such other Officers under them, for the Execution of the Powers hereby vested in them, as they shall deem proper; which Clerk or Clerks shall write and keep proper Entries from Time to Time of all such Matters, Proceedings and Things, as shall be done in pursuance of this Act; and likewise to nominate and appoint such Person or Persons to be Receiver or Receivers, Collector or Collectors of the said Tolls or Duties, as they shall think fit, who shall give Security for the due accounting for, and paying into the Chamber of the said City of *London*, the Monies by them collected, and for their Honesty and good Behaviour in their Office or Place of Collector or Collectors, Receiver or Receivers; and all Persons by this Act liable to pay the said Tolls or Duties, or any of them, are required to

Collectors to give Security.

pay

pay the same, after the Rates aforesaid, to such Receiver or Receivers, Collector or Collectors as aforesaid; and all such Receivers and Collectors shall respectively pay the same into the Chamber of the said City of *London*, and shall also upon Oath (if thereunto required by the said Court of Mayor and Aldermen) give in a true and perfect Account in Writing, under their respective Hands, of all Money which they and every of them shall to such Time have received, paid and disbursed by virtue of this Act, or by reason of their respective Offices; and the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, shall and may, out of the Monies arising or to be received by the said Tolls, or otherwise, by virtue of this Act, make such Allowances unto such Receiver and Receivers, Collector and Collectors, and all other Officers and Persons to be employed by or under them, for their Care and Pains in the Execution of their respective Offices, as they the said Mayor, Aldermen and Commons, in Common Council assembled, from Time to Time shall think fit and reasonable; and in case any such Receiver or Receivers, Collector or Collectors of the aforesaid Tolls or Duties so to be paid as aforesaid, or any of them, shall not make such Account and Payment, as by this Act is directed, according to the Orders and Directions of the said Mayor, Aldermen and Commons, in Common Council assembled, then any Justice or Justices of the Peace for the said City of *London* shall commit such Party or Parties to his Majesty's Gaol of *Newgate*, there to remain without Bail or Mainprize, until they shall have made a true Account and Payment as aforesaid, or compounded for the same with the said Mayor, Aldermen and Commons, in Common Council assembled, and paid the Money by every such Composition stipulated to be paid; which Composition the said Mayor, Aldermen and Commons, in Common Council assembled, are hereby authorized from Time to Time to make and receive, if they shall so think fit, in full Satisfaction for all Money that shall be then due from such Person or Persons.

Tolls to be paid to them; who are to pay the same over to the Chamber.

Salaries to be allowed to Officers.

Collectors not making one Account and Payment, to be committed.

Common Council may compound.

XXXV. And be it enacted by the Authority aforesaid, That every Receiver or Collector of any Money payable by virtue of this Act, shall pay the Money he or they shall receive, into the Chamber of the City of *London*, as he or they shall receive the same, in such Manner that he or they shall never have a Fund exceeding fifty Pounds at a Time in his or their Hands for the Space of ten Days, provided the said Chamber of *London* be open to receive the same; and if any such Receiver or Collector shall keep or retain in his Hands more than the said Sum of fifty Pounds longer than ten Days, he and they shall respectively forfeit and pay the Sum of five Pounds for every Offence, of which he or they shall be convicted before the Mayor of the said City of *London*, or any Justice of the said City, by the Oath of any one or more credible Witness or Witnesses, or by his or their Confession; all which Forfeitures shall be levied by Distress and Sale of the Offenders Goods, rendering the Overplus, if any, after the reasonable Charges of such Distress and Sale shall be paid, to the Owners thereof, and shall be recovered and applied to the Uses of this Act.

Collector never to keep more than 50 l. in his Hands at one Time, of the Tolls, but to pay the same into the Chamber, on Penalty of 5 l.

XXXVI. And be it also enacted by the Authority aforesaid, That the Chamberlain of the said City of *London* for the Time being, or such of his Clerks who shall be appointed by him for this Purpose, shall be obliged, and he and they is and are hereby required to give Receipts for all Money which shall be paid into the said Chamber of *London* in pursuance of this Act, without Fee or Reward; and that the said Chamberlain of the said City of *London* for the Time being is hereby authorized and required, out of the Money which shall be so paid into the said Chamber of the said City of *London*, under this Act, and so far as the same will extend or be sufficient, from Time to Time to answer and pay all Sums of Money which shall be drawn upon him, or ordered to be paid by the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, for or in respect of any Thing which shall be due or payable by virtue of or under this Act.

Chamberlain to give Receipts for the Money;

and to issue the same on Order from the Common Council.

XXXVII. And be it further enacted by the Authority aforesaid, That there shall be provided and kept by the Chamberlain of the City of *London* for the Time being, one or more Book or Books, in which all the Receipts and Disbursements of the Money arising and received by virtue of this Act shall from Time to Time be fairly set down and entered, truly expressing the Times when, and the Names of the Persons respectively from and by whom the same were so received, and to whom and for what Uses or Purposes the same shall have been disbursed; and an Account of such Receipts and Payments shall be fairly drawn out and stated, and signed by the said Chamberlain once in every Year, and delivered by him to the said Mayor, Aldermen and Commons of the said City, in Common Council assembled, who are hereby impowered from Time to Time to audit, or cause the same to be audited, and to settle the same; and after every such Audit shall be made, the Chamberlain of the said City of *London* for the Time being shall yearly lay before each House of Parliament a true Copy of every such Account or an Abstract thereof, within twenty Days after the Opening of every Session of Parliament.

Receipts and Disbursement to be entered in Books to be kept by the Chamberlain.

Accounts to be audited annually,

and laid before Parliament.

XXXVIII. Provided likewise, and it is hereby also further enacted by the Authority aforesaid, That all and every the Powers and Authorities in and by this Act given and granted to the Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, shall and may at all Times hereafter be exercised and performed as fully and effectually to all Intents and Purposes whatsoever, by any Committee who shall be appointed from Time to Time by the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled for putting in Execution this Act, or performing any Matters hereby directed to be done, according to the Authorities which from Time to Time by the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, shall be delegated or given to such Committee; and that all and every Acts, Matters and Things which at any Times hereafter shall be done or transacted by any such Committee who shall be appointed as aforesaid, shall be as valid and effectual to all Intents and Purposes whatsoever, as if the same were or had been done, transacted or performed by the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled; any Thing in this Act before contained to the contrary thereof in any wise notwithstanding.

Power of putting this Act in execution may be delegated to a Committee.

XXXIX. And it is hereby also enacted by the Authority aforesaid, That no Order which shall be made by any Justice or Justices by virtue of or under this Act, or any other Proceedings to be had touching the Conviction

Order of Justices, &c. not liable to be quashed

for want of Form, not removed by Certiorari.

Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for want of Form only; or be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

Perſons aggrieved may appeal to the Seſſions.

XL. Provided always, and it is hereby further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall think him, her or themſelves aggrieved by any Orders or Proceedings of any Juſtice or Juſtices of the Peace, which ſhall be made or had under this Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the Juſtices of the Peace at their next General Quarter-Seſſions of the Peace to be held for the County, City or Borough in which any Warrant ſhall be ſo granted, or Order ſo made; and the Juſtices of ſuch ſaid General Quarter-Seſſions are hereby required to hear and finally determine every ſuch Appeal and Appeals, and ſhall award to the Party or Parties for whom ſuch Appeal ſhall be determined, ſuch Coſts as to them in their Diſcretion ſhall ſeem reaſonable, and ſhall raiſe and levy by their Order or Warrants ſuch Coſts as ſhall be awarded by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons who ſhall be ordered to pay the ſame.

Court may award Coſts.

Charges of paſſing this Act to be paid out of the firſt Money raiſed.

XLI. And be it further enacted by the Authority aforeſaid, That all the Coſts and Charges of obtaining, or by reaſon of paſſing this Act, ſhall, as ſoon as may be, be paid out of the Money to be raiſed and received by virtue thereof.

Tolls to continue till the Principal and Intereſt of Money borrowed be repaid.

XLII. And be it further enacted by the Authority aforeſaid, That the ſeveral Tolls and Duties hereby appointed to be raiſed and levied for the Purpoſes aforeſaid, ſhall have Continuance and be received, had, raiſed, collected and taken, until ſuch Time as the Money which ſhall be borrowed by virtue of this Act, and the Intereſt thereof, ſhall be fully ſatisfied and paid.

Limitation of Actions.

General Iſſue.

XLIII. And be it enacted by the Authority aforeſaid, That if any Action ſhall be brought, or Suit commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or in relation to the Premiſſes, or any of them, ſuch Action or Suit ſhall be laid or brought within ſix Months next after the Fact done; and ſhall be laid or brought in the City of *London* or County of *Surry*, and not elſewhere; and the Defendant or Defendants in ſuch Action may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be brought within the Time before limited, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions; or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs; or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the ſaid Defendant or Defendants ſhall have treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

Treble Coſts.

Publick Act. *See farther* 31 *Geo.* 2. *c.* 20.

XLIV. And it is hereby further enacted, That this Act ſhall be deemed a publick Act, and ſhall be taken Notice of as ſuch by all Judges, Juſtices and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XLI.

An Act for explaining and amending two Acts of Parliament, one made in the eleventh Year of his Majeſty's Reign (*For repairing the Road from* Shoreditch *Church, through* Hackney *to* Stanford Hill, *and croſs* Cambridge Heath *over* Bethnal Green, *to the Turnpike at* Mile End *in the County of* Middleſex) and the other made in the twenty-ſixth Year of his Majeſty's Reign (*For enlarging the Term and Powers granted by the ſaid former Act*) and for impowering the Truſtees to erect and maintain Lamps, and keep a Guard, upon the ſaid Roads in the Night-time. P R.

CAP. XLII.

An Act for enlarging the Cœmetery or Church-yard of the Pariſh of Saint *Mary Newington Butts* in the County of *Surry*.

CAP. XLIII.

An Act for making and widening a Road from the Eaſt Side of the Pariſh of Saint *Matthew Bethnal Green* in the County of *Middleſex*, to the Eaſt End of *Church Street* in the ſaid Pariſh; and to open a Way or Road into *Shoreditch*, and keeping the ſame in Repair. P R.

CAP. XLIV.

An Act to enable the Truſtees for repairing *Old Street* Road, to repair, widen and make a Road from the Sign of *The Red Lion* on *Windmill Hill*, through *Worſhip Street*, to the *Ditch Side* next the Eaſt Side of *Holy Well Mount*, and through a certain Ground to the Sign of *The London Apprentice*, in the Pariſhes of Saint *Luke* and Saint *Leonard Shoreditch* in the County of *Middleſex*; or to lay open, repair and widen a Road from the ſaid *Red Lion*, through the *Dog Bar*, into the *Old Street* Road in the ſaid County. P R.

CAP. XLV.

An Act for repairing and widening the Roads leading from a Pond belonging to *Henry Eyre* Eſquire, in the Pariſh of *Whiteparish* in the County of *Wilts*, to the Top of *Dunwood Hill*; and from thence over *Great Bridge*

Bridge and *Middle Bridge*, through *Romsey-infra*, to *Hundred Bridge* in the County of *Southampton*; and from thence to the County of the Town of *Southampton*. PR.

CAP. XLVI.

An Act for repairing and widening the High Roads from *Basing stoke*, through *Popham Lane*, *Sutton Scotney* and *Stockbridge* in the County of *Southampton*, to a Place called *Lobcomb Corner* in the County of *Wilts*; and also for repairing and widening the Road from *Spittlehouse*, over *Wey-hill*, to *Mullen's Pond* in the said County of *Southampton*. PR.

CAP. XLVII.

An Act to explain, amend, and render more effectual, an Act made in the last Session of Parliament, intituled, *An Act for establishing, maintaining and well governing a Nightly Watch within the City of* Bristol. PR.

CAP. XLVIII.

An Act for rebuilding the Common Gaol for the County of *Derby*, upon a Place called *Nun's Green*, in the Liberty of the Town of *Derby*; and for appointing a proper Place for the safe Custody of Prisoners, until such new Gaol shall be compleated; and to impower the Justices of the Peace for the said County to pay the Rent reserved to the Corporation for the said Ground, out of the County Rates. PR.

CAP. XLIX.

An Act for repairing and widening the Road from the eighteen Mile Stone beyond *Willoughby Hedge*, through the Town of *Mere* in the County of *Wilts*, and through *Wincanton*, to *Charlton Houthorn*, and from thence to *Milborne Port*; and from *Willoughby Hedge* aforesaid, to the West End of *Long Lane* in *Kilmington*; and from *Wincanton* aforesaid, to the *Sherborn* Turnpike Cross-gate, on *Cattle Hill*; and from *Wincanton*, to *Sparkford*, in the County of *Somerset*. PR.

CAP. L.

An Act for repairing and widening several Roads leading from and near the Town of *Brewton* in the County of *Somerset*. PR.

CAP. LI.

An Act for repairing and widening the several Roads, from the Town of *Tewkesbury* to *Coscomb Gate*; and from *Isabel's Elm* to the Top of *Gotherington Hill*, in the County of *Gloucester*; and from *Tewkesbury* to a Farm-house, called *The Old Blue Bell*, and to the Direction Post in the Parish of *Ripple*, and to *Simmond's Ford Brook*, and from *Breedon* to *Eckington Bridge*, in the County of *Worcester*; and from *Tewkesbury* to *Wainload's Bridge*, and to the Road opposite to *Elstone* Church, and from the Market-house in *Cheltenham*, to the Turnpike Road from *Burford* to *Gloucester*, near a Tree called *Pewsdon Ash* in the said County of *Gloucester*. PR.

CAP. LII.

An Act for repairing and widening the several Roads leading from a Gate called *Poole Gate* in the Town and County of *Poole*. PR.

CAP. LIII.

An Act for the better regulating the Nightly Watch and Bedles, and cleansing, enlightening and paving the Streets, Squares, Lanes and other Passages, and repairing the Highways and Causways, and regulating the Poor within the Parish of Saint *Mary le Bone* in the County of *Middlesex*. PR.

CAP. LIV.

An Act for repairing and widening the Road from the Top of *Harnham Hill*, near the City of *New Sarum*, in the County of *Wilts*, through the Towns of *Blandford Forum* and *Dorcester*, to a certain Intrenchment on *Askerwell Hill* in the County of *Dorset*. PR.

CAP. LV.

An Act to amend and render more effectual an Act passed in the twenty-sixth Year of the Reign of his present Majesty, for amending several Roads leading from the City of *Exeter*. PR.

CAP. LVI.

An Act for amending and keeping in Repair the Roads leading from *Mead Brook*, which divides the Parishes of *Pucklechurch* and *Mangotsfield* in the County of *Gloucester*, to *Christian Malford Bridge* in the County of *Wilts*, and also from *Pucklechurch* aforesaid, to certain Coal Mines in the said Parish. PR.

CAP. LVII.

An Act for enlarging the Term and Powers granted by an Act passed in the twenty-second Year of his present Majesty, for repairing, enlarging and preserving the Harbour of *Ellenfoot* in the County of *Cumberland*. PR.

CAP. LVIII.

An Act for repairing and widening the Roads leading from the City of *Gloucester* towards *Cheltenham* and *Tewkesbury* in the County of *Gloucester*. PR.

CAP. LIX.

An Act for amending, widening and keeping in Repair several Roads leading from the *Market House*, and elsewhere, in the Town of *Ludlow* in the County of *Salop*. PR.

CAP. LX.

An Act for amending, widening and keeping in Repair, several Roads leading from the *Market House* in the Town of *Much Wenlock* in the County of *Salop*. PR.

CAP. LXI.

An Act for repairing and widening the Roads from *Coleham Bridge* in *Shrewsbury*, to the *Market Place* in *Church Stretton*, and to the Top of *Lythwood Hill*, and from *Pulley Common*, to the *May Pole* in *Condover*; and from *Coleham Bridge*, to *Longdon* in the County of *Salop*. PR.

CAP. LXII.

An Act to enable the Dean and Chapter of the Collegiate Church of *Saint Peter* at *Westminster*, and their Successors, to make and grant unto *James Mallors* a Lease or Leases of certain Pieces of Ground, Messuages, Tenements and Hereditaments, comprized within certain Limits, for a longer Term of Years than they are at present enabled to grant. PR.

CAP. LXIII.

An Act to impower the Churchwardens, Overseers of the Poor, and Vestry of the Parish of *Kensington*, in the County of *Middlesex*, to make a Rate or Rates for the Relief of the Poor, and the better repairing of the Highways, and cleansing the Streets within the said Parish. PR.

CAP. LXIV.

An Act for repairing and widening the Roads from the Town of *Shrewsbury*, to *Preston Brockhurst*, to *Shawbury*, and to *Shrey-hill* in the County of *Salop*. PR.

CAP. LXV.

An Act for repairing and widening the Roads leading from the Town of *Kington*, in the County of *Hereford*, through the *Welch Hall Lane*, as far as the same County extends, and the several Roads leading from *Kington* aforesaid, to *Brilley's Mountain*, to *Eardisley*, to *Almely*, to *Eckley's Green*, to *Eardisland*, to *Staple Bar*, and to *Milton House* in the said County of *Hereford*. PR.

CAP. LXVI.

An Act for explaining, amending and rendering more effectual, an Act passed in the twenty-seventh Year of his present Majesty, for repairing and widening the Road from *Leicester* to *Narborough*, and from *Leicester* to *Coventry*, and from thence through *Kenilworth* to *Warwick*, and from thence to *Halford Bridge*; and from *Warwick* to *Stratford upon Avon*; and from *Coventry* to *Martyn's Gutter*, leading towards *Stonsleigh Town*; and for supplying an Omission in an Act passed in the last Session of Parliament, for repairing the Roads from *Leicester* to *Ashby de la Zouch* in the County of *Leicester*, so far as the same relates to that Part of the said Road which leads from the Town of *Hinckley* in the County of *Leicester*, to the Town of *Nuneaton*; and from thence through the Parishes of *Chilvers Coton* and *Bedworth*, to *Bishops Gate* in the City of *Coventry*. PR.

CAP. LXVII.

An Act for enlarging the Terms and Powers granted by several Acts of Parliament for repairing the Highways between *Sheppard Shord* and the *Devizes*, and from *Stert Stone* in the Parish of *Urshfont*, to *Rowd Ford* in the County of *Wilts*; and for changing and altering Part of the said Highways; and for repairing the Road from the Top of *Red Hone* to *Stert Stone* aforesaid. PR.

CAP. LXVIII.

An Act for amending, widening and keeping in Repair, the several Roads from the Town of *Pool* in the County of *Montgomery*, to *Wrexham* in the County of *Denbigh*; and also the Road from *Knockin* in the County of *Salop*, to *Llanrhaiader* in *Mochnant* in the County of *Denbigh*. PR.

CAP. LXIX.

An Act for the explaining, amending and rendering more effectual, two several Acts of Parliament, one of them passed in the thirteenth Year of her late Majesty Queen *Anne*, for making the River *Nine* or *Nen*, running from *Northampton* to *Peterborough* navigable; and the other made in the eleventh Year of his late Majesty King *George* the First, for making more effectual the said former Act. PR.

CAP. LXX.

An Act for enlarging the Terms and Powers granted by an Act passed in the twenty-fourth Year of his present Majesty's Reign, for repairing the High Road leading from *Darlington* in the County of *Durham*, to *West Auckland*, and several other Roads in the said County therein mentioned; and for the effectual amending the same. PR.

CAP. LXXI.

An Act to explain and amend an Act passed in the twenty-fifth Year of the Reign of his present Majesty, intituled, *An Act for repairing the Roads from the Town of* Leeds *through* Harwood, *to the South West Corner of the Inclosures of* Harrogate, *and from thence in two Branches, one through* Ripley *over* Burage Green, *and the other through* Knaresborough *and* Borough-bridge, *to* Ripon, *and from thence to the first Rill of Water or Watercourse on* Hutton-Moor *in the County of* York, *and for repairing the Sloughs or Rutts on the said Moor*. PR.

CAP. LXXII.

An Act for changing and altering two several Roads directed to be amended and widened by an Act made in the twenty-seventh Year of the Reign of his present Majesty, for amending and widening several Roads leading from the Borough of *Truro* in the County of *Cornwall*. PR.

CAP. LXXIII.

An Act for building a Bridge across the River *Wye*, from the Town of *Hay* in the County of *Brecon*, to the opposite Shore in the County of *Radnor*. PR.

CAP. LXXIV.

An Act for the better supplying the City of *Edinburgh* with fresh and wholsome Water. PR.

CAP. LXXV.

An Act for compleating and finishing a new Church, and laying out and inclosing a Cemetery thereto, in the Island of *Portland*. PR.

CAP. LXXVI.

An Act for enlarging and altering the Term and Powers granted by an Act made in the twenty-second Year of his present Majesty's Reign, for effectually amending and repairing the Road leading from *Wansford Bridge* in the County of *Northampton*, to the Town and Borough of *Stamford* in the County of *Lincoln*; and for repairing the Road from the Borough of *Stamford* to *Stapleford Bridge*, in the Parish of *Ryhall* in the County of *Rutland*; and from thence to *Bourne* in the County of *Lincoln*. PR.

CAP. LXXVII.

An Act for repairing and widening the Road from the Town of *Farringdon* in the County of *Berks*, to the Town of *Cricklade*, and from thence to the Town of *Malmesbury* in the County of *Wilts*, and the Road from thence to join the Turnpike Road at *Acton Turville* in the County of *Gloucester*; and also the Road from *Tetbury* in the said County, through *Malmesbury* aforesaid, to *Chippenham Bridge*; and the Road from *Sherston*, to join the Turnpike Road leading from *Tetbury* to *Bath*. PR.

CAP. LXXVIII.

An Act for the better paving and amending, cleansing, enlightening and watching the Streets, Highways, Lanes and Passages, within the Town of *Shrewsbury* in the County of *Salop*. PR.

CAP. LXXIX.

An Act for the better Relief and Employment of the Poor, in the Hundreds of *Colneis* and *Carlford* in the County of *Suffolk*. PR.

CAP. LXXX.

An Act for enlarging the Term and Powers granted by an Act passed in the twenty-first Year of the Reign of his present Majesty, for repairing the High Road from the Town of *Bowes* in the County of *York*, to *Barnard Castle* in the County of *Durham*; and from thence through *Staindrop*, to *Newgate* in *Bishop Auckland*; and from *Newgate*, along *Gibb Chair*, to *Gaundless Bridge*; and from thence by *Melderston Gill*, to the Turnpike Road near *Sunderland Bridge* in the County of *Durham*; and for making the same more effectual. PR.

CAP. LXXXI.

An Act for amending and keeping in Repair the Roads leading from a Place called *Fryer Bacon's Study*, to *Chilton Pond*; and from the Top of *Hinksey Hill*, to *Foxcombe Hill Gate*, in the Road leading to *Farringdon* in the County of *Berks*. PR.

CAP. LXXXII.

An Act for repairing and widening the Road from the *White Stoop*, near the North End of the Town of *Derby*, through the Towns of *Duffield* and *Chesterfield* in the County of *Derby*, to the Town of *Sheffield* in the County of *York*; and from the said Town of *Duffield*, to the *Moot Hall* in the Town of *Wirksworth* in the said County of *Derby*. PR.

CAP. LXXXIII.

An Act for repairing and widening the High Road from the Borough of *Ripon* by *Ingram Bank*, to the Town of *Pately Bridge* in the County of *York*. PR.

CAP. LXXXIV.

An Act for repairing and widening the Roads from the North End of *Dunsby Lane*, to the South West Corner of *Riseholm Hedge*, and to *Catholm Gate*, *Drinsey Nooke*, and *Dunham* and *Littleburgh Ferries*, and from the North End of *Waddington Field*, and the Bridge over the River *Witham*, at *Bracebridge*, to the City of *Lincoln*, and from the Gate at the Foot of *Canwicke Hill*, to the great Bar-gates of the said City; and for enforcing the Performance of Statute-work upon the Highways, communicating with the said Roads, to a certain Distance from the said Roads. PR.

CAP. LXXXV.

An Act for repairing and widening the Roads leading from the East Side of *Lincoln Heath*, to the City of *Peterborough*; and from the East End of *Marham Lane*, to the Town of *Walton* in the County of *Northampton*; and from the Town of *Bourne*, to the Town of *Colsterworth*; and from *Donington High Bridge*, to the Cross Post in the Parish of *Hacconby*; and from the East End of a Lane called *Hale Drove*, to and through the Town of *Old Sleaford*, to the End of *Long Hedge* in the Parish of *Quarington* in the County of *Lincoln*. PR.

CAP. LXXXVI.

An Act for building a Bridge cross the River *Thames*, from *Black Fryars* in the City of *London*, to the opposite Side in the County of *Surry*. PR.

CAP. LXXXVII.

An Act for regulating the Nightly Watch and Beadels, and better enlightening, paving and cleansing the Streets and other Passages, and repairing the Highways within the Parishes of Saint *John Wapping*, Saint *Paul Shadwell*, the Hamlet of *Ratcliffe*, the Parish of Saint *Anne* in the County of *Middlesex*, and the Precinct of *Well Close* in the Liberty of the Tower of *London*. PR.

CAP. LXXXVIII.

An Act to enable the respective Trustees of the Turnpike Roads leading to *Highgate Gatehouse* and *Hampstead*, and from Saint *Giles's Pound* to *Kilbourn Bridge* in the County of *Middlesex*, to make a new Road from the great Northern Road at *Islington*, to the *Edgware* Road near *Paddington*, and also from the North End of *Portland Street*, cross the *Farthing Pye House Fields*, into the said new Road; and for enlarging the Terms and Powers granted by two several Acts for repairing the said Road from Saint *Giles's Pound* to *Kilbourn Bridge*. PR.

CAP. LXXXIX.

An Act for rebuilding the Parish Church, and enlarging the Church-yard of Saint *John* of *Wapping* in the County of *Middlesex*. PR.

CAP. XC.

An Act to enable the Proprietors and Inhabitants of Houses in *York Buildings*, in the Parish of Saint *Martin in the Fields* in the County of *Middlesex*, to make and levy a Rate on themselves, sufficient to answer the Expence of rebuilding or repairing of the Terrace Walk and Water-gate, and such other Part of the Premises adjoining to the River *Thames*, and belonging to the said Buildings, as shall be judged necessary, and for keeping the same in Repair for the future. PR.

CAP. XCI.

An Act for explaining and making more effectual an Act passed in the twenty-fourth Year of the Reign of his present Majesty, for repairing the Road leading from the East End of *Brumpton High Lane* in the County of *York*, to the Town of *Richmond*, and from thence to and through the Towns of *Askrigg* and *Ingleton* in the said County, to the Town of *Lancaster* in the County of *Lancaster*; and also for repairing the Road leading from *Richmond* aforesaid, through *Gilling*, *Melsonby* and *Aldbrough*, to *Lucy*, otherwise *Lousy Cross*, and from *Gilling* through *Gilling Town Lane*, to the Turnpike Road on *Gatherly Moor*. PR.

CAP. XCII.

An Act for explaining, amending and making more effectual, an Act of Parliament made in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for repairing and widening the Road from the Top of* White Sheet Hill *in the Parish of* Donhead Saint Andrew *in the County of* Wilts, *through the Towns of* Shaftsbury, Milborne Port *and* Sherborne, *in the Counties of* Dorset *and* Somerset, *to the* Half-way House *in the Parish of* Nether, *otherwise* Lower Compton, *in the said County of* Dorset, *and several other Roads near the Towns of* Shaftsbury *and* Sherborne *aforesaid*; and for repairing other Roads adjoining to the Roads in the said former Act mentioned. PR.

CAP. XCIII.

An Act to enlarge the Term and Powers of an Act for repairing the Road from *Shrewsbury* to *Wrexham* in the County of *Denbigh*, and to repair and widen several other Roads therein mentioned, and the Road from *Wrexham* to *Chester*, and from thence to *Pen Fordd y Waen* in the Parish of *Whitford*, and also the Road from *Broughton* to *Mold* in the County of *Flint*. PR.

CAP. XCIV.

An Act for amending, repairing and widening the Roads leading from the *Rye-way* in the Parish of *Yarpole* in the County of *Hereford* to *Presteigne* in the County of *Radnor*, and from thence to *Leintwardine*, and from *Presteigne* aforesaid, to the Top of *Trap Hill*, and from the *Rye-way* aforesaid, by the *Maidenhead*, to *Wooferton* in the County of *Salop*. PR.

The END of the SEVENTH VOLUME.